

Domination in Negros Occidental: variants on a ruling oligarchy

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Domination in Negros Occidental: Variants on a Ruling Oligarchy

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Summary

This report is about an order, in which the wealthy not only dominate the economy, but also politics: it is about oligarchy. It is also about an order in which political institutions are filled with men and women, who still defend their core interests with violent means, if necessary. It is about a plantation economy in which the large planter-families unite not only economic, but also political and social power in their hands. It is also about a polity mostly characterized by regular elections and changes in government since the early decades of the 19th century.

This paper deals with sub-national politics in one province of the Philippines, Negros Occidental. The Negros oligarchy, economically based on a sugar monocrop economy, developed within a few final decades of Spanish colonialism (~1850-1898). This form of domination not only survived the introduction of a host of democratic political institutions under the American colonial order (-1942), but also the establishment of the independent Philippine republic in 1946. Then the oligarchs even became the single most potent political force in national politics until the early 1970s. Even though Marcos clipped their wings during the years of martial law and they were severely weakened by a simultaneous dramatic downturn in the price of their only produce – sugarcane, they survived as a ruling group. During the past quarter of a century they have re-established themselves in power under democratic auspices. For the most part then, this paper is a study of oligarchic domination within a democratic political system. Under this broader heading, there is a specific focus on the role of violence in the Negros oligarchs' practice of multidimensional political, economic, social and cultural control and domination. The detailed analysis of Negros Occidental shows, what it took for the local oligarchy to survive in a democratic institutional setup over the extended period of time of nearly one century.

Domination by the small oligarchy of sugar *hacenderos* (plantation owners) and millers has been facilitated by two historical peculiarities the consequences of which reverberate into the present. First, Negros has been a sparsely populated frontier society from the mid to the end of the 19th century, when large numbers of immigrants settled on the island. Second, the leading actors who established the dominant pattern of a hacienda based mono-crop sugar economy had been merchant capitalists on neighboring islands before. They established a hacienda-system on Negros, that resembled an agricultural factory, relying on a mix of permanent and temporary workers instead of tenants as was the case in all other Philippine regions. These haciendas (and later the milling-centrals) became total institutions to their regular workforce and their families. As such, the haciendas passively, through their isolation and actively through various policies restricted communication between insiders and outsiders, controlled the movement of the workers and established a comprehensive patron-client nexus between the workers and the *hacendero*/miller. This made them into a near exclusive social world to its members, defining their individual and collective self-imagination, a process that significantly facilitated control and domination by the hacienda/milling central owners.

The study shows, that the fundamentals of control and domination are provided by non-violent practices and structures: economic sanctions and rule *by law*. While being non-violent, the threat to any non-compliant poor individual is significant. In an environment where no alternatives to employment on the haciendas or sugar mills of one of the oligarchs exist, where wages are hardly enough to secure subsistence, where most of the workers are indebted to their employers and live on hacienda territory, the threat of dismissal is existential. Likewise it is easy for the powerful to rule *by law*, deliberately making up cases against the deviant poor, who may then be put in investigative custody for prolonged times, threatening their and their families' economic survival.

Despite the secondary role of intimidation and physical violence as an instrument of control, Negros oligarchs at no point in time refrained from its use. Their political dominance allowed them for most of the past 150 years to utilize the local police to further their interests and repress resistance. In addition to that, they maintained private guards if not small private armies, at times also making use of various independent armed groups, when the need arose. The past few decades brought the Philippine Armed Forces in, partly as an independent agent of violence, partly at least in conjunction with if not in the service of local oligarchs.

This paper argues that in Negros Occidental and the wider Philippines the precondition of a democratic political culture in which "no one can imagine acting outside the democratic institutions, [and; P.K.] all the losers want to do is to try again within the same institutions under which they have just lost" (Przeworski 1991: 26), is insufficiently established. Politicians only seldom hesitate to employ state resources for private gain, undermining the state administration's commitment to rule-guided behavior and turning its segments into (more or less willing) tools of oligarchic domination. Finally, there is neither a normative nor any practical impediment against the private deployment and use of significant means of violence by the powerful.

As internal controls ("democratic mindset") clearly are the exception to the rule in the provincial as the wider national setting, there is an overarching need for external ones. In the Philippines, with the democratic set of institutions fairly well in place, democracy promotion would have to amount to social and cultural engineering, trying to bring about a new understanding of the social order and the actual rules governing social relationships as such. Such an endeavor at creating internal controls is clearly bound to fail, not only because of the magnitude of the task and the meager financial resources, but also because up to the present there are no successful models of such a kind of social and cultural engineering. Chances that the Philippines or Negros may provide a future model are practically nil.

This paper opts for concentrating on selective state strengthening. This would not aim at developing a democratic mindset in the elite and the population at large, but at replacing rule *by law* through rule *of law*. The controls would not be internal but external.

It aims at putting into place strong institutions of law enforcement that are insulated against political interference and able to discharge their tasks according to the principle of the rule of law. Problems of rent-seeking, corruption, election fraud and repressive as well

as competitive political violence are political problems. However, the most important instruments for their control are “good” laws and strong, independent and impartial law enforcement authorities. If these are in place, it does not matter whether an individual oligarch breaks the rules, because he will be punished. Even though there are still the same benefits of criminal behavior as currently, the costs for overstepping the law as well as the chances for getting caught rise with the strengthening of law enforcement agencies. Oligarchs would become much more law-abiding, not necessarily because they subscribe normatively to the democratic rules of the game, but simply because it hurts too much to overstep them.

The price for such a strategy is the survival of the oligarchy. As Jeffrey Winters argues: “[t]aming oligarchs through laws does not eliminate them. On the contrary, it keeps the empowered minority intact and places few limits on their capacities to use their wealth to defend their material interests” (Winters 2011: 285). Therefore it is less threatening to oligarchs than the various efforts aiming at their disempowerment in the political arena. This paper argues that it may be easier for oligarchs to go along with a drive for rule of law, simply because it would not threaten their survival as a dominant economic and political elite, but only provide for an even playing field with respect to the laws the oligarchs themselves issue in their function as congressmen. A regime characterized by rule of law would at least not go against the enlightened self-interest of modernizing oligarchs, as these certainly realize the costs of its absence. While they would have to disarm and cede their personal control over various means of violence, they could realize the gains of such a change that leaves them in possession of their property while guaranteeing its defense as part of a general principle of property rights defense. There is no guarantee that Negro oligarchs would be seriously interested in furthering the rule of law. However, their resistance to rule of law should be significantly less than against economic redistribution or democratic reform that directly empowers the majority of the people. Even though rule of law is less demanding than outright democratization – remaking oligarchs and population alike into democrats who believe in and respect the rules of the democratic game – it is still a fundamental challenge, given the deeply inscribed extra-legal patterns of domination and control.

In the long run, the taming of the oligarchs hopefully will engender new configurations and new rules of the game, which are decidedly more democratic than the current ones, if only because social activists, union leaders, and other critics of the established order will no longer be threatened by an informal death penalty and the little guy on the Main Street, will at least have a fair chance of fighting for his rights in the courts.

It may be argued that a final triumph over oligarchy needs a dispersal of their power-resources – their wealth. As Winters argues: “this has happened many times in history as a consequence of war, conquest, or revolution. However, it has never been successfully attempted as a democratic decision” (Winters 2011: 285).

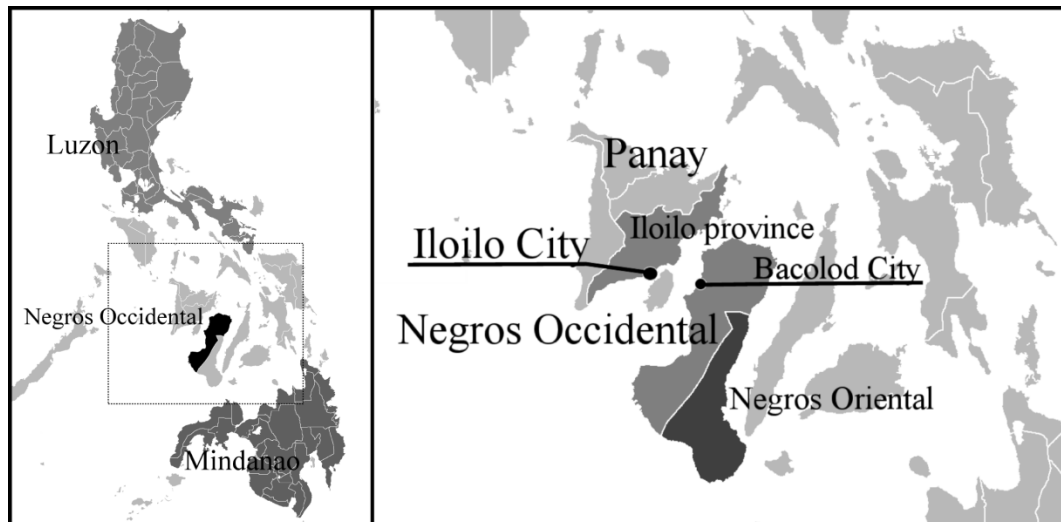
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1. Introduction

This paper is on the relationship between oligarchy and democracy. It analyses why and how oligarchs can not only survive in a democratic order, but even dominate it and which role coercion in the form of threat, intimidation or actual physical violence may play in the effort of oligarchs to defend their wealth. It will show that democracy is no antidote to oligarchic domination, because the two delineate two different realms of power. Whereas “democracy refers to dispersed formal political power based on rights, procedures, and levels of popular participation [...] oligarchy is defined by concentrated material power based on enforced claims or rights to property and wealth” (Winters 2011: 11). Democracy and autocracy may be mutually exclusive regime types, not so, however, democracy and oligarchy. To be sure a dominant oligarchy may distort democracy, but it does not necessarily rescind it. Oligarchic domination can easily leave the democratic form intact and utilize it for the purpose of wealth defense. As will be explained later in some detail, while the category of the oligarch, as an individual “empowered by wealth” (Winters 2011: xvii), is fairly stable over time and place, the strategies for defending his wealth are not.

Negros Occidental in the Philippines



This study refocuses the debate on Philippine politics in arguing that the prime motive of the vast majority of political actors is wealth defense and politics in the Philippines ought to be understood correspondingly. While violence is not a necessary part in such a polity, in the Philippines it is a recurrent practice both with respect to vertical threats from the common people and with respect to horizontal threats from other oligarchs. The relative importance varies by region, type of threat and level of politics (local, provincial, national). However, there is no sphere, where violence is completely tabooed as a means of wealth defense.

With Negros Occidental, a Philippine province, this paper looks at a political unit where oligarchs defend their wealth not only with peaceful, but also with violent means.

Even though the focus is on one province of the Philippines only, this province reflects a fairly general pattern of oligarchic domination in the Philippines. What differs between provinces is not so much oligarchic domination as such, but the concrete manifestation of this type of oligarchic infiltration of a seemingly democratic polity as well as the role violence takes as a means of upholding control over the subjects and the role it plays in intra-oligarchic disputes/contention.

The study of Negros Occidental commences in the mid-19th century, spanning more than one and a half century of continued domination of a planter-class, whose continued economic as well as political preponderance is based on their economic control over haciendas, mostly devoted to sugarcane. Through their economic power they were able to dominate politics on the municipal and provincial level and remake the state on these levels into an appendage or proxy for the enforcement of their claims at political, economic and social leadership.

This report first develops a framework for understanding oligarchy, a frame that is non-exclusive, i.e. not denying the validity of others. It differentiates between four fairly discrete patterns of defending the oligarchs' wealth with violent means if necessary, which vary according to the wider environment and leave a deep imprint on it. The main part of this report provides for a fairly detailed analysis of the patterns of oligarchic domination in Negros Occidental and the specific place physical violence takes in wealth defense since the beginnings of the hacienda economy in the mid-19th century. The conclusion will turn to the question of how to civilize or tame oligarchy in the local setting of Negros Occidental and the wider Philippines.

