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July 2026

Breaking or Bending Dynasties?

*Mapping the Political Economy
of Anti-Political Dynasty Reform
in the Philippines*



Imprint

Publisher

Unit 2804, Discovery Centre,
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1600 Metro Manila
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Friedrich-Ebert-Stiftung Philippines

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July 2026

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Executive Summary

As of mid-2026, political clans control over 81 per cent of district seats in the House of Representatives and 86 per cent of provincial governors. This prevalence of political dynasties traps people in poverty, letting a few families monopolize public funds and veto local economic projects. Despite nearly four decades of inaction under Article II, Section 26 of the 1987 Constitution, the current political landscape presents a rare but real opening for structural reform.

This brief looks at two reform tracks: one in Congress and one from civil society. In Congress, consolidated versions establishing a second-degree restriction has advanced as “minimum viable reform” designed to regulate nuclear-family rotation. Attempting to bypass a hesitant Congress altogether, a civil society coalition launched the “*Dapat Isa Lang*” People’s Initiative, a campaign seeking 7 million certified signatures to directly enact a comprehensive fourth-degree ban with a strict “one-national, one-local” cap per clan via a national referendum. Rather than fading into the

background amid other national issues, the anti-political dynasty debate has continued alongside recent corruption-related controversies and the approach of the 2028 elections.

A phased approach is one option worth weighing. Congress could avoid an all-or-nothing choice by enacting the second-degree compromise as an initial, more politically viable baseline, paired with a mechanism to expand the prohibition toward the fourth civil degree over time. This would likely need to be paired with other measures: addressing the Penera pre-campaign loophole, clarifying party-list eligibility rules consistent with the Atong Paglaum precedent, and considering whether to align the Administrative Code’s anti-nepotism provisions with any expanded threshold. This is not the only viable path, however, and this brief lays out the trade-offs between it and the alternatives below. What seems clearer is that the window for legislative action is time-limited: absent an enabling law before the 2028 elections, current levels of dynastic representation are likely to persist into the next cycle.

Legislative Snapshot

House Bill No. 8389, the Anti-Political Dynasty Act, marks the first time in nearly four decades that Congress has advanced an enabling law for Article II, Section 26 of the 1987 Constitution. The House approved it on final reading on June 3, 2026 (267–20–7). This is the farthest any anti-dynasty measure has ever reached in either chamber. The bill defines a political dynasty as a concentration of elective power within a single family and restricts how closely related candidates may run for office.

Key provisions

- *The restriction reaches only the second degree of consanguinity or affinity (spouse, parents, children, siblings, grandparents, and grandchildren) leaving cousins, aunts, uncles, and in-laws untouched.*
- *It prohibits these relatives from simultaneously running for or holding elective posts within the same political jurisdiction (e.g., the same province, city, municipality, or legislative district).*

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Where it stands

HB 8389 has cleared only the House. It still requires Senate passage and the President’s signature to become law, and its second-degree scope is the narrowest of the reform options on the table. Both points are central to the debate that follows.

The Dynastic Problem and Unique Reform Window

Article II, Section 26 of the 1987 Philippine Constitution explicitly mandates that “The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.” However, political dynasties remain a defining feature of Philippine politics as they continue to shape electoral competition, governance outcomes, and the distribution of public resources. The constitutional directive to ban dynasties stands today as a 39-year-old unfulfilled promise.

While term limits were originally designed to prevent the concentration of power, they have instead facilitated “vertical” or “thin” dynasties, where relatives up to the fourth civil degree run sequentially to occupy positions held by family members in the preceding term. Instead of protecting the public, this rule simply guarantees that power rotates among the same elites. Even more concerning is the mutation of this phenomenon into “horizontal” or “fat” dynasties, where multiple family members simultaneously hold elective seats across various governance levels. In its most extreme saturation, “obese” dynasties are even present in several localities.

While political families are frequently romanticized for delivering localized infrastructure and modernization projects, they often mask an attempt to dominate key local markets. The practical result is that public contracts, jobs, and spending decisions flow toward family-connected businesses rather than toward development priorities (Mendoza et al., 2022). When a single family controls both the gubernatorial chair and the provincial board, local institutional checks and balances effectively cease to function (Mendoza, Banaag et al. 2020). Dynasties are, in fact, most prevalent in the country’s poorest provinces (Mendoza et al., 2013).

Empirical trends indicate a progressive consolidation of dynastic power over the past two decades: Between 2004 and the early 2020s, dynastic representation in the House of Representatives rose from 48 per cent to 67 per cent, while mayoral posts held by political clans climbed from 40 per cent to 53 per cent. This consolidation is particularly pronounced at the provincial level, where governors belonging to “fat dynasties” surged from 57% in 2004 to approximately 80 per cent by 2025. There is no sign it is levelling off, as dynasties now run 80 per cent of the seats in the House of Representatives and 71 of 82 provinces (Latoza, 2025).

The characteristics of political dynasties		
Thin dynasty	Fat dynasty	Obese dynasty
Also called “vertical dynasty”; family members sequentially hold political office	Also called “horizontal dynasty”; two to three family members concurrently hold political office at the same time	An extreme expansion of a fat dynasty; a political family holds near-absolute control over a single local government unit (LGU), characterized by more than four family members simultaneously occupying public office

Source: Adapted from Mendoza et al. (2012) and Mendoza, Banaag et al. (2020).

