

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 1022



Introduced by GABRIELA Women's Party List
Representative Liza Largoza-Maza

EXPLANATORY NOTE

Philippine civilian bureaucracy has been militarized since the late President Ferdinand Marcos appointed military men to civilian positions. Succeeding administrations continued this practice to ensure the loyalty of the military.

According to the Philippine Center for Investigative