2. Oligarchy and the provision of coercion

Conceptual ambiguity is one core trait shared by oligarchy and a host of other social scientific concepts. This report follows the "Aristotelian" usage of the term, which connects oligarchy to wealth and to specific persons. It exists only "when men of property have the government in their hands; [...] the real difference between democracy and oligarchy is poverty and wealth. Wherever men rule by reason of their wealth, whether they be few or many, that is an oligarchy" (Aristotle, no year: Book III). Oligarchs can be pinpointed as individuals commanding extraordinary wealth and utilizing it to defend this wealth (Winters 2011: 6) by either directly building on this capital or by transforming it into other forms of cultural, social, symbolic and (to go beyond Bourdieu) coercive capital. Oligarchy then "refers to the politics of wealth defense by materially endowed actors" (Winters 2011: 7). Whereas individual oligarchs may utilize their wealth in the pursuit of a multitude of aims, oligarchy is the use of such wealth in the pursuit of its defense. Conceptually then, while the oligarch is a stable entity irrespective of context, the form oligarchy takes, varies over time and the structural as well as cultural environment. It should not be understood as a specific type of polity, but as a practice infusing various polities giving them a specific character.

If we understand wealth defense as the crucial aim of all oligarchs, then it is obvious, that types of oligarchies differ according to the “nature of the threats to wealth and property” and the required reaction of the oligarchs (Winters 2011: 7). The assertion and upholding of inequality, especially the unequal division of wealth, is always connected to successful coercion including the threat and use of violence. And it is in this respect, that forms of oligarchies can be differentiated, according to the environment in which such property claims and rights have to be enforced. If strong states exist, that have developed and subscribe to an ideology of property rights, then, with all probability, these states will enforce those very rights, absolving the oligarchs from doing so on their own. Where such states do not or only incompletely exist, property rights are either controversial or even absent. Then we only find property claims, which have to be secured by those making these claims. One of the crucial means for successful protection of such claims is coercion. A fourfold typology emerges, if we differentiate between various strategies of enforcement (see Winters 2011: 32-38).

The most “anarchic” type of oligarchy may be called *warring oligarchy*, referring to a fragmented order in which individual oligarchs utilize their own retainers for the defense of the oligarchs’ wealth (and power). Cooperation normally takes the form of oligarchic alliances, which however are unstable and prone to long-term failure as oligarchs are constantly exposed to a security dilemma and balancing strategies. Oligarchic violence goes in two directions: vertically towards the people they control and horizontally towards their contenders for wealth (and power).

Anarchy may be mediated by cooperation between oligarchs, out of which a *ruling oligarchy* may emerge, in which oligarchs still maintain their crucial role as providers of coercion, however “rule collectively and through institutions marked by norms or codes of conduct” (Winters 2011: 35). With respect to violence, this movement can be described as the path from market via an oligopoly to a cartel. Violence is no longer an option for dealing with horizontal contenders for wealth and power, but reserved for the defense of the claims to wealth and property against threats “from below”.

A third form is the *sultanistic oligarchy*, the qualifier Sultanism referring to the regime type defined by Juan Linz (1975: 259-263) as being “based on personal rulership with loyalty to the ruler based [...] on a mixture of fear and rewards for his collaboration” (259). Power is characterized by its arbitrary character and is used for private ends, the ruler and his trusted followers taking public funds freely. They are also otherwise engaged in economic ventures, utilizing their control over the means of coercion in order to extract as many resources as possible. In the context of a theory of oligarchy, the term sultanistic oligarchy connotes a form in which “a monopoly on the means of coercion is in the hand of one oligarch rather than an institutionalized state constrained by laws. [...] the rule of law is either absent or operates as a personalistic system of rule by law” (Winters 2011: 35). The ruler’s position depending to a significant extent on his coercive capacity, but also, insofar as other oligarchs can eventually choose to transform their wealth into other forms of power, on his willingness and ability to provide them with enough income to keep them content and to defend them from lateral threats from other contending oligarchs as well as from the people below. Even though violence is generally not

employed in intra-oligarchic conflicts, it is not ruled out (as in a ruling oligarchy), insofar as the supreme oligarch may defend his position against challengers, by resorting to the means of violence under his control.

A final form, as defined by Winters, is the *civil oligarchy*, meaning an order in which the oligarchs are disarmed and no longer rule directly, the oligarchs' private coercion becoming the state's public enforcement of rule compliance. This requires a strong institutional setup, which takes the position of the oligarchs defending their property claims for them, thereby reframing such property claims as property rights. As Winters points out, under such a system, "wealth defense [...] is focused on income defense – the effort to deflect the potentially redistributive predations of an anonymous state" (Winters 2011: 36) and the state "is governed impersonally through bureaucratic institutions" (Winters 2011: 208). Violence becomes a requisite of the state beyond the immediate grasp of the oligarchs.

In three of the four forms, oligarchs double as rulers, as they fend off threats to their wealth through direct domination. Only in the fourth type, where property claims have been transformed into property rights, can oligarchs safely ease their quest for direct control over sufficient means of coercion. In all three others they are in a ruling position.

With respect to means of coercion, warring and ruling oligarchies share a common pattern. In both cases are the agents of coercion (more or less) directly controlled by the individual oligarchs, the core difference being the degree of collective arrangement for decision making and governance. The Sultanistic logic in its ideal form resembles modern states in so far as something akin to a monopoly on violence is established under the control of the supreme ruler. Sultanism is viable, as long as the supreme oligarch provides for the wealth defense of all the others or at least the overwhelming number. Given the scarcity of resources, intra-oligarchic competition and the general logic of balancing, alliance- and counter-alliance building, it is to be expected that Sultanistic domination regularly "involves sultanistic predations on individual oligarchs to be effective" (Winters 2011: 135). The end of Sultanistic oligarchy therefore in most cases is co-equal with a re-arming of the other oligarchs.

3. Negros Occidental: the place of violence in oligarchic domination and control

The following study of oligarchic domination in the Philippine province of Negros Occidental argues that despite various far-reaching changes on the local, national and international level over the past 150 years, local domination on Negros throughout this whole time span was and still is oligarchic in character, being mainly based on superior wealth and concomitant political power gained primarily through ownership of land, control over the sugar centrals and local banking, and, last but not least access to public money and other resources via public office. Then as now, oligopolist control over land and the

means of production serves as the prime guarantee for their property, income and by extension for their political dominance.

Since its inception in the second half of the 19th century Negros oligarchy, with only two short disruptions (for details see below), has been of the ruling type, meaning that inter-oligarchic competition has been reduced, so that oligarchs need not employ armed might in defending their wealth against encroachments by contenders, but focused on upholding collective oligarchic domination over the broad mass of the population and securing that the interests of the sugar-based economy are aptly reflected in national politics. While Negros oligarchs retained their autonomy to employ private or state-derived means of violence in the territories they controlled, they at the same time jointly occupied the various political positions and utilized them to defend and maximize collectively their property and wealth against predations from below, but also from above (i.e. contending oligarchs on the national level, whose interests deviated from the Negros oligarchs'). While competition amongst oligarchs existed, it was always subdued, insofar as violence was concerned. Government, fairly similar to control over land, was largely oligopolist as was the utilization of violence to defend property and wealth against threats from below. Within the territory of the hacienda and most probably the wider region, encompassing one or several municipalities, the individual oligarch (or his family) is political monopolist, who to a large extent also controls the locally available means of private and public violence. On the provincial level, the various oligopolists rule by either building up a cartel or more or less voluntarily accepting the overall leadership of a dominant member, which, however, leaves the individual monopolies intact. As the oligopolist structure of land-ownership, violence and government overlap, the various types of capital controlled in each of them can be utilized to defend the oligopolist position in any of the other. In this structure violence had its place, however, it was neither the only nor the most important means for wealth defense. In the context of the plantation economy of Negros Occidental wealth was defended through a three-pronged control-structure integrating political, economic and social domination into a fairly coherent whole.

Control and domination rested firstly on the large hacienda and, since the 1920s also on the milling central, as specific types of "total institution", which had the ability to make its members totally dependent. The term total institutions derives from Erving Goffman, who delineated a specific type of social organization that "are both part of and separate from modern societies, a 'social hybrid, part residential community, part formal organization'" (Davies 1989: 77). Large haciendas and milling centrals deny the separation of social spheres so characteristic of modern society, "that the individuals tend to sleep, play, and work in different places, with different co-participants, under different authorities, and without an over-all rational plan" (Goffman 1961: 6). While haciendas at first sight seem to be purely economic organizations, a more detailed inspection reveals their all encompassing nature: "First, all aspects of life are conducted in the same place and under the same single authority. Second, each phase of the member's daily activity is carried out in the immediate company of a large batch of others, all of whom are treated alike and required to do the same thing together. Third, all phases of the day's activities are tightly scheduled, with one activity leading at a prearranged time into the next, the whole sequence of explicit formal rulings and a body of officials. Finally, the various enforced ac-

tivities are brought together into a single rational plan purportedly designed to fulfil the official aims of the institution” (Goffman 1961: 6). The totality of the institution is a matter of degree, concentration camps, prisons and psychiatric hospitals obviously fitting best the ideal-type. Goffman himself notes that “none of the elements [...] seems peculiar to total institutions; what is distinctive about total institutions is that each exhibits to an intense degree many items in this family of attributes” (Goffman 1961: 5). Large-scale plantations are multidimensional social institutions: they are settlement, economic, political, and cultural institutions (Durant Jr. 1999: 4, see also Knottnerus/Monk/Jones 1999). As they, if only by size and relative seclusion restrict communication between insiders and outsiders, control the movement of the members and thereby become their members only realm of social experience, they also define the members social and personal identity (Wallace 1971). Most importantly, the individual hacienda should not be seen in isolation. With one hacienda bordering on the next, with *hacenderos* being in fundamental accordance, there was no way out of the hacienda as there was no place beyond the hacienda, where the poor could make a living.

The second pillar of oligarchical domination and control was the *hacenderos*' and sugar millers' "ownership" of the institutions of the state, meaning the direct manning of executive positions on the local and regional level (from the municipality over congressional seats to the governor), tight control over the local security services (the Philippine National Police, its predecessors and various types of police auxiliaries) and the judiciary, many of whose members either belong to the locally dominant elite (being plantation owners themselves) or maintain close relations to the local social (and economic) *hacendero*-miller elite.

In addition to these two pillars, a third was the individual *hacendero*-politician and miller oligarch's control over private means of violence, which generally were hardly distinguishable from those of the state, as *hacendero*-politicians frequently put the latter to their personal use. State agents of coercion were at all time augmented by various types of non-state actors, which were either regular employees of the haciendas or milling centrals, but could also be local vigilante organizations, break-away factions of leftwing guerrillas, bandits and millenarian movements or individual assassins, who sold their services to the highest bidder.

Private coercion has never been the most important means of wealth defense, always being subordinate to economic control via the total organization of the hacienda and centrally, the "positive" strategy of patronage, the ingenious utilization of modern law (rule by law), the corruption of public officials and the direct or indirect takeover of the core positions in the local and provincial administration and politics.

The following paragraphs readily concede this, yet they will show, that Negros Occidental elites at no point in time reneged on their self-claimed right to defend their property with violent means if necessary. Further it will be shown that the outsourcing of private coercion to agents of the state, the police or the armed forces, allowed a reframing of private property claims in the language of state-secured property rights. This enabled the oligarchs to use the state institutions of repression for the defense of the oligarchs' property claims under the twin paradigms of individual equality and property rights.

The Philippines at any time during the past 150 years of sugarcane history resembled a non-developmental state, in which the “government is largely unsuccessful in disciplining capital” (Oabel 2011: 61). As Walden Bello puts it: “the subversion of the democratic potential of the masses by the realities of concentrated wealth and power” resulted in the non-functioning of Philippine government, not because of any inherent systemic weakness, but “because it’s not supposed to work” (Bello et al: 2005 3-4) From the perspective of the oligarchs only a deficient state allows them to maximize their interests and defend their wealth. Therefore, they are generally not interested in strengthening the state, at least not in those respects that directly impinge on their crucial interests.