	Members from a political dynasty	Total number of members	Percentage of political dynasty
Senate	20	24	76%
District Representatives	207	254	81%
Party-list representatives	31	61	51%

Source: Data from Latoza & Miranda (2025), published by the Philippine Center for Investigative Journalism

Supporters argue that passing this law is the single most direct way Congress can make the political system more competitive. Such a law strengthens democracy by “giving a chance to others” and promoting political equality (Teehankee et al., 2023). However, it needs legal clarity and sustained political will. This high percentage of dynastic representation among lawmakers reflects a persistent pattern of legislative inertia. It is nearly impossible to convince lawmakers to pass a bill that would legally bar them or their families from holding office. Consequently, successive election cycles without an enabling law make the dynasties more entrenched and the reform coalition further outnumbered.

However, the political momentum is starting to change. Following the 2025 public scandal involving the misuse of local flood-control funds by prominent dynastic families, public anger has forced politicians to rethink their positions to protect their own political survival (Yap, Mendoza, & Mirida, 2026). The timing is better now than it has been in years, for several reasons. First, the executive branch has elevated the issue within the broader governance agenda, with President Ferdinand Marcos, Jr. explicitly signaling support by identifying the anti-political dynasty bill as a priority measure during a 2026 Legislative-Executive Development Advisory Council (LEDAC) meeting (Villanueva, 2026). Second,

rising public concern over inequality and the political class rigging the game for themselves has created a more receptive environment for incremental institutional change. A first quarter 2026 nationwide survey conducted by Pulse Asia showed that 64 per cent of Filipinos support the anti-political dynasty bill, with only 17 per cent against (Pulse Asia Research, 2026). Among those who agree with banning political dynasties or are undecided on the issue, 76 per cent said it should be implemented at both the national and local level in government.

Civil society and media editorials increasingly depict dynastic control as inimical to development, while proponents argue that framing the ban as a fulfillment of the Constitution, rather than an attack on any single family, builds wider support. As a result, legislators who block the bill now face a high-risk political move. This explains why previously reluctant figures are signing on. These shifts show that while passing a full-scale anti-political dynasty law remains difficult, it is no longer purely politically impossible. Supporters argue that passing this law is the single most direct way Congress can make the political system more competitive.

Where the Anti-Political Dynasty Bill Stands?

The anti-political dynasty bill has reached its most advanced legislative stage in decades. This momentum is marked by deliberations within the Senate of the Philippines and a historic, rapid acceleration within the House of Representatives. Both chambers of Congress have advanced consolidated measures that attempt to balance the constitutional mandate with practical political survival.

In the upper chamber, the primary vehicle for reform is Senate Bill No. 1901. This consolidated committee substitute bill merges at least seven earlier proposals filed by various senators, including Senators Risa Hontiveros, Francis Pangilinan, Bam Aquino, Panfilo Lacson, and Robin Padilla. The consolidated bill, covering relatives up to the second degree of consanguinity or affinity, was endorsed by the Senate Committee on Electoral Reforms and People's Participation on February 24, 2026.

The bill advanced during Senator Hontiveros' tenure as Chair of the Senate Committee on Electoral Reforms and People's Participation. As Chair of the Committee she oversaw the consolidation of several Senate proposals into Senate Bill No. 1901. The signatories of the compromise bill include 12 senators:

1. Risa Hontiveros
2. Francis Pangilinan
3. Panfilo Lacson
4. Robin Padilla
5. Bam Aquino
6. Loren Legarda
7. Erwin Tulfo
8. Sherwin Gatchalian
9. Imee Marcos
10. Migz Zubiri
11. Lito Lapid
12. JV Ejercito

This cross-partisan sign-on is historically unusual and reflects a genuine, if fragile, reform window. Plenary sponsorship of Senate Bill No. 1901 commenced on February 24, 2026, marking one of the furthest advances of an anti-political dynasty bill in the Senate in recent years. The bill entered the period of interpellations but its progress was disrupted by successive Senate leadership reorganizations in May and June 2026.

In contrast, the House of Representatives, which historically served as the main institutional lag point, began its formal committee deliberations under the Committee on Suffrage and Electoral Reforms, chaired by Lanao del Sur First District Representative Zia Alonto Adiong. However, the legislative landscape shifted dramatically when the corporate leadership of the House of Representatives—including House Speaker Bojie Dy and Majority Leader Sandro Marcos—filed and aggressively championed their own version under House Bill No. 8389.

Consolidating 17 related proposals following nationwide consultations, the House of Representatives bypassed traditional delays and approved House Bill No. 8389 on second reading on May 20, 2026 through a swift viva voce vote. As of June 3, 2026, the bill has been approved on third and final reading in the House of Representatives and is supported by 173 congressional co-authors.