3.1 Putting into place the hacienda system

Despite being a colonial backwater, developments on Negros were fairly similar to many other regions of the Philippines until the mid-19th century with a low population density and an extraordinarily weak Spanish administration.

This changed dramatically in the 1850s with the coming of the Augustinian *Recoletos*¹ order, who took over control of the Negros parishes in 1849 and the breakdown of the weaving industry in neighboring Iloilo city on the island of Panay, which led a number of Iloilo merchants to look for new business opportunities in backward Negros. Together with a small number of foreigners, the Iloilo merchants launched a virtual sugar revolution, transforming Negros within a few decades into the most important Philippines sugar producing region. In the course of this development, the indigenous tribal population (*negritos*) that had survived to this point in various regions, was either driven to the mountains or exterminated, the fairly small number of local lowlanders, who had migrated to Negros in earlier centuries were submerged into a new frontier society dominated by immigrants.

The magnitude of change is reflected in a dramatic rise of sugar-production and population. Sugar exports from Negros increased from 3,000 picul² (190 metric tons) in 1850 to 1,053,927 piculs in 1908, most of it produced in Negros Occidental (Nesom/Walker 1912, Vol. 2, 17-18; see also: McCoy 1992, 113, Lopez-Gonzaga 1994, 84).

In the same time span from the mid-19th to the beginning of the 20th century the population rose from probably less than 30,000 inhabitants³ to more than 450,000 for the is-

1 The order of the Augustinian *Recoletos* is an offshoot of the Augustinian order, founded in the 16th century in Spain and quite prominent in the Christianization of the Philippines. For first hand information on the *Recoletos*’ work on Negros in the Philippines see their Provincial Francisco Araya (in: Senate (US) 1901: 40-49)

2 One picul corresponds to 63.25 kilograms.

3 The numbers given for the early 19th century vary significantly, between 19,000 and 100,000, however, most researchers settle for the lower end (Lopez-Gonzaga 1994, Echaúz 1894, Larkin 1993, McCoy 1992, Cuesta 1980).

land of Negros, 3/5 of which settled in Negros Occidental (Sanger/Gannett/Olmsted 1904: 14).⁴ Depending on the assumed baseline of the late 1840s this would mean a population growth of more than 1000 percent.

3.1.1 *Plantation economy and polity*

Late 19th century Negros clearly qualifies as a frontier- and an immigrant society, where by and large existing social structures were wiped out and replaced by new ones, developed in the course and on the basis of the sugar rush by the new owners, as well as by tenants and workers on the haciendas, most of whom came from neighboring islands.

The new social order was built around the cornerstone of the economic order, the *haciendas*. These differed from the outset from their counterparts in the northern Philippine province of Pampanga, insofar as the Negros *hacenderos* did not look back on a farmer-planter past, but had been dominant merchants and proto-industrialist capitalists in the fairly high developed and urbanized neighboring Iloilo. Consequently, from the outset, these haciendas were capitalist ventures, run with a capitalist mindset.

Whereas in most parts of the northern Philippine island of Luzon and other parts of the Philippines the agrarian order had for long times been characterized by various types of share or cash tenancy, a *longue durée* that not seldom withstood all efforts at reform up to the very present, in Negros Occidental after a short interplay of mixed systems, the dominant relationship was not between tenant and landlord, but between worker and *hacendero*. Many owners of the large haciendas were absentee landlords and entrusted everyday control over their land to an *encargado* (overseer). The *hacenderos* took over political positions. They also manned the local justice system. The list of judges of the peace (*juzgado de paz*)⁵ in the late 19th century can be read like a who is who of Negros *hacendero* families, transforming the local judiciary into “a monopoly of the agricultural and commercial plutocracy of the island” (Cuesta 1980: 296). Oligarchic dominance in local politics and judiciary facilitated land-grabbing by these wealthy and powerful entrepreneurs (Larkin 1993: 69). Not seldom, rule *by law* seems to have been an important strategy for securing domination and deterring or sanctioning resistance, as when *hacenderos* trumped up criminal charges (mostly stealing) against servants or workers, well knowing that the “the man in prison under charge of having committed a criminal act and waiting trial, is kept at hard labor just the same as the convicted criminal” and

4 See also: Report of Governor Occidental Negros in: Senate US 1902, 435; Dept. of Commerce and Labor 1904: 14.

5 Up to the late 19th century the *goberndarorcillos* not only held executive but also judicial power at the local level. After 1891 the two powers were separated, establishing the office of judges of the peace (*juez de paz/juzgados de paz*) in all provincial towns. These however, acted as an institution below the jurisdiction of first instance, which was invested in the *alcade* mayor, who controlled a whole province or district (Bankoff 1996: 102).

generally would have to wait for a hearing for months or even years, because of “an almost complete stagnation of judicial business” (citations: Norris 1902: 19).

In Negros, pre-existent social institutions, bonds of community, tribe or extended family, local traditions and practices were lacking. The *hacienda* became a total institution on its own to the workers, with the *hacendero* (or his representative, the overseer: *encargado*) as a multidimensional authoritarian ruler. An American officer stationed on Negros around the turn from the 19th to the 20th century commented that

“each hacienda was a community in itself – a feudal community in which the *hacendero* was the overlord. The *hacendero*’s house, like a baron’s fortress in the Middle Ages, stood in the center of the buildings and dependents’ huts” (White cited in Lopez-Gonzaga 1994: 50).

However, *hacienda* ownership is not synonymous with oligarchy. Besides a fairly small number of large *haciendas*, there existed many small ones, which one interview partner called hand-to-mouth *haciendas*, not seldom encompassing only a few hectares.⁶

Negros Occidental provides one example of a trend observable in many regions of the Philippines in the late 19th and 20th century: the establishment and stabilization of oligarchic domination not only in the local economy, but also in politics and the wider social sphere. As F.W. Norris, an early American judge for Negros commented in 1902 that on “the island of Negros [...] the rich families are everything, the people are nothing. The rich Philippino can say like Louis XIV. ‘I am the State,’ and the poor are too simple and ignorant to contest his supremacy” (Norris 1902: 20).

The specific patterns of *hacienda*-based oligarchic planter hegemony (Aguilar 1998) on Negros were stabilized by late Spanish and early American politics, that co-opted oligarchs as political stalwarts of law and order. Planter-oligarchs doubled as political leaders on the local up to the national level and could thereby utilize the state resources and institutions to strengthen their grip on the land and the people.

3.1.2 Physical Violence in early oligarchic domination

During the second half of the 19th and the first decades of the 20th century physical violence was employed against a range of social groups threatening the dominant order. It was crucial in the fight against the remnants of the *negritos* and a host of *remontados*⁷, and

6 For 1896 it is reported that the average size of landholdings was 109 ha, with twelve families controlling nearly “one third of the 53,211 hectares of sugarland in twenty of the twenty-six sugar-producing towns on Negros” (Larkin 1993, 70). McCoy reports that a mere 324 proprietors owned “nearly 80 percent of the province’s agricultural lands” (McCoy 1992: 115).

7 The *negritos* are the descendants of various non-Malay indigenous people settling in various regions of the Philippines, who differ from the mainstream Filipinos on account of their darker skin-color and curled hair. *Remontados* partly describes the same group. The term however, also refers to all those individuals and groups “who opted to live in the mountains to avoid subjugation by the Spaniards. Subsequently, they intermarried with the Negrito groups.” (Noval-Morales no year).

“social bandits”, the latter two comprising people who for a variety of reasons had gone to the mountains and preyed upon the haciendas in the lowlands.

Late 19th century banditry as well as a number of revolts can to a certain extent be categorized as social rebellions trying to right the harsh tax policies and the expropriations of small-scale homesteaders by powerful *hacenderos* that was taking place at the time. At least since the 1880s the majority of members of the various armed bands seem to have been discontented farmers, the primary aim of their raids being *haciendas* and the representatives of the Spanish government (*governadorcillos*). The *Babaylan* movement “advocated violence as a means to changing the hacienda system” (Lopez-Gonzaga 1991: 33) and aimed at “a revival of the old system of landownership which was communal in nature” (Bauzon 1998: 38). When the Negro planters accepted American rule, *Babaylan* leader Papa Isio threatened them “with blood retribution for their treason” (McCoy 1992: 122). His group attacked and razed several towns, drove 70 Spanish planters from the countryside, killed 12 planters and burned down more than 50 haciendas (McCoy 1992: 122).

Even though these bandits and millenarian movements directly threatened the *hacenderos*, the latter only seldom engaged them, entrusting this task to the *Guardia Civil*. After the American take-over, the task fell on the American armed forces most notably the Constabulary which by and large eradicated the *Babaylans* within a few years in a bloody campaign.

Direct planter power and violence was mostly directed against the fairly large number of small farmers, who had been the first to clear portions of land at the onset of local cash-crop economy during the 1850s and 1860s. This means that *hacenderos* resorted to significant amounts of violence in their practice of land-grabbing. In addition, they seem to have had a habit of “replenishing their stock of work animals from other herds than their own” (White 1928: 158). *Hacenderos* also seem to have made use of the *Guardia Civil* or the *cuadrilleros*, letting them do the beating in order to deflect anger and feelings of revenge (Aguilar 1998: 144).

From the outset violence played a significant role with respect to social control on the Haciendas. There were hardly any regulations in place that could constrain *hacendero* violence in the late Spanish era, when *encargados* and *hacenderos* alike still made use of the whip on a regular basis (General Hughes in: Senate US 1902: 535; see also McCoy 1982: 320). The American Judge of the Special Court of First Instance for the Island of Negros W. F. Norris reported that even female members of leading families tended to whip their servants, if these for example “wished to leave, or did leave, their service against their will” (Norris 1902: 21). In addition to that, planters employed armed patrols, that guarded the haciendas, not so much in order to prevent foreigners from entering it, but for preventing workers from absconding (McCoy 1992: 119; Larkin 1993: 79). Finally, *hacenderos* seem not to have stopped short of killing disobedient workers, even though this certainly will have been more the exception than the rule (Aguilar 1998: 185).

By and large, physical punishment by planters mirrored the practice of local governments, whose representatives also whipped people quite liberally and for small offenses. The new *governadorcillos*, most of whom belonged to the planter class did not differ in

this respect from the old ones. Worcester referring to a visit to Negros in the 1880s reports that flogging was used regularly and far more often than could be legitimized according to formal law and regulations. Even delinquent taxpayers, if caught by the local police, were regularly

“flogged in a most scientific manner. [...] We were often forced to witness these cruel whippings during our stay. [...] After the whipping they were shut into the jail beneath the tribunal, and kept there until relatives or friends paid their debts. If there was too much delay, another whipping followed. Men sometimes died from the effects of these beatings, and women were subjected to the same inhuman treatment as men” (Worcester 1898: 256).

Whereas it was fairly problematic for planters to acquire weapons during Spanish times, this changed with the coming of the Americans, who immediately introduced new legislation that gave *hacenderos* legal access to firearms. Within a few years, in 1906, there were already 1,019 legally issued firearms on Negros (Aguilar 1998: 185), making the planters collectively into a stronger armed force than the military stationed there. While these weapons were supposed to be used to defend the haciendas against the then widespread threat of banditry (*tulisanes*) and millenarian movements, they could also be employed to discipline workers and assume control over further tracts of land in a process of land-grabbing that continued unabated in the first decades of the new century (for examples from the 1870s see McCoy 1982: 321; for the late 1910s see Larkin 1993: 69, 252-254).

In addition it might be stated that whereas the municipal police was formally under the supervision of the Philippine Constabulary, this seldom seems to have been the case in practice (Secretary of the interior 1932: 95). Instead they were completely under the control of the local chief executive, who generally belonged to the small group of *hacenderos*. The director of the Philippine Constabulary reporting in 1907 that the members of the police were on the one hand severely underpaid consequently using their position to augment their income illegitimately and on the other are “still used in many places as servants of the *presidente* rather than as police”. As the *presidente* appointed the members of the police, the latter were “changed with each new municipal administration” (Director of Constabulary 1908: 296).