Notable provisions of this House-approved version include the exclusion of barangay officials from the prohibition's coverage and a top-vote-getter clause allowing the winning candidate in a dynasty-affected race to be proclaimed, provisions that drew significant criticism from reform advocates and minority legislators. For example, two brothers can still run against each other even if the anti-political dynasty restriction is triggered. The law would then simply proclaim whichever relative gets the higher number of votes. Instead of preventing dynastic concentration, the provision merely manages competition within the same political family, leading many reform advocates to view the clause as making the prohibition largely symbolic. Caloocan City Second District Representative Edgar Erice, the Makabayan bloc, Akbayan, and Mamamayang Liberal party-list have withdrawn their support from House Bill No. 8389, condemning it as a watered-down "pro-dynasty" measure. However, this development still represents the closest Congress has ever come to passing an enabling law for the constitutional dynasty prohibition since the ratification of the 1987 Constitution.

Competing Proposals

Current proposals for an anti-political dynasty measure vary widely in kinship limits.

While the strict House Bill No. 5905 (Akbayan Bloc) seeks an absolute fourth-degree ban that bars immediate family succession and closes the party-list loophole, alternative frameworks like House Bill No. 6771 (Dy/Marcos) use a nominal fourth-degree threshold by restricting it only to the same elective tier, allowing individual clans to simultaneously hold different levels of government.

Individual senatorial drafts offer similarly polarized approaches: Senate Bill No. 1558 (Aquino) proposes a third-degree rule with a lottery procedure for resolving conflicts, Senate Bill No. 18 (Padilla) applies geographic limits that still leave room for family members to run in separate jurisdictions, and Senate Bill No. 35 (Lacson) adopts a second-degree rule designed to be easier for the Commission on Elections (COMELEC) to enforce, but one that does not fully address succession over time within the same family. Meanwhile, Senate Bill No. 285 (Pangilinan) contains provisions that seek a nationwide ban on the relatives of national officials to dismantle vertical networks.

However important, the highly public debate over civil degrees can also obscure far more consequential legislative blind spots, weak internal family agreements, and legal ambiguities stemming from the Penera doctrine, as will be discussed further under policy trade-offs section. Focusing narrowly on kinship depth obscures the structural gaps in legislative design that enable political clans to exploit internal divisions. When a clan lacks internal consensus on succession, weak statutory provisions such as the House's proposed "top vote-getter" mechanism legally arbitrate these rivalries without removing the seat from the family. The law thus stabilizes dynastic succession by resolving internal disputes, rather than preventing it. The Penera doctrine compounds this vulnerability by preventing early enforcement of kinship bans, allowing fractured clans to shuffle or swap multi-tiered candidacies through the official campaign period. Evaluating the bills' efficacy requires examining how each framework addresses simultaneous holding, immediate succession, and sectoral loopholes, not simply the numerical civil degree.

Under the proposed bills, a "political dynasty" is typically defined by kinship, banning relatives within a specified civil

degree from simultaneously holding or succeeding to elective office. This framework targets both horizontal and vertical expansion across blood and marital lines. There are two strategies to defining the civil degree:

The Fourth-Degree Ban:

Proponents, including former Supreme Court Senior Associate Justice Antonio Carpio, argue that any threshold less than an absolute fourth-degree ban allows political clans to simply adapt (Lalu, 2026a). By alternating vertical or horizontal deployments, families easily bypass narrower restrictions. Under this view, shrinking the ban to protect individual rights or administrative ease simply legitimizes unequal political competition and institutionalizes local monopolies over public spending and regional industries (Mendoza et al., 2022).

The Second-Degree Compromise:

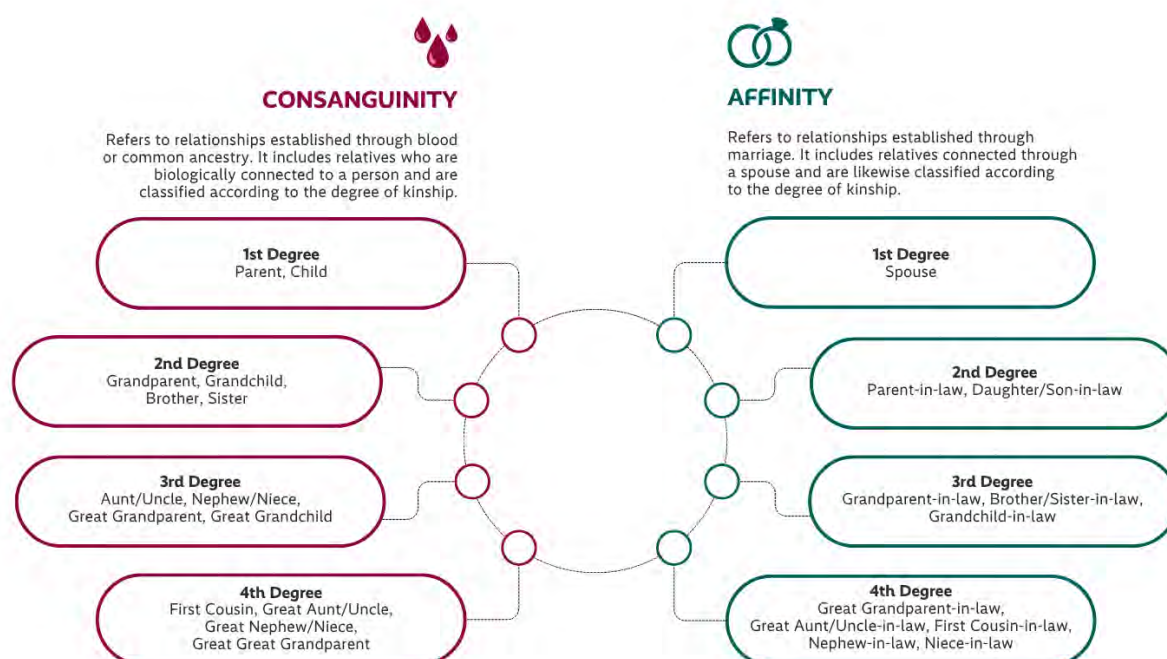
On the other hand, former Supreme Court Associate Justice Adolfo Azcuna (Lalu, 2026a) and Representative Adiong (Cahatol, 2026) warn that a fourth-degree restriction imposes an unworkable logistical burden on COMELEC. Tracing candidates' extended maternal lineages, cousins, and affinity ties down to the barangay level and creates a significant administrative burden. Supporters of a narrower bill say a fourth-degree ban would be too hard to verify and it could also slow down enforcement (Yap, Valenzuela, & Macadato, 2026).