3.2 The long heyday of the sugar barons

3.2.1 Stability and change in the structural basis of planter-domination

Neither the decades leading up to World War II nor the following years brought any change with respect to land-concentration and oligarchic planter-control. In the mid 1930s “approximately 5 percent of Negros Occidental’s population [...] controlled all of the province’s agricultural properties. Those possessing more than 500 hectares numbered only 61” (Sturtevant 1976: 159 Fn. 1). In 1960, Negros Occidental had a total of nearly 59,324 farms, of which 39,675 (2/3) were less than 3 ha in size. Only 1,845 (3 percent) were 20 ha or larger (Bureau of the Census and Statistics 1969: 231).

The crucial change that separates the 1920s and later from the decades before, was the introduction of the sugar-*centrals*: large-scale mills, that broke up the hacienda as an inte-

grated unit of production (Lopez-Gonzaga 1994: 177), which led to a differentiation between those planters who invested in milling and those who did not, the first vastly enhancing their position at the cost of the latter and essentially led to a monopsonistic market, as cane producers of any given district could sell their cane to “their” central only.⁸ Many of the wealthiest of the miller-planters diversified their business interests by entering the transport business (mostly shipping), mining, lumber, oil, banking or various other profitable ventures. After serious internal clashes between planters and mill-owners (most of the latter also holding vast plantations) during the pre-World War II decades, the two groups finally succeeded in advancing their interests together, transforming them into the best organized and most powerful interest group in post-war Philippine politics up to the early 1970s.⁹

As in the decades before World War II Negros oligarchs defended their wealth at the national level as congressman, governor or senator and in the local arena as municipal mayor in the decades following the defeat of the Japanese. While competing with each other economically, this competition was hedged and did not involve any recourse to violence (with one significant exception analyzed below).

World War II had brought severe devastation and the industry barely survived at all. However, Philippine sugar was granted preferential treatment and a large sugar quota by the US directly after the end of the war. With a generous and increasing American quota and prices significantly above the world market prices, the Philippine sugar industry experienced two decades of boom, the sugar oligarchs being restored to their pre-war national prominence.

Even though there was much political change at the national level and serious strife amongst the Negros oligarchs, nevertheless the basic pattern of Negros social, political and economic organization generally still followed the mode of a ruling oligarchy set in preceding decades:

“It was not unusual that during the halcyon days of sugar, the makeup of the political leadership in Negros Occidental, particularly, Bacolod City, was determined by the demands and requirements of sugar production. It was not particularly remote that all positions of power in the province were

- 8 Up until the early second decade of the 20th century sugar was milled in hundreds of technologically backward mills on the hacienda itself. These were replaced by a small number of central mills in which a number of indigenous planters held a significant amount of shares. The dichotomy between planters and millers soon found its organizational expression in the contention between the Confederation of Associations and Planters of Sugar Cane, representing planter interests and the Philippine Sugar Association, representing the mills. This conflict continued in an on and off fashion until World War II. (Billig 2003: 46-54, see also Larkin 1993).
- 9 As McCoy (1992: 108), giving an overview of national planter power from the end of the 19th century to the 1980s, points out, planters dominated “the new National Assembly after the 1907 elections, shaping the legislature in ways that made it a redoubt for the defence of their industry. As the country’s first major capitalists, the sugar planters thus had the power, through their local control and national wealth, to overcome any threats to their industry’s survival, whether nationalist revolution, militant unions, global war, national independence, or communist revolt.”

configured according to the sharing arrangements among the captains of the sugar industry” (SunStar Bacolod 19 January 2010 www.sunstar.com.ph/bacolod/billones-no-science-fiction).

3.2.2 *The place of violence in oligarchic wealth defense*

The 1920s brought a short-lived return of an enemy the oligarchs had already had to deal with in the late 19th century: the social bandit (Larkin 1993: 189-190) and its companion, with which it sometimes mixed, the millenarian movement in the form of “Emperor Florencio Intrencherado,” who led a movement, which, however, was put down by the police fairly easily. Workers movements, unions and self-help associations likewise made their appearance on Negros, however, neither before nor in the first decades after the Second World War did they pose any threat to the established order.

Only two organizations were of some importance, the *Kusug Sang Imol* (Strength of the Poor) and the *Mainawa-on* (Merciful), both of which offered assistance to members in need. Neither of them, however, advanced real workers interests against the *hacendero* class, but both were new constructions geared towards supporting competing factions within the ruling group, each having between 15,000 and about 20,000 members, each led by members of the establishment. These two organizations worked as force-multipliers in the intra-elite competition for local political control in various municipalities and the province at large (PFP 1924: 22; PFP 10 May 1924: 18-20). In the course of this “(m)ost towns witnessed Chicago-style gang warfare, coercion, and corruption as local policemen, and toughs sided with the two organizations in the struggle” (Larkin 1993: 191-192; see also PFP 26 January 1924: 8; PFP 2 February 1924: 16; PFP 3 May 1924: 22). The intense conflict led to a heavy-handed response from the national government and the Philippine Constabulary, forcing the de facto dissolution of the two movements after only a few years of existence. In 1931 the *Federacion Obrera de Filipinas*¹⁰ threatened Negros mills with an extended strike. In response, the mill managers devised a first means of social engineering, intent on countering the threat of organized labor: the local company union, representing the workers of single milling centrals. *Centralistas* from then on actively supported “mill workers and their local company unions within their milling districts” (Oabel 2011: 82). This strategy helped millers and planters alike to prevent or at least slow down translocal worker organization for decades by segmenting worker organization on a company basis.

During the late 1930s, with violent conflict ongoing in the other Philippine sugar province, Pampanga, the island of Negros remained fairly undisturbed (Larkin 1993: 219). An even more surprising calm on the revolutionary front can be observed in the late 1940s up to the 1970s. Whereas Pampanga and surrounding provinces were engulfed in armed

10 In 1927 the *Federation Obrera de Filipinas* started organizing in Negros, followed by the National Federation of Labor and the Philippine Labor Union. However, cooperation between those labor representatives was scarce, most of the time they seemed to have “fought each other for exclusionist collective bargaining agreements with sugar centrals and other enterprises” (Guanzon 1993: 28).

conflict between the government and *hacendero* armies on the one hand and revolutionary groups (the *Hukbalahaps* and later the NPA), Negros remained fairly peaceful, despite the desolate situation of many of the agricultural workers.

Authority relationships and the role of physical violence on the hacienda are illustrated by Ravenholt's description of an *encargado* of a Negros hacienda in the 1950s:

“When he strides about the hacienda in his smartly creased trousers and natty shoes, the *encargado* carries in his hip pocket a pearl-handled pistol. This gun [...] is [...] symbolic of the relationship between the *encargado* and the 148 men, women and children in the workers' families; the *encargado* gives orders and enforces discipline, tempered by the need of securing performance” (Ravenholt 1955: 9).

Part of the repressive violence was outsourced to the *contratistas*, who were responsible for the seasonal workers (*sacadas*) and enforced discipline within their workforce. *Contratistas* are “ruthless” persons, accepted by the *hacenderos*, because they “are efficient” (Jesena no date, no page).

Despite strong evidence for a significant level of violence in the relation between workers and *hacendero/encargado*, the general strategies for securing obedience were violence-free. Workers had no alternative to the relationship with their *hacendero*. As there were hardly any other opportunities for economic survival they developed a mindset of total subordination and personal deference. The corresponding system of control

“hinges on personal dependency and loyalty: individuals who monopolize access to scarce resources (land, paid work, and capital) ‘offer’ such access as individual favor, punish disloyalty and breaches of deference by withholding such access, legitimize their control through an ideology of patronalism and patron largesse, and reward loyalty with individual privileges” (Rutten 2007, 39).

This focus on domination and obedience is not confounded to the work-setting, but encompasses all aspects of the worker's life. Large haciendas and milling centrals were not simply workplaces, but provided housing and small fields for planting, stores and at times schools, sites of religious worship and also healthcare to its workers and fielded its own security guards. The Victoria Milling Central in Victorias Municipality (northern Negros Occidental) for more than four decades ran an own gazette, a small hospital and even a technical school (Oabel 2011). Large haciendas and milling centrals thereby became what Oabel describes as company states. The economic unit of production took over all tasks normally entrusted to either the state or provided by market participants independent from the employer. In many cases the local state is coequal with the economic unit of the hacienda/mill insofar as whole *barangays*¹¹ were formed out of hacienda or mill housing areas, which allowed the employer “to further enforce its labour control practices beyond the workplace and into the local community and the spaces of the family” (Oabel 2011: 173). Also with respect to the provision of security did large haciendas and milling cen-

11 Philippine cities and municipalities are subdivided into barangays. The barangay is the smallest administrative unit of the Philippine state, broadly comparable to a village or a ward. Currently there are about 42,000 barangays in the Philippines. With a total population of somewhat more than 90 million inhabitants, this makes for an average size of 2,150 inhabitants per barangay.

trials act as semi-autonomous quasi-states. Oabel describes the practice of the VMC, which employed

“own armed guard service located at strategic checkpoints where visitors state their purpose for entering the grounds. These include access roads, bridge crossings and all major buildings and facilities. Guards are also stationed in watch towers scattered within the milling compound and in field towers adjacent to the company’s haciendas. Each production department has its own guardhouse and is fenced off with barbed wire. Other guards patrol the grounds on foot. [...] Overall, these company practices have the effect of regulating the movement of people by denying access to outsiders and enforcing the boundaries and rules of conduct within the Millsite and the VMC Area” (Oabel 2011: 164).

The final legitimation of the status quo order was provided by the Catholic church, whose representatives, the local priests offered “blessings to machineries and newly constructed or renovated facilities including roads, cane trucks, packaging equipment, blending bins, boilers, wastewater treatment ponds, sugar warehouses, offices and employees quarters” (Oabel 2011: 171).

It comes as no surprise that in the view of the workers,

“the *hacendero* has everything. Money, power and education, and he can do anything at all ‘and we will just obey him.’ He perceives the *hacendero* as an object of fear and extreme obedience” (Dungo 1977: 232).

If some kind of confrontation ensues, the *hacendero* can make use of “drastic negative sanctions like temporary suspension from work at the minimum and being deprived of working in the hacienda at the maximum” (Dungo 1977: 210). In any way his decisions are absolute and cannot be repealed, in so far there is always the threat of arbitrary penalization hanging over the workers head. Being deprived of work in the hacienda was an extremely serious threat for workers, as other *hacenderos* tended not to hire laborers who came from other haciendas as “they do not want to cause friction with the owner and encourage laborers to move about in search of better jobs” (Ravenholt 1955: 10). While physical violence should not be neglected, it is obvious, that it

“plays a lesser role [...] on account of the elements of willingness and consciousness to submit to power as a mode of adjustment to a raging reality. As a result, there is a prevailing acceptance of power and its legitimation, as it is being intensified under the continuing patterns of reciprocal behavior” (Dungo 1977: 230).

Whereas in many other Philippine regions patron-client systems tend to be somewhat multi-polar, in Negros Occidental the hacienda provided for a uni-polar system, in which the *hacendero* or his representatives become the all-important patrons for mediating and guarding against all unpredictabilities of life (Adkins 1975).

3.2.3 *Violence in the formation of a short-lived sultanistic oligarchy*

The comprehensiveness of oligarchic power becomes visible in situations, when oligarchs clash, as happened in the late 1940s and early 1950s. In earlier decades there is not much evidence of violent horizontal wealth defense against competing oligarchs. However, after WW II one of the oligarchs, Rafael Lacson, successfully established himself as a province-wide supreme oligarch and, for a few years forged on a provincial level, what might be

called a sultanistic oligarchy, one oligarch claiming supreme authority, incorporating all the others into a political machine focused on him only.