Parameters	House Bill No. 5905	House Bill No. 6771	House Bill No. 209	House Bill No. 2037	House Bill No. 8389
Proponents	P. Cendana, C. Diokno, D. Ismula (Akbayan); K. Bag-ao (Dinagat Islands)	F. Dy (Isabela); A. Marcos (Ilocos Norte)	A. Tinio (ACT); R. Co (Kabataan)	E. Erice (Caloocan)	House Consolidated
Civil Degree Limit	4th Degree	4th Degree	4th Degree	2nd Degree	2nd Degree
Simultaneous Holding Ban	Prohibited Absolute ban on concurrent filings	Prohibited Multi-level geographical block	Prohibited Zero family members allowed	Partial Ban Allows up to two family members	Prohibited Jurisdic- tion-based block on overlap- ping seats
Immediate Succession Ban	Prohibited Exempts barangay level	Not Addressed Focuses solely on concurrent seats	Prohibited Strict succession ban	Not Addressed Unspecified in the text	Not Addressed No explicit succession ban
Party-List Coverage	Included Explicitly covered	Not Addressed Mentions only district representatives	Included Explicitly covered	Included Maximum two relatives allowed as nominees	Excluded Applies strictly to district representatives
Barangay-Level Coverage	Included Exempted from succession ban only	Not Addressed Unspecified in the text	Included Covers barangay captains and councilors	Included Classified as elective local officers	Included Covers barangay captains and kagawads

Sources: Official copies of the bills were accessed from the website of the House of Representatives (congress.gov.ph)

Parameters	Senate Bill No. 18	Senate Bill No. 35	Senate Bill No. 285	Senate Bill No. 1548	Senate Bill No. 1558	Senate Bill No. 1901
Proponents	R. Padilla	P. Lacson, E. Tulfo (co-author)	F. Pangilinan	R. Hontiveros (original)	B. Aquino	Consolidated committee Report
Civil Degree Limit	4th Degree	2nd Degree	2nd Degree	4th Degree	3rd Degree	2nd Degree
Simultaneous Holding Ban	Prohibited Local or national level restrictions	Prohibited LGU boundaries block concurrent relatives	Prohibited Strict cascading prohibition across multiple tiers	Partial Ban Separates national and local lines strictly	Prohibited Overlaps banned; resolved via lots if both run.	Prohibited Absolute ban across national, local, and party-lists.
Immediate Succession Ban	Prohibited First-filed Certificate of Candidacy prevails if two non-incumbents run	Prohibited Explicitly exempts barangay officials	Prohibited Absolute ban across all public offices	Prohibited Explicit ban; closes term-limit workarounds	Not Addressed No explicit succession avoidance rules	Prohibited Strictly blocks succession to just-vacated family seats
Party-List Coverage	Included Bars relatives on the same ticket	Not Addressed Unspecified in the	Included Focuses on district and local lines	Included National/ party-list lines explicitly covered	Excluded Focuses strictly on standard	Included Explicitly mentioned in title and prohibitions
Barangay-Level Coverage	Not Addressed	Partial Inclusion	Included	Included	Not Addressed	Included

Sources: Official copies of the bills were accessed from the website of the Senate (senate.gov.ph)



This split over kinship depth is also mirrored by intense disagreement regarding geographic scope. While some lawmakers believe the ban should focus on rural areas where political dynasties hold the tightest control (Lalu, 2026a), others counter that exempting national positions creates a legal double standard that fails to protect national policy from dynastic capture.

Beyond ideological debates, the practical steps for enforcing anti-political dynasty rules present a sharp conflict between what the law says and what COMELEC can actually do. A study by the Congressional Policy and Budget Research Department (CPBRD) of the House of Representatives found that verifying fourth-degree relationships for every candidate in the country would generate over 2.84 million documents—more than what COMELEC can realistically process before election day (Yap, Valenzuela, & Macadato, 2026). Election administrators warn that verifying vast maternal lineages, distant cousins, and complex marital links within tight pre-election windows creates an operational bottleneck.

The landmark Penera doctrine (G.R. No. 181613, November 25, 2009) creates a major gap in enforcement. The Supreme Court ruled that under Republic Act No. 9369 or the Automated Election System Law, a person who files

a certificate of candidacy is legally not considered a “candidate” until the precise onset of the official campaign period. As a result, any election offenses committed before the official campaign window cannot legally be prosecuted. The Penera doctrine creates a significant gap for anti-dynasty enforcement. Because an individual cannot commit a candidate-specific offense prior to the official campaign window, a dynastic family can freely shuffle, coordinate, and publicly swap multi-tiered candidacies without legal recourse or early disqualification.

By the time candidate status legally triggers, COMELEC would be inundated with millions of kinship verifications and an overwhelming flood of summary dispute petitions within a compressed timeline. Rushing this summary adjudication process threatens the timeline of the automated canvassing system and risks disenfranchising voters if a candidate is stripped from the ballot last minute. This shows that without a specific law to overturn the Penera ruling, broad anti-political dynasty frameworks remain vulnerable to circumvention in practice.

The Mechanics of the Second-Degree Compromise

Both the Senate and the House of Representatives have converged around a second-degree civil restriction as their proposed law. Supporters of this version (HB No. 8389/SB No. 1901) argue it is not a sellout; rather, it is the only version that can actually pass. By choosing a tight definition and a narrower scope, the measure becomes politically survivable. The second-degree limit targets exactly where dynastic power is most concentrated: the immediate family. Advocates further argue that focusing strictly on the second degree is the only pragmatically enforceable option available, as backed by COMELEC and data from the CPBRD.

Advancing the bills (HB No. 8389/SB No. 1901) through the plenary required significant legislative concessions:

- Neither version extends prohibitions to third or fourth-degree relatives (such as cousins, aunts, uncles, or nephews), which represents a major concession compared to earlier, more rigorous bills.
- The framework does not ban non-overlapping geographic dynasties. Family members remain free to hold concurrent offices as long as they operate in separate jurisdictions or different legislative districts.
- Recent floor amendments explicitly excluded certain grassroots tiers, ensuring that local village machineries remain excluded from the broader restriction.
- In a significant departure from the Senate's strict succession ban, the House of Representatives adopted a crucial amendment allowing related candidates to run simultaneously, provided that only the highest vote-getter is proclaimed and allowed to assume office.

These adjustments led several progressive minority lawmakers to withdraw their names and support from the bill, warning that the version might even worsen the status quo by legitimizing managed competition within clans.

While public debate has focused almost entirely on the civil degree of consanguinity, the more consequential institutional differences lie in operational design. The evolution from House Bill No. 6771 to House Bill No. 8389 illustrates how anti-political dynasty proposals are reshaped through legislative negotiation, often resulting in narrower regulatory coverage.

On paper, early drafts proposed a sweeping fourth-degree ban. In practice, because those frameworks only prohibited relatives from holding the identical elective position simultaneously, they contained severe critical blind spots. For instance, such a design would still allow a single prominent family to concurrently hold the presidency, a Senate seat, multiple congressional districts, and regional governorships.

To justify maintaining a narrower perimeter, legislative leadership continuously points to the administrative capacity of COMELEC to verify candidates' backgrounds. Under the passed House bill, candidates must submit sworn statements declaring that their candidacy will not trigger a prohibited relationship. Expanding this tracing to a fourth-degree ban nationwide creates an implementation nightmare for the poll body (Yap, Valenzuela, & Macadato, 2026). However, reform advocates argue that a second-degree restriction has the practical effect of excluding many extended family networks from the scope of regulation.

A prime example is the absolute rejection of the party-list provision during the House floor debates. Despite last-ditch efforts by lawmakers like Batangas First District Representative Leandro Leviste to include party-list positions, the majority defeated the amendment. This represents a significant institutional loophole: over the past decade, political families have increasingly used the party-list system as an alternative political vehicle to circumvent district-level term limits. By keeping the party-list system exempt, the proposed law explicitly allows this practice to continue.

Also, letting relatives run against each other under a “top vote-getter” clause does not actually dismantle political dynasties; it merely uses the electoral process to settle intra-family competition while ensuring that power ultimately remains within the same clan. Critics argue that this still leaves the same family in control, and campaign resources and political machinery remain concentrated within a single family throughout the election period.

As the bills advance, the critical battleground shifts to the Bicameral Conference Committee. The immediate path ahead remains Senate-led in terms of rigor, as the version of the House of Representatives contains less restrictive provisions in three key areas: it excludes barangay officials, contains the “top vote-getter” escape clause, and lacks

party-list coverage. Because the looser House version has been endorsed as a LEDAC priority by President Marcos, administration allies will likely push for these highly flexible provisions to survive the final bicameral reconciliation.

So, the fundamental question for the Bicameral Conference Committee is whether the final consolidated law will prohibit the temporal rotation and succession strategies that are just as vital as simultaneous office-holding in perpetuating elite rule. If it fails to do so, the law will achieve the political optics of reform while leaving the underlying ways of dynastic reproduction fully intact. Critics argue that the current designs may leave room for dynastic families to preserve much of their influence.