In June 1946 Lacson was appointed governor and at once began to bring the province inclusive of the powerful sugar oligarchy under his control. In order to advance his interests, Lacson initially seems to have relied on his control over significant government resources that allowed him to buy the majority of *hacenderos*, officials and voters (Philippines Free Press 8 November 1947: 26-27). Secondly there was a significant amount of ballot rigging and economic pressure. Planters going against the administration risked their economic survival, as the government bank, biggest lender to *hacenderos*, was used “as a political weapon. [...] any *hacendero* who refuses to toe the Liberal Party line is immediately denied financial aid” (PFP 15 November 1947: 4). Once established as elected governor, Lacson built up a strong private army of special policemen, that allowed him to secure the success of his candidates in the 1949 elections through intimidation and physical violence. The Philippines Free Press tagged Negros Occidental the “isle of fear” (PFP 15 October 1949: 2) where

“more than 1,000 special policemen [...] started a reign of terror that transformed a peaceful province into a concentration camp. Fifteen-year-old kids, ex-convicts, professional thugs were armed with carbines and Tommy guns to make sure that the province goes solid for Quirino on election Day (PFP 15 October 1949: 2, see also PFP 22 October 1949: 2, 3, 71).

However, this was less of a terror against the common people, but a terror against contending oligarchs, not stopping short of manhandling even members of an elite unit of the PC (Nenita Unit) (PFP 5 November 1949: 50), Lacson’s special policemen were so powerful, that even the “provincial command of the Philippine Constabulary had no power or control over them and appeared subservient to many of the upper bracket special policemen and agents of the governor” (PFP 12 November 1949: 43).

Things went differently in 1951, when a new municipality, Magallon, was created in Negros Occidental and the first set of public officials had to be elected. In this case, a certain Moises Padilla declared his candidacy and did not withdraw even though several prominent residents visited his mother and told him that the Governor did not like this candidacy. The Governor then publicly declared

“that it should be better to eliminate Padilla. [...] Padilla could not escape, Lacson continued, because after the elections he would be arrested and manhandled and his buttocks skinned and vinegar poured on them ‘and in that manner he will not last long.’ [...] All those present in the conference nodded as if in approval of what the governor said. Lacson also turned to mayor Montilla and said: ‘Clauding make a list of the *hacenderos* who are against us. We shall burn their canefields after the election’” (Supreme Court 1961).

The Governor’s men and several local politicians caught Padilla, tortured him, showing his mutilated body in different locations and finally killed him. Nothing would have come out of this affair, had not the daring candidate had a friend, the defense minister and future President Magsaysay, who flew in from Manila in person in order to rescue his friend. However, he arrived too late. But he made sure that the Governor had to give way and that he and more than 20 of his accomplices were finally convicted of murder.

With the political demise of Rafael Lacson, Negros Occidental returned to earlier practices of a successful ruling oligarchy.

3.3 The Sugar Barons partial fall from power

With the imposition of Martial law by President Marcos in 1972 Philippine politics changed gear from an order resembling a ruling oligarchy to a sultanistic one, where one oligarch reigned supreme. For Negros oligarchs this first and foremost meant the loss of their autonomous power in national politics, being subjected to the control of one of their own, who, however, advanced to an omnipotent position on account of his direct connection to the president: Roberto Benedicto. Besides Benedicto, two other actors, both directly connected to Marcos made sure, that the sugar barons toed the regime's line: Armando Gustilo, a powerful sugar baron himself, and Eduardo Cojuangco, who during the Martial law years managed to acquire several thousand hectares of Negros sugarland. Gustilo was given control over the north, while Benedicto and Cojuangco shared control over the South of Negros (Lopez-Gonzaga 1994: 240).

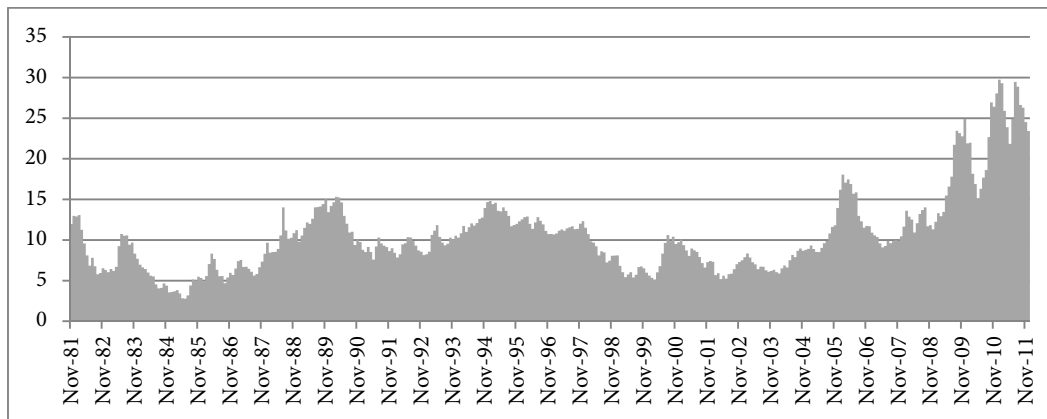
Roberto Benedicto was made director of the Philippine Sugar Commission (Philsucom), whose trading arm, the National Sugar Trading Corporation (NASUTRA), "was given sole authority to trade sugar domestically and internationally, as well as to set purchase prices for milled and unmilled sugar" (Dohner/Ponciano 1989: 463, Billig 1993). Towards the late 1970s Philsucom was able to "assume control over the [...] logistics, especially in Western Visayas where most sugar plantations are concentrated. These include: the Philippine Railway Company in Panay; Visayan Stevedore transportation company [...], the Nawaco Warehouse complex in Negros [...]; and the Guimaras Bulk Terminal which handles all the sugar exports from Negros and Panay" (Bautista 1985: 10). Benedicto also controlled the Republic Planters Bank, the foremost institution financing the sugar planters. Gustilo took control over the northern part of Negros Occidental, where he built up a formidable private army. He was head of the Planters Committee of Victorias and succeeded Alfredo Montelibano as director of the National Federation of Sugarplane Planters in 1973, a position he held until 1986. Cojuangco's prime "agricultural" interest did not lay in sugar, but in coconut, where he had a role broadly similar to Roberto Benedicto's role in the sugar industry: controlling the United Coconut Oil Mills (UNICOM), which eventually "became the sole buyer of copra and exercised almost full control over coconut oil exports" (Villegas 1986: 139). Together the three ensured total political control over the potentially threatening power of the Negros oligarchs, converting the ruling oligarchy into a provincial Sultanistic offshot of the national Sultanistic regime (on the national level see: Winters 2011).

But Negros oligarchs were not only confronted with threats "from above" but likewise from below. The crucial lifeline of Philippine sugar production was not the world market, but the quota for the U.S. market, granted in 1946 and extended by the Laurel-Langley Agreement until 1974. The termination of the Agreement in 1974, forced the Philippine sugar industry to compete in the world market. Only two years later world market prices

went down by 90 percent.¹² With these crisis labor unions, which had up to that point in time had hardly any foothold on Negros haciendas, gained prominence and were able to mobilize a significant number of sugar workers. Union activism led many farm workers to try to clear land for themselves on “unplanted portions of the hacienda. [...] The resistance of the sugar planters was considerable. [...] As a result several workers were killed and many union members and leaders were jailed” (Cherniguin 1988: 192).

A steep rise in sugar prices at the end of the decade dispersed for the time being the threat of worker resistance. However, only a few years later the world sugar market broke down completely, prices going below 3 cent per pound, resulting in widespread unemployment and hunger. This time a much more formidable enemy than the workers’ unions, the New People’s Army (NPA) of the Communist Party of the Philippines gained a secure foothold on Negros.¹³

Sugar Monthly Prices (US cents per Pound) Nov 1981-Dec 2011



Source: Index Mundi sugar price index

The breakdown of the sugar economy and the resultant hunger brought about an unprecedented wave of political violence, in a conflict that pitted the Armed Forces and a growing number of militias against the NPA and a multitude of desperate people. The police reported high numbers of casualties in conflicts involving the military on the one and the dissidents on the other side (for detailed numbers see: Lopez-Gonzaga 1989: 109).

Counterinsurgency on Negros followed the broad pattern that had been applied to other regions too, relying on a comprehensive militarization of local society, with the AFP

12 On world market sugar prices from 1951 to 2002 see: Gudoshnikow et al 2004: 37.

13 The actual breakdown came in early 1984, when “hundreds of haciendas were abandoned, the banks ground to a halt in their lending, and the planters cut off the workers’ consume. Hunger stalked the land” (Lopez-Gonzaga 1988: 56).

establishing, supporting or tolerating a large number of local anti-communist militias that were to saturate the rural areas and terrorize the population into obedience.

While this gave the *hacenderos* and *centralistas* the opportunity to establish their own defense forces under the guise of Special CHDF and recruit private goons ((Lopez-Gonzaga 1988: 57), the raging violence was also problematic for the local elite, as local AFP or PC-units not seldom united with CHDF and/or various other militias and armed groups for illegal business ventures (esp. logging, but also small-scale mining, extortion etc.). Groups like the Task Force Kanloan were “living off the land and delving into the gun-for-hire underworld of criminal racketeering, extortion, smuggling, and murder by contract” (Kroef 1986/87: 3).

Even though the oligarchs’ interests coincided to a certain extent with those of the regime, they were far from identical. Whereas before, violence exerted by state or non-state forces was functional in so far as it aimed at ensuring obedience through intimidation, now, violence became terror; women, children, old people, everybody could be killed and tortured to death. Fairly often the violence seems to have been random: everybody could become its victim, as long as he did not belong to the powerful. At times even the property of the less wealthy became prey to the superior firepower of the local Army units. The large number of small “hand-to-mouth *hacenderos*” had neither the connections to the armed forces nor the means to pay for their security, so many of them left their haciendas for the city, hoping to be able to survive there. The growing empty spaces, where government and private *hacendero* governance were absent, experienced a “proliferation of bandits, gangs, and private operators carrying any flag that served their purpose. These might be led by ex-army types, by ex-NPA, or by religious cult types” (O’Brien 1987: 146). The result was a high level of anomic violence that did not so much result from the armed clash between the NPA-revolutionaries and its enemies, but from the free-for-all situation, that could be exploited by the most ruthless ones, who not seldom seem to have settled old scores.

This is clearly reflected in the provincial violence data, recorded by the police. These data with all probability do not include the large number of *desaparecidos*, combatants killed and those killed in more outlying areas.

Murder and homicide Negros Occidental 1984-1986

	1984	1985	1986
Murder	273	283	199
Homicide	545	511	493
Parricide	14	8	11
killing total	832	802	703
killing per 100,000	40,4	38,3	33,1

Source: Socio-Economic profile Negros Occidental 1986: 260.

Violence obviously had become a broad-based problem, not exclusive to the contention between government/oligarchs and communist rebels. The impoverishment of the mid-1980s not only brought about a spring tide of armed communist rebellion, but also led to a return of the religiously clad social bandit, albeit in a much more modernized setting – cultists and roaming bands of impoverished workers roaming the land, part of them turning to the communist cause, others following self-styled Christian saviors, many of them fiercely violent.

3.4 The return to the status quo ante with modifications

Politically, the major challenges for the Negros oligarchs after the People Revolution of 1986 was the reconstruction of the status quo ante, a task that could be subdivided in five interrelated subtasks

- regaining control over the local security institutions;
- regaining territorial control and undisputed control over the people in the rural areas;
- regaining control over the political system in Negros;
- making the sugar-economy productive again;
- thwarting the threat of agricultural reform, that loomed large after the People Power Revolution.

The first four tasks were largely accomplished within the first few years after the demise of Marcos, the last one has been an ongoing preoccupation up to the present and will therefore be dealt with in the following chapter.