Evaluating the Fragile Reform Momentum

By mid-2026, legislative momentum faces a critical inflection point, raising questions regarding the durability of structural reform. Two parallel tracks for reform have emerged, where institutional processes in Congress run alongside grassroots direct democracy efforts. In parallel to the congressional process, a civil society coalition officially launched the “*Dapat 1sa Lang*” campaign to bypass the legislature entirely through a people’s initiative (Villanueva, 2026). Led by prominent institutional figures, including Justice Carpio, former COMELEC Commissioner Luie Guia, and Clergy for Good Governance convenor Fr. Robert Reyes, the campaign marks a shift away from lobbying Congress toward direct public mobilization. To legally bypass Congress under Republic Act No. 6735 or the Initiative and Referendum Act, the campaign would require an enormous nationwide signature campaign: gathering nearly 7 million signatures, representing 10 per cent of all registered voters nationwide, with a strict threshold of at least 3 per cent from every legislative district. Once certified, COMELEC must hold a national referendum where the proposal could become law without congressional approval. Organizers hope to hold the referendum by 2027, precisely before the high-stakes 2028 presidential and synchronized elections (Villanueva, 2026).

The proposal of *Dapat 1sa Lang* is far broader than the congressional versions. It enforces a strict prohibition extending up to the fourth civil degree of consanguinity or affinity and strictly limits an entire extended political clan to holding only one seat at the national level and one seat at the local level at any given time. It also thoroughly bars both simultaneous and successive holding of elective offices and automatically awards statutory preference to the individual seeking the highest position if relatives run concurrently (Villanueva, 2026).

Supported by Catholic school and church networks nationwide, this direct democracy movement represents an alternative constitutional avenue for pursuing anti-political dynasty reform. Even if Congress succeeds in passing its heavily modified, second-degree viable law to demonstrate responsiveness to reform demands, the *Dapat 1sa Lang* initiative serves as continuing pressure on Congress from the electorate. It signals that citizens possess an alternative constitutional mechanism for advancing reform when legislative progress stalls.

Comparative Regional Perspectives on Regulating Political Inheritance

Comparative experiences across democratic Asia demonstrate that family-based political control can be curbed through targeted institutional design. Viewed globally, the Philippine proposal for a second-degree or fourth-degree restriction is a common, achievable step within democratic systems attempting to curb dynastic politics.

→ South Korea

Continuous reforms to political party nomination rules, combined with strict public scrutiny, have helped reduce the influence of traditional political families at the national level (Thompson, 2012). Although South Korea lacks formal legal prohibitions on political dynasties, the broader regulatory framework combined with more open nomination procedures and strict public scrutiny of candidates have made the inheritance of legislative seats more difficult, limiting the institutionalization of localized political fiefdoms without barring individuals from public service.

→ India

While political families remain influential, intense intra-party competition, candidate eligibility requirements, and independent election administration have prevented dynastic influence from becoming a formally or legally protected system of succession (Chandra, 2016). At the same time, India's experience demonstrates the limitations of relying solely on electoral competition and existing institutional arrangements to weaken strong family networks. The persistence of dynastic influence suggests that additional reforms may be necessary.

→ Indonesia

Despite its decentralized structure, the country has gradually constrained dynastic consolidation by strengthening its independent electoral commission and institutionalizing political parties. This has resulted in increased regulatory and public scrutiny over familial succession in local executive posts (Hidayat, 2024).

Indonesia's experience offers an important caution regarding judicial review. Section 7 of Indonesia's Law No. 8 of 2015 on Regional Elections, which prohibited individuals with blood or marital ties to an incumbent from running for local executive office, was struck down by the Indonesian Constitutional Court in Decision No. 33/PUU-XIII/2015. The court ruled that the provision was unconstitutionally discriminatory and violated citizens' equal access to government opportunities. In the court's act of striking down the law, it shows the legal risks faced by anti-political dynasty laws when framed as blunt bans on individual rights rather than structural protections of electoral integrity.

This precedent is directly relevant to whether an anti-political dynasty bill in the Philippines will survive judicial review under the Constitution's equal protection clause. The Indonesian experience highlights the importance of legislative design and constitutional framing when developing anti-political dynasty legislation. It considers not only local and regional legislation concerning candidates and political parties, but also national legislation governing political parties and the nomination of candidates. Lawmakers need to frame it carefully and show that it protects fair elections rather than limiting voters' rights. The law's declaration of policy must invoke Article II, Section 26 explicitly as the constitutional basis, establishing it as an enabling statute fulfilling a constitutional mandate rather than a restriction on individual rights. This distinguishes it from the Indonesian provision that was struck down.

Analysis: Trade-offs and Design Options

1. Sequencing: second-degree now, fourth-degree later, or both at once?

Legislative inaction over the past four decades suggests that scope and speed are in tension: a narrower second-degree restriction is more likely to clear both chambers quickly, while a fourth-degree ban closes more of the loopholes documented earlier in this brief but faces steeper administrative and political resistance.

The current second-degree Senate version has the advantage of being the most immediately passable. It targets the level of kinship where dynastic concentration is most documented, the nuclear family, and its scope is narrow enough that COMELEC's verification burden remains manageable, per CPBRD estimates. Its principal drawback is that it leaves cousins, aunts, uncles, and in-laws entirely unregulated, which critics argue simply shifts dynastic succession sideways rather than curbing it. An immediate fourth-degree ban addresses that gap directly and is arguably the closest fit to the constitutional language's evident intent, but its principal drawback is feasibility. Its broader reach would also affect a larger share of sitting legislators, which may help explain why no version close to this scope has advanced past committee in either chamber.

A phased structure, enacting a second-degree baseline with a built-in mechanism to expand to the fourth degree after a fixed period can be considered. For example, Phase 1 will immediately enact a second-degree restriction covering spouses, parents, children, and siblings. Phase 2 then will automatically expand the prohibition to the fourth civil degree exactly five years after the law's enactment through a fixed statutory deadline written directly into the law. This is one way this trade-off has historically been managed elsewhere; South Korea's incremental tightening of nomination rules is a comparable example. Whether such a trigger functions as intended depends on design details that are themselves open questions:

- Should the expansion be automatic on a calendar deadline, or conditional on infrastructure readiness (e.g., certification that civil registries have been digitized)?
- Will the law also mandate the creation of a Civil Registry Modernization Program?

This program will systematically digitize and link local civil registries nationwide into a unified, searchable database to make real-time kinship tracking possible before Phase 2 takes effect.

- Who certifies that readiness? Will it be the Philippine Statistics Authority (PSA) saying that the registry modernization is complete?
- What happens if the deadline arrives before the infrastructure is in place?
- Will there be an automatic review clause to ensure accountability?

These are the kinds of questions a phased approach would need to resolve. Also, it is not a guarantee that phasing itself solves the underlying problem as critics could reasonably argue that an "automatic" Phase 2 is easier to legislate than to enforce, and that deadlines without independent verification simply shift the site of delay.

2. Party-list coverage: an open design question

The House-passed version excludes party-list nominees from the restriction, while several other bills (HB 5905, HB 209, SB 1548, SB 1901) include them. This divergence reflects a genuine design choice rather than an oversight. One option is to frame any restriction as an individual qualification requirement for nominees rather than an organizational restriction on which parties may participate, thereby fully respecting the Supreme Court's ruling in *Atong Paglaum* (G.R. No. 203766, April 2, 2013).

One possible approach would be to frame any restriction as targeting the individual nominee, matching existing legislative prerogatives under Republic Act No. 7941 or the Party-List System Act, which already imposes explicit membership and timeline qualifications that *Atong Paglaum* did not disturb. Whether this is desirable involves competing considerations: proponents point to documented use of party-list slots to circumvent district-level term limits; opponents might argue that qualification screening adds compliance burden and litigation risk for legitimate sectoral organizations, and that the boundary between "individual qualification" and "organizational restriction" may itself be contested in court.

Policy Option	Substantive Scope	Administrative Feasibility	Political Risk Assessment
Option 1: Pass the Current Second-Degree Version of the Senate	Restricted to the 2nd civil degree	High	Low
Option 2: Enact the Expansive Maximalist Law	Full 4th-degree ban	Complex	High
Option 3: Implement Phased Structural Reform	Phase 1: Enact the 2nd-degree ban with strict succession clauses Phase 2: Expand to the 4th degree after five years	Manageable	Moderate

3. Appointive posts: a structural asymmetry worth noting

The Administrative Code's existing anti-nepotism framework (Book V, Title I, Subtitle A, Chapter 8, Section 59) currently applies up to the third civil degree of consanguinity or affinity. The bills under discussion mostly propose reaching the fourth degree. This creates a potential asymmetry: a relative barred from running for office under a fourth-degree elective ban could still be appointed to a Cabinet or agency position under the narrower third-degree appointive rule. Whether this gap should be closed — by extending the appointive standard to match the elective one — is a legislative choice with its own costs, including a larger pool of otherwise-qualified appointees who would become ineligible for public service. The brief flags this as a structural inconsistency for policymakers to weigh rather than a self-evident fix.

4. The Penera doctrine: an enforcement constraint with several possible responses

Independent of scope questions, any version of the anti-political dynasty law faces the same underlying legal obstacle: under the Penera doctrine, pre-campaign acts cannot constitute election offenses because an individual is not legally a candidate until the official campaign period begins. In practice, this vacuum allows political families to coordinate electoral strategies and

reorganize candidacies before campaign regulations take effect.

Several responses to this gap exist, each with different implications. One option, modeled on the Sangguniang Kabataan (SK) Reform Act (Republic Act No. 10742), would apply kinship restrictions from the exact moment candidates file their papers rather than from the start of the campaign period. This could help address the pre-campaign coordination gap but would require statutorily overriding the Automated Election System Law's candidate definition, a change with its own downstream legal questions. A second option is a multi-agency verification protocol, cross-referencing PSA civil registry data, LGU civil registrar certifications, and Statement of Assets, Liabilities, and Net Worth (SALN) filings, which would strengthen evidentiary grounding but adds procedural steps and potential delay. A third option is granting registered election watchdogs formal legal standing to challenge candidate declarations under an expedited Supreme Court timeline. This then could shift some enforcement burden to civil society but raises questions about litigation capacity and the risk of last-minute ballot disputes. None of these fully resolves the underlying tension between early enforcement and disenfranchisement risk if a candidate is later disqualified close to election day; each simply allocates that risk differently.