Local control over the security institutions was regained through institutional reform at the national level. The Integrated National Police (INP) was dissolved in 1990/1991 by merging it with the PC. The newly formed Philippine National Police (PNP), however, held no longer the vast powers of its predecessors. Firstly, it was removed from the Ministry of Defense and put under the control of the Department of Interior and Local Government. Secondly, its lines of command were significantly weakened, as operational supervision and control were handed back to the municipal chief executives. From 1990 to the present, the city and municipal mayors hold “the power to direct, superintend, oversee and inspect the police units and forces” which includes “the power to employ and deploy units and elements of the PNP” (Congress of the Philippines 1990: Sect. 51b), re-making the city and municipal police into a vehicle for enforcing the will of the chief executives.¹⁴ R.A. 8551 from 1998 (Congress of the Philippines 1998: Sect. 63-4) added the

14 This change had been a crucial aim of basically all local executives as Lopez-Gonzaga et al report for Negros Occidental in the late 1980s. They found “all the municipal and city respondents, without exception, advocating the return of the old order where the police forces are under the authority of the mayor” (Lopez-Gonzaga et al. no year given: 68).

“control and supervision of anti-gambling operations” to the jurisdiction of local government executives. Given the fact that a large number of local officials are patrons of local illegal numbers games operations, this specific regulation amounts to giving them *carte blanche* to engage in highly profitable illegal business without having to fear any inquiries.

Territorial control was regained in the late 1980s by relying heavily on the help of vigilantes of various shades. As Kowalewki sums up: “local bosses held over from the Marcos era have employed them as personal bodyguards against insurgent attacks. Large land-owners and logging corporations have used them as security guards and protection against NPA ‘taxation.’ An especially close link has been forged by the military” (Kowalewski 1991: 245). Besides groups controlled by the army and police and some fairly independent ones, there existed amongst others “El Tigre”, the Movement for Independent Negros, Negros Anti-communist Crusade, a Negros Citizens’ Alliance Against communism, Negros Concerned Citizens Group to Fight Insurgency, as well as the PC Forward Command; all organized by sugar cane growers, who fought the twin problems of insurrection and the looming land reform (May 1992: 33, Clark et al. 1987: 66). The result of this enhanced drive against the NPA and the left in general was a further rise of violence.

The overall picture that had already developed over the last years of Marcos likewise fit the early years of the Aquino presidency: “an environment that gives the impression of a pervasive, random violence, a state in which the armed band – its posturing and depredations – is an integral part of the national political culture” (Kroef 1987/88: 18). The problems hounding these groups continued, as the various types of anti-communist religious fanatics or bandit groups could only be controlled insufficiently. The result was, as far as can be ascertained by data, a further surge in violence from the already high levels of the late Marcos years, so that in 1993 Negros Occidental recorded 1487 or 63 killings per 100,000 inhabitants (Socio-Economic Profile 1998: 126), significantly higher than the corresponding rates of the final Marcos years.

While the vigilantes were useful for the oligarchs in the short run, the continuing lack of order, the anarchical violence, the large number of armed groups roaming the countryside hindered stable development and threatened the economic foundation of the *hacendero* class, as these tried to get their haciendas productive again after the price for sugar had risen on the world market in the second half of the 1980s. Therefore, beginning in the late 1980s, there are clear tendencies to bring these groups under control and eventually also to get rid of the uncontrollable ones, whilst retaining the more disciplined and converting them into either CAFGUs, i.e. military controlled militias, CVOs, local watchmen controlled by the local chief executive or private security guards.

Eva-Lotta Hedman, observed that in regions with a rather strong NPA-presence “the travails of mobilizing individual voters and demobilizing social revolution prefigured the rise of the vigilantes” (Hedman 2002: 138). Once these tasks were successfully concluded, the vigilantes themselves had to give way to forces that were less abusive and easier to control.

The regularization and diminishing of the vast array of vigilantes was also made possible by a fundamental strategic error of the NPA, that decided to continue armed struggle, even though the system had changed, depriving it of much of their less radical support in the broad population. The early 1990s brought a split, that seriously undermined the fighting power of the reaffirmist remnants of the CCP-NPA and made it possible for the state and the local oligarchy to scale down their counter-violence and -terror and return to the pre-Marcos pattern of oligarchic rule – albeit with a new player on the provincial sphere: the Armed Forces of the Philippines.

Finally, a return to relative peace, a restrained utilization of repressive violence and secure planter control would not have been possible, had the economic situation of the mid 1980s continued with sugar prices below production costs. However, the second half of the 1980s saw a fairly continuous rise of world market prices a trend that continued until 1990, time enough for the oligarchs to again stabilize their domination and marginalize the communists. From 1990 onwards Philippines sugar oligarchs profited from the newly initiated US tariff-quota for sugar, allowing selected countries to export to the US at preferential tariff rates. The Philippines, after the Dominican Republic and Brazil, was taking the third-largest share. World market developments and US-trade policy worked in tandem to bring Negros sugar industry back to profitability, a development that brought thousands of agricultural workers back to work and drained the reservoir of revolution.

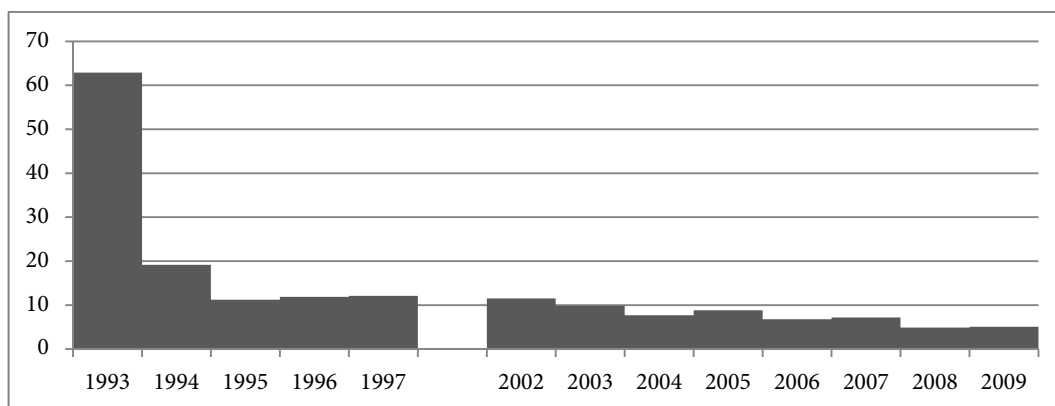
3.5 A stable pattern of state-secured ruling oligarchy

Within the past two decades the threat posed by the NPA proved manageable. Sugar for most of the time remained at low but reasonable prices, with slumps not as deep as in the early 1980s, the past few years actually saw a steep rise so that sugar haciendas became highly profitable again.

Everyday violence receded dramatically after the heights of the late 1980s and early 1990s. Even if there seems to be a significant underreporting the drop in violence is impressive.¹⁵

15 The data presented in the chart are culled from a number of publications of the Negros Occidental Provincial Planning and Development Office (NOPPDO). However, a comparison with the statistics of Provincial Police Office (PPO) (obtained by the author from the PPO itself) shows that the actual numbers of killings are higher than the ones reported in the dataset. The PPO data for the last few years point to an overall rate of around 15 killings per 100,000 inhabitants (see also Ledesma 2011: Annex H, p. 40 for the cities in Negros Occidental). Despite this significantly higher number, the overall trend seems to be plausible.

Number of killings (murder, homicide) in Negros Occidental 1984-2009¹⁶



Sources: 2002-2009 data: Negros Occidental Provincial Planning and Development Office, 2010 table 15.1B; Negros Occidental Provincial Planning and Development Office 2007: table 15-3; 1993-1997 data: Negros Occidental Provincial Planning and Development Office 1998: p. 126.

The much improved peace and order situation mirrors the restabilization of the provincial economy, which in the meantime has, to a certain extent, diversified into other agricultural crops. Even though Negros Occidental still has a poverty incidence that is above the national average, the last decade saw significant improvements.

Provincial Poverty in Negros Occidental 2000-2009 (in percent)

	2000	2003	2006	2009
Incidence of poor Families	41.6	31.4	33.40	24.4
Incidence of poor population	50.2	39.5	42.0	32.2

Sources: 2000-2006 data: Negros Occidental Provincial Planning and Development Office 2010: Table 2.4A, p. 30; 2009 data: NSCB 2011: www.nscb.gov.ph/ru6/SW%20Provincial%20Q3%202011.htm (15.1.2012).

3.5.1 The role of violence in oligarchic wealth defense

These changes are to a certain extent reflected in the scale of violence employed for upholding domination. Yet, while the severity of vertical, top-down violence is much reduced, it is far from abolished. The reason for the survival of top-down violence is the need to defend the oligarchs' property against the predation of the Comprehensive Agrar-

¹⁶ Bacolod City is not included in the crime data, as Bacolod City does not belong to the Province. However, at least for the past few years for which data could be obtained, does the crime level not deviate significantly from the provincial one.

ian Reform Program (CARP) that was initiated in 1988 and threatened the local oligarchs with dispossession.

Much of landlord-resistance happened on the national level in the process of law-making, where the initial concept was significantly watered down. Further resistance against CARP utilized a host of non-violent means that were to be applied on the local, but also up to the national level. The major lines of non-violent wealth defense are firstly economic and secondly judicial. As hacienda workers still have hardly any alternative options for earning their livelihood, a first line of wealth defense is the threat of withholding gratifications or dismissal, eventually forcing workers to leave the hacienda territory. Dismissal clearly still is a dire threat, because it would destroy the meager amount of security the hacienda offers, transforming the poor into jobless squatters on foreign land.¹⁷ Under such circumstances, oligarchs normally do not have to show the iron fist of violence to safeguard their domination and unquestioning obedience.

Secondly, *hacenderos* tend to make use of the judicial system not only to defend themselves against land reform by strategies of delay, but also to attack the poor by charging them with petty crimes. While these cases are regularly dismissed, they result in extraordinary expenses for those charged and quite often lead to investigative custody. As the accused generally cannot post bail, they languish in jail, until their cases are dismissed, which can take months. During this timespan, the family loses its breadwinner, something none of the poor can afford. By appealing against decisions that go against the landlord's interest, the *hacendero* can delay any agrarian reform for years, if not for more than a decade. During this timespan, the land can still be utilized by him, as he is still the rightful owner, whereas the claimants and prospective beneficiaries are already exposed to the multitude of negative consequences of their claim-making.

Violent wealth defense is mostly an accompaniment of these first two strategies and directed against either activists or potential beneficiaries of land redistribution. The normal beneficiary tends to become a victim of private agents of violence, who are either employed by the landlord (so-called blue guards) or workers loyal to him. This type of violence tends to stop short of killing, focusing mostly on intimidation, threats, criminal damage or physical injury. In contrast, the activist tends to become a victim of state or para-state agents, who may belong to the Armed Forces, the CAFGU or the former rebel group RPA-ABB that has been turned into a semi-autonomous auxiliary force for oligarchic wealth defense. This type of violence is deadly, normally in the form of extralegal execution, directly targeting the chosen victim and aiming at its annihilation.

In this respect, despite the significant drop from the height of the violence in the late 1980s and early 1990s, Negros Occidental still stands out in national comparison. Accord-

17 In Escalante municipality for example only 27 percent of households "own the house and lot they occupy" a further 9 percent rented their house and a full 64 percent "live rent-free on sugarcane plantations, majority of whom live by mere tolerance of *hacenderos*" – meaning they are informal settlers without any rights (Honculada 2009: 77, 88).

ing to a study by Al Parreno, Negros Occidental had the second highest number (39) of victims of extralegal executions from 2001 to mid 2010 (Parreno 2010: 17). In Negros, which harbors about 3.4 percent of the population a full 10 percent of the extralegal executions take place. Despite the high number of killings, in Negros, like everywhere else in the Philippines, such cases are hardly ever resolved – the resolution rate being around 1 percent.

In addition to organizers of landless farmers, who died by assassination, a number of (potential) farmer beneficiaries have been severely injured or even killed in standoffs with armed guards of the haciendas. Intimidation is a regular occurrence and does not even stop short of government personnel – as members of the DAR recounted in interviews with the author. Generally, the state in the form of the Department of Agrarian Reform, sometimes accompanied by police or military does not enforce the law against armed resistance, but tries to negotiate a way out with the representatives of the landlords. Putting farmer beneficiaries in place quite often resembles a small scale military operation. In certain cases new police compounds were put up in troubled areas on the urging of the DAR and only afterwards do the negotiations continue “with the former landowner, so that we [DAR; P.K.] can make an agreement for the peaceful coexistence with the farmers inside the area.” (Interview DAR, Bacolod City 2011).

Before enforcement not seldom the armed forces

“try to situate whether the area is safe before we go there, that no untoward incident will happen during the activities and then if there is something, they are going to endorse it with the Philippine National Police. Their first and foremost [task; P.K.] is to guard the place, [...], to clear the area, to be sure that there is no armed men” (Interview DAR, Bacolod City 2011).

Requests for police support rarely go to the local municipal police, as the DAR does not trust them, but to either the provincial or even the regional level, to provide for policemen, that are not under the clout of the local landlord (Interview DAR, Bacolod City 2011).

In order not to be directly implicated in violence that ensued in the course of the conflicts about the right of CLOA-holders to their land, landlords not seldom make use of counter-organizations of farm-workers loyal to the landowner. If violence ensues, it is easy to deny culpability for the landlord. In 2007, for example, the National Agrarian Reform Commissioner Nasser Pangandaman himself, who led the installation of 122 agrarian reform beneficiaries on a highly embattled hacienda, backed down, as he was confronted by “2,000 opposing farm workers from rival groups”.¹⁸

18 Inquirer.net 2007: Agrarian reform chief backs down in Negros land dispute. www.inquirer.net/specialreports/agrarianreform/view.php?db=1&article=20070309-53798 (15.1.2012). Landlord resistance even led to a Congressional Resolution in 2007 to conduct an inquiry on the series of killings and agrarian-related violence against members of a farmers organization, TFM (Task Force Mapalad), in Hacienda Velez-Malaga and Negros Occidental, after no less than eleven members of that organization had been killed since 2001, several others injured and “hundreds of agrarian reform beneficiaries had been arrested on trumped-up criminal charges” (House of Representatives 2007: 743-744). Up to 2011 at least 20 farmers were killed in the context of land reform in Negros Occidental (Collas-Monsod 2011).

Wealth defense against the armed rebellion carried on by the NPA is mostly deputized to the Armed Forces, the CAFGU and the police, meaning the oligarchs property claims are accepted by the state as property rights and defended accordingly. However, once again, the lines between private and public interest become murky, as the AFP, the CAFGU or the police tend to become informal agents of the individual *hacenderos* or locally powerful oligarch-politicians. Theoretically, it is an impersonal state that defends the rights of its citizens to property and physical integrity, however, as shown above, the impersonal state exists in the form of very specific persons only, persons that are bought or cajoled by the local oligarchs into providing security against some kind of valuable consideration. Thereby public security is privatized, public institutions are remade into enforcers of private claims to property and wealth. As one local journalist described the current practice:

“If the PNP at Camp Crame [national PNP headquarters; P.K.] puts up a new provincial director of the province of Negros Occidental, sometimes the *hacenderos* meet first the provincial director. They try bonding with a certain friendship and then they whisper: ‘Sir or provincial director, I have a land this and this. Can you put a detachment there for a certain camp.’ That is the latest style of the *hacenderos* in Negros. [...] They simply pay to the big boss, the superior and then you have a legitimate police force presence in the area, and they get it for less [than putting up a private army; P.K.]” (Interview Bacolod City 2011).

Similar strategies work with the Armed Forces and the attached auxiliaries. In this case, planters may offer some parts of their lands to an Army detachment for free, allowing the detachment to grow vegetables. They may as well provide them with rice, gasoline and “chicks” (Interview Bacolod City 2011).

While the coming of the Armed Forces initially posed a certain threat to planter-rule as long as the AFP was under Marcos’ command, the situation changed after his downfall. For the past two decades the AFP and its various auxiliaries, by engaging the NPA provide a much needed cover for the oligarchy – the main enemy of the NPA no longer being the *hacenderos*, but the various security institutions of the state. Despite a significant amount of fighting, for the past decade the victims almost exclusively belonged either to the NPA or its state-enemies.

One crucial violence actor should be mentioned that emerged in the late 1990s and since the new millennium seems to have become an additional force in the service of the godfather of Negros, Danding Cojuangco: the RPA-ABB, a merger of two splinter groups of the NPA, who changed sides and in 2000 signed a peace agreement, brokered by Cojuangco. This agreement was rather special insofar as it allowed 100 cadres of the RPA-ABB to retain their weapons and take on “security tasks” (GRP-RPMP/RPA/ABB 2000: II.2).

During the past decade the Negros RPA-ABB seems to have on many occasions intimidated critical locals or worked as contract killers for local *hacenderos*. There is a lot of evidence that the local RPA-ABB provides various types of services to Cojuangco, the Arroyos and other prominent oligarchs. From the point of view of the NPA, “the ABB of Nilo de la Cruz has become a paramilitary unit of the AFP. [...] The RPA-ABB has also been hired as security guards of landlords, particularly on Negros Island in the haciendas

of Danding Cojuangco and Mike and Iggy Arroyo, and as bodyguards and guns-for-hire of politicians, businessmen and mining companies”¹⁹ (see also Rutten 2001: 326-327).

The RPA-ABB is a fairly typical example of former NPA members/units that at an opportune time changed sides and turned themselves into informal security personnel of the locally dominant status quo powers, in the process gaining a full amnesty and an informal “license to kill”, as long as the victims belonged to the left or those who tried to push for land-reform. Tracing a number of rebel-returnees’ biographies Rutten could show, that especially those that “managed violence [while in the movement; P.K.] tend to be co-opted by the élite and the state” (Rutten 2001: 327).

Such a constellation where a large number of agents of violence are available to the highest bidder with elections every three years could easily have led to intense intra-elite violence. However, Negros Occidental history is a history not of warring but ruling oligarchs. Oligarchs by and large gave up their claim to violent competition in exchange for mutual security against threats to their wealth by other oligarchs and a certain amount of collective wealth defense. In addition, they tolerate the use of various types of violence against vertical bottom-up threats to individual oligarch’s property and wealth.

3.5.2 The new arrangement for a provincial ruling oligarchy

The post-Marcos arrangement differed from the pre-martial law era insofar as one national oligarch, Danding Cojuangco, the only “survivor” of the triumvirate of martial law times, strengthened his grip on Negros’ economy and politics. After initially having left the Philippines with Marcos in 1986, he returned after a short period and managed to regain control over all of his business ventures – from the San Miguel Corporation to his hacienda-empire on Negros, the year 1992 marking his resurrection, when he competed for the Philippine presidency only to lose by a small margin to later President Ramos and Miriam Defensor Santiago. Whereas during the Marcos time, his Negros landholdings are said to have encompassed somewhat more than 5000 ha, he is said to have acquired a further 15,000 in the past decades (Ombion 2004a, Ombion 2004c).

With him in the background the majority of Negros oligarchs down to the local politicians, irrespective of their national party affiliations, united in one party based on Negros island (i.e. on both the provinces of Negros Occidental and Oriental), the United Negros Alliance (UNA), that regularly garners most of the positions. Even those who do not want to join directly are included in the political deals that secure continued oligarchic control over Negros Occidental. In Negros Occidental there are a number of districts and municipalities with only one candidate. During the last election (2010) four mayors and six vice-mayors as well as one congressman and the representatives of the first, the second, the

19 Manila Times, 9 November 2011. RPA-ABB hired guns of Danding, Arroyos. www.manilatimes.net/index.php/news/top-stories/10933-rpa-abb-hired-guns-of-danding-arroyos (14.2.2012).

third, the fourth district in the provincial board of Negros Occidental ran unopposed. In the other two districts, there were contenders who, however, were without any chance against the members of the dominant families. This cartel on political power works fairly well, keeping outsiders out and allocating positions peacefully amongst the insiders.

Despite its appearance, Cojuangco is no sultanistic ruler insofar as he does not rule. He rather coordinates and helps smooth things between the various oligarchic forces. Locally the term godfather is seen to provide a much better description with Cojuangco providing the political frame of cooperation and contention between political families, securing finances from the central government and mediating in conflicts. UNA top hierarchy to a certain extent seems to resemble the commission of the mafia, with Cojuangco as the final arbiter. Here, as with the Mafia commission, there was always a delicate balance between the power of the centralizing force and the power of the individual families that still claim supreme and undivided responsibility for their bailiwicks. Negros politics for the past decade has been mainly shaped by the Marañon brothers, who “own” the second congressional district, Julio Ledesma IV, five time congressman, who dominates the first district since the early 1990s, the Lacson Family of the third district, Congressman Ignacio Arroyo (Negros Occidental 5th district), the Alvarez family of the 6th district and of course the Cojuangcos of the 4th district. UNA, as its chairman, Negros Occidental governor Alfredo Marañon argued, observes the equity of the incumbent, meaning that in any conflict between established and rising forces, the established ones will be given preference (SunStar Bacolod 13 December 2011).

The meaning of “ownership” of a district is perfectly illustrated by the declaration of Jeffrey Ferrer who in 2007 won the congressional seat of the fourth, i.e. Cojuangco’s, district. Eduardo Cojuangco’s son Carlos could not continue as congressman. His mother in the last minute decided not to run, so that Ferrer eventually ran “for congress in her stead”, as he himself stated when announcing his candidacy (Ferrer 2007). Non-members of the oligarchy, in this system are only allowed to take over political positions, as the case of Ferrer illustrates as straw man of the oligarch, representing him/her as a loyal standard-bearer. Any responsibility to the people as the true sovereign certainly is not part of such a politician’s self-image. At times a given policy may be for the people, however, it is never of or by the people.

Negros oligarchy does not belong to the sultanistic variant, but is a clear-cut ruling oligarchy, insofar as the “godfather” does not rule, but only provides support that allows for peaceful and cooperative collective governance, with each of the oligarchs controlling largely unimpeded his own turf. Therefore, the godfather’s power is not total, but clearly circumscribed. He “almost finances everything. But the problem is that he could not have enforced his will, [...] if his kin or family would manage or control the province. The tendency is that these politicians based here, local politicians based here, would unite. If he will enforce his right ‘I want my kid to run and control the province’ – No! The locals will run against him. [...] Try and touch their interest, even though you are financing them, they will really unite and run against you” (Interview, Bacolod 2011).

The Negros ruling oligarchy successfully designed a system in which the internal competition amongst the oligarchs is hedged, and the political market supplanted by an oli-

gopoly, which by and large is cartelized. Different from the 1950s and 1960s, the current Negros oligarchy is no longer dominant on the national sphere, as firstly, the economic role of sugar has significantly diminished in the national context and secondly, with Cojuangco (and Lucio Tan²⁰) national level businessmen, who own some of the largest business conglomerates of the Philippines, having penetrated the local economy, forcing the local oligarchs to adapt to their interests.

4. Conclusion: Taming the oligarchy

The story of Negros Occidental is the story of the establishment and perpetuation of oligarchic domination. Neither American power, nor successive sugar crises, nor the waxing and waning of the sugar barons' national relevance, martial law, the decades of counterinsurgency warfare or democratization changed the basic setup of the local political, economic and social order dominated by a small number of oligarchs. The Negros oligarchs continuously and successfully adapted to changing local and trans-local conditions, thereby defending their wealth and total local control over land and people in Negros alike, even though they have lost much of their national clout since the 1970s.

This study showed how wealth enabled individuals to secure vast tracts of land in a frontier society and how these very individuals got hold of the reins of local political power. It illustrated how for most of the time they succeeded in cooperating under conditions of electoral competition, thereby largely avoiding the pitfalls of intra-oligarchic violence, which would have threatened the homogeneity of such a fairly small group of individuals aspiring for the maximization of individual wealth.

Negros oligarchs at no point in time relinquished control over local means of violence that allowed each of them in the area under his control to assert his will, if necessary by violent means. Generally physical violence is not part of everyday control, however, at no point in time did the oligarchs forego the option to enforce their will and safeguard their interest with violent means, if they deemed it necessary.