5. Verification infrastructure: a capacity question common to every scope option

Whatever civil-degree threshold is ultimately chosen, enforcement depends on COMELEC's practical ability to verify kinship claims at scale. The CPBRD's estimate of 2.84 million documents under a full fourth-degree verification regime illustrates the scale of the challenge, though a second-degree regime would generate a smaller, though still substantial, verification load. Building a centralized, cross-referenced database (integrating PSA, LGU registrar, and possibly National Privacy Commission and DILG records) is one way to address this, but it is a multi-year infrastructure investment regardless of which scope option is chosen. Its cost and timeline would need to be weighed against the urgency of passing an enabling law before the 2028 elections.

An independent and multi-stakeholder monitoring body — drawing on watchdogs like the National Citizens' Movement for Free Elections (NAMFREL), universities, and investigative journalists — could supplement official verification capacity. This group can then maintain a public, digitized mapping database of elite kinship networks and campaign finance flows. However, this raises its own questions about data access, funding independence, and legal standing.

6. Gender impact: a foreseeable trade-off requiring its own analysis

Anti-political dynasty reform carries a specific gender risk that the final law must anticipate. Political dynasties function as both a major barrier to and one of the few available pathways for women's entry into Philippine electoral politics. In 2022, women held only about 24 percent of elected positions nationwide, a decline from 30 percent in 2017. Many women who access office do so through dynastic name recognition and family-based political machinery, partly because the weak institutional structure of Philippine political parties offers few alternative routes for recruitment, financing, and voter mobilization. A law that restricts familial candidacies without simultaneously building new pathways for women candidates risks narrowing an already constricted pipeline. The challenge for policymakers is to balance the objective of limiting dynastic concentration with the need to preserve and strengthen pathways for women's independent political participation.

Possible safeguards include disclosure requirements for campaign staff and advisers, sworn independence affidavits, and COMELEC authority to investigate coordinated succession — though each of these tools has enforcement limits similar to those discussed above, and none directly addresses the deeper structural barriers to women's independent political entry. Sex-disaggregated

data on candidate outcomes and campaign-related harassment is currently limited, which constrains how precisely this trade-off can be evaluated or monitored going forward.

7. Youth council (Sangguniang Kabataan) rules: a consistency question

The SK Reform Act currently applies a second-degree kinship restriction, while several national-level bills propose a fourth-degree standard. This creates a scope mismatch between grassroots and higher-level offices that could, in principle, allow the youth council to function as a lower-risk entry point for eventual dynastic succession. Aligning the two thresholds is one option; whether doing so is a priority depends on how significant this pathway is judged to be in practice relative to other enforcement gaps identified above.

Conclusion

Anti-political dynasty reform has entered a more uncertain phase: It is a viable solution, but leadership is no longer rushing to pass it. The bigger risk is probably not open opposition. It is that the bill slowly disappears from the legislative agenda while policymakers focus on other issues. Because legislative incentives generally favor delay rather than rapid reform, moving the bill to final passage depends on raising the immediate political cost of inaction.

Data shows that the hold of political dynasties is steadily growing stronger. One major challenge is that many of the lawmakers tasked with passing the bill also belong to political families that could be affected by it. This helps explain why Congress has largely settled around a more limited second-degree restriction. As the trade-offs mapped throughout this brief illustrate, any final measure will involve balancing constitutional objectives, administrative feasibility, and democratic participation, and different observers may reasonably weigh these considerations differently. One useful test for evaluating any version of the law, whichever scope or sequencing is chosen, is whether it closes the specific

adaptation strategies (temporal rotation, succession arrangements, sectoral loopholes) documented in this brief, rather than whether it merely allows Congress to claim compliance with the constitutional mandate.

The current convergence of political and public support may not persist indefinitely. What makes 2026 different is a combination of factors that rarely exists simultaneously—a public that is frustrated, a president who has publicly expressed support for anti-political dynasty legislation, 12 senators who already signed the committee report, a House of Representatives that has already approved an anti-political dynasty bill on third and final reading, and a civil society coalition prepared to pursue a people's initiative if legislative processes stall. What this brief has aimed to do is map the design choices and trade-offs now before Congress. The evidence gathered here suggests the outcome will turn less on whether reform is warranted, a question on which the data leaves little doubt, than on whether this particular configuration of political will translates into legislative action before it dissipates.

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BREAKING OR BENDING DYNASTIES

Mapping the Political Economy of Anti-Political Dynasty Reform in the Philippines

The 1987 Constitution called for political dynasties to be prohibited as defined by law. Nearly four decades later, how such reform should work remains unresolved.

Breaking or Bending Dynasties? examines the competing proposals, political compromises, and enforcement challenges shaping the current reform debate. Looking beyond the question of kinship limits, it considers succession, party-list participation, institutional capacity, and the ways political families may adapt to new rules. Can reform meaningfully widen political competition will this simply change the terms under which dynastic power persists?

Further information on this topic can be found here:

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