The forms and agents of violence employed in order to enforce obedience changed according to the contemporary conditions, but it seems fair to say that for most of the time,

20 According to Forbes, Lucio Tan, born 1934 in Xiamen (China), is the second richest Filipino businessman, with an estimated wealth of 2.1 billion US\$ (Eduardo Cojuangco comes in as tenth richest in 2010). He owns amongst others Philippine Airlines, Air Philippines, Macro Asia (aircraft catering, engineering and maintenance corporation), Pan Asia Securities (stock broker), Fortune Tobacco Corporation, Himmel Industries (chemical trading firm), Foremost Farms, the Asia Brewery, the Tanduay Distillery, several hotels, a university as well as the Philippine National Bank that merged with the Allied bank, another bank owned by Tan, in 2009 (see the Lucio Tan Group homepage). In the early 2000s, he took control over the Victorias Milling Central, the largest sugar central of the Philippines in Negros Occidental, that provides about 30 percent of the national needs of refined sugar in the Philippines.

the oligarchy resorted to a mix of private and state agents, not seldom masking the private use of violence as public, insofar as they controlled the police forces and later on also the various auxiliary organizations. In times of extreme crisis as in the second half of the 1980s, when their local monopoly on violence was severely undermined, they let loose the fairly anomic agents of messianic movements and social banditry, terrorizing the enemies and the common people alike. Once the immediate aim was reached, these uncontrollable forces were put back into the box, becoming a police or army auxiliary or being forced to disperse into the broad masses of the people again. Anomic violence could no longer be tolerated and violence-control became essential in order to further economic prospects. This, however, did not equate to forgoing violence per se, but only to its disciplining. As the data on extralegal executions, physical injury, and intimidation show, controlled violence is still a crucial mechanism for upholding the local order, and countering organized threats against multidimensional oligarchic domination. Yet, violent coercion is normally only an asset of last resort, taking the backseat to several other strategies:

First, economic blackmail, as hacienda-workers are either deeply indebted and thereby bound to their *hacendero*. If they go against the *hacenderos* will, they can easily be deprived of the foundation of their sustenance: work on the hacienda. Given the economic structure this at all times meant severe deprivation.

Second, rule *by law*, as the police and the judiciary are used to combat revolting workers. The vast discrepancy with respect to influence, power and wealth makes for a decidedly unequal access to justice, so that the law can easily be used as a repressive weapon against the weak. Whether with respect to land-grabbing or the disciplining of workers, the law at all times proved to be a malleable instrument in the hands of the powerful. On Negros resorting to legal process does not signal “respect for higher institutions of legitimate authority, but rather [reflects; P.K.] ‘the tactical use of courts for harassment’” (Winters 2011: 64).

Physical violence clearly is the least used option. Intimidation has been and still is fairly common, but real violence is much less. It is generally avoided, as it complicates things.

Therefore the past few decades saw a significant outsourcing. It is fairly uncommon that oligarchs’ henchmen kill enemies of their lords. It is generally the Army, the armed auxiliaries, the RPA-ABB or workers/farmers loyal to a *hacendero* who do the dirty work. In all three cases, the oligarchs are able to deny any connivance or accompliceship. Using the Armed Forces, the Police, various auxiliaries or “non-commissioned” farmers actually redraws the lines of contention. If violence is employed by the first few groups, it becomes one of state-violence against revolutionaries and those organizations claimed to be their political fronts. If violence is employed by other farmers/workers, it can be framed as a conflict between different segments of the common people. As much of the violence originating from state-agents comes in the form of assassination or death squad activity, there is a double denial: The oligarchs can point to the state institutions, with the latter likewise denying responsibility. The common need of oligarchs and state institutions alike to be able to “to deny that they are breaking established norms of behavior” is one of the core reasons for the utilization of covert activities of death squads, assassins and competing workers/farmers (Campbell 2002: 12).

In Negros Occidental as in the wider Philippines oligarchic domination prospers in a democratic institutional setting. Procedural democracy even can be said to provide a cushion for oligarchic domination, as long as oligarchs can either secure their disproportionate representation in the executive arm of government, put their henchmen in place or safeguard that the state acts as the long arm of oligarchic wealth defense. As Winters put it: “Democracy and oligarchy are defined by distributions of radically different kinds of power [...] democracy and oligarchy are remarkably compatible provided the two realms of power do not clash” (Winters 2011: 11). In Negros as the wider Philippines the two perfectly fit, insofar as oligarchs still control government office and most of the legislative, relegating their enemies to extra-parliamentarian movements or the inoffensive realm of congressional seats reserved for party list representatives of disadvantaged groups, a number of which actually being creatures of the oligarchs themselves.²¹

In Negros the reigns of provincial and municipal local government are securely in the hands of the oligarchic families, Barangay (village) leadership is generally allotted to persons, who are supportive of the oligarchic aim of wealth defense. Electoral democracy and the positions won in “elections” actually benefit the oligarchs, as their aim of wealth defense becomes state policy in the form of protection of private property. Insofar as segments of the state threaten the oligarchs’ interests – for example DAR in the context of land reform – they are outmaneuvered either in the process of lawmaking or its implementation. If this proves insufficient, physical violence is not ruled out. However, most of it is outsourced to the repressive state institutions, thereby becoming formally disconnected from oligarchic interest.

The practice of local governments and individual *hacenderos* to provide significant means for local police and armed forces detachments or for the upkeep of various auxiliaries closely resembles the fundamental characteristic of ruling oligarchies – sharing “the expenses of hiring *public* means of coercion to defend the realm they mostly own” (Winters 2011: 67). Finally, Negros oligarchs, with their wealth being tied to agricultural surpluses and control over the local population, also “maintain a second track of defense by hiring their own *private* coercive forces to protect their estates, *haciendas*, and *latifundia*” (Winters 2011: 67).

The “democratization” of the Philippines during the past 25 years did not help against oligarchic control, as it did not withdraw oligarchic control over the state. Quite to the contrary: the distinct trend towards “local ownership”, devolution and grassroots empowerment actually furthered oligarchic penetration of state institutions and resources.

21 One glaring example is *Ang Galing Kagnakaw Pinoy*, officially representing tricycle drivers and security guards, which, however, is represented by Mikey Arroyo, the son of the former president, in congress. Others would be Eulogio Magsaysay, representing the Alliance of volunteer educators, or Nasser Pangandaman, representing a partylist, which officially aims at uplifting farmers, fishermen and small manufacturers. Both belong to traditional political families.

The abolishment of oligarchy does not seem a viable political aim for either Negros Occidental or the Philippines at large. However, reducing the scope of violence and changing the face of oligarchy from one that rules directly to one that subjects itself to democratic procedure and the rule of law, thereby becoming a civil oligarchy could be attained in the medium term, if the appropriate steps were taken. This option, however, presents itself only by talking reform on the national level.

The crucial aspect differentiating a civil from all other forms of oligarchy is the oligarchs' submission to the rule of law, something they will not do, unless the state guarantees (for the time being) their property and income. A direct challenge of oligarchic domination, that not only confronts the oligarchs' autonomous capacity at violence, but simultaneously their political strategies of income defense is bound to fail, because it would have to be decided by the very oligarchs who dominate the legislative and executive alike. It would also have to be implemented by a host of state agencies, who, as is well known, are barely insulated against oligarchic predation.

The past few years brought about a certain awareness that the Philippines are hampered by significant defects of its security agencies and judicial system. It is here that reform that does not directly challenge the dominant economic, political and social powers could set in. The task is to change the working logic of the system from rule *by* law to rule *of* law and for the time being leave the democratic deficit aside hampering Negros Occidental as the Philippines at large.

Several reforms may go a certain way to diminish the observable defects that in the view of the author do not result from a weak state, but from a state captured by an elite class and turned to the service of the interests of this class to the disadvantage of the interests of the population at large.

Firstly both the police²² and the Armed Forces should be given a chance for professionalization, meaning they have to be insulated from political interference, their tasks have to be clearly defined, they have to be financed completely by the central state, so that they no longer depend on any form of cooperation with the local government units. The problem of Marcos Integrated National Police was not its integration as such, but its subordination under the Defense Ministry and its dependence on the personal whims of Marcos and his cronies at all levels of government. Reneging on local financial aid needs additional financing through the national budget – which, however, in no way means a larger budget per se. The crucial difference would be that the money is provided top-down from within the bureaucracy and no longer horizontally by independent LGUs who can, at a moment's notice withhold their support, if the institution goes against the LGUs or its executives' interests. In addition, the vast number of CVOs and CAFGUs must be brought under direct control of the supervising agencies and, at least in the mid-term

22 For a highly critical look at the deficits of the police see the report of the US embassy to the US Department of Justice, the DEA, the FBI and Homeland Security Center (Embassy Manila 2005).

phased-out. A small number should be integrated in the respective agencies (with adequate pay), whereas the others should be demobilized. There is also a dire need to tackle the old problem of private armies, a problem that time and again crops up before elections, however, without any measures taken.

The judicial sector has to be significantly strengthened, not only with respect to personnel and training, but also with respect to the laws themselves, which have to be overhauled as to make legal proceedings viable and prevent filibustering behavior. While the current strategy to establish out of court solutions (the Barangay justice system and a number of other alternative forms of mediation) may seem an easy solution, this actually hampers the development of a viable court system. Finally, the state must enforce judicial decisions and not renegotiate on them, if the opposing party is strong enough, to threaten violence, as happens regularly in the context of the installment of land-reform beneficiaries. If necessary, armed resistance by goons or farmers loyal to the (former) landlord has to be overcome in order to compel respect for the decisions of the courts of justice.

What would be the profit for oligarchs to go for such changes that seem to threaten their dominant position? In exchange for the oligarchs' self-subjection under the rule of law the state would take over the responsibility of guaranteeing their property. Then oligarchs could "for the first time devote virtually all of their material power resources to the political challenges of income defense. [...] The trade-off is that oligarchic fortunes are defended generally in exchange for oligarchs themselves being as vulnerable to the law – for the first time in history – as are others in the community whose individual power resources are less intimidating" (Winters 2011: 208-209).

The first step cannot be abolishing oligarchy, as no oligarchy will do away with itself. But subjecting oligarchy to the rule of law and insulating the state administration from encroachments by politicians, may be a significant first step in taming the oligarchy that should not be taken lightly. This can only succeed if the ruling oligarchy can be convinced, that the proposed reforms are in their interests, meaning it must pay for them to forgo the gains that can be garnered by resorting to extralegal violence and domination *by* law. The oligarchs must be convinced, that it is best for them to change (by subjecting themselves to the rule of law) in order to be able to uphold their economic clout, following the famous advise of a representative of the Sizilian ruling class threatened with doom in Tomasi di Lampedusa's novel *Il Gattopardo*: "If we want all things to stay as they are, everything will have to change."

List of abbreviations

AFP	Armed Forces of the Philippines
CAFGU	Citizen Armed Force Geographical Unit
CARP	Comprehensive Agrarian Reform Program
CCP-NPA	See: NPA
CHDF	Civilian Home Defense Force
CLOA	Certificate of Landownership Award
CVO	Civilian Volunteer Organization
DAR	Department of Agrarian Reform
GRP	Government of the Republic of the Philippines
INP	Integrated National Police
LGU	Local Government Unit
NASUTRA	National Sugar Trading Corporation
NOPPDO	Negros Occidental Provincial Planning and Development Office
NPA	New People's Army
NSCB	National Statistical Coordination Board
PC	Philippine Constabulary
PFP	Philippines Free Press
Philsucom	Philippine Sugar Commission
PNP	Philippine National Police
PPO	Provincial Police Office
R.A.	Republican Act
RPA-ABB	Revolutionary Proletarian Army-Alex Boncayao Brigade
RPMP	Rebolusyonaryong Partido ng Manggagawa ng Pilipinas (Revolutionary Worker's Party of the Philippines)
TFM	Task force Mapalad
UNA	United Negros Alliance
UNICOM	United Coconut Oil Mills
VMC	Victorias Milling Central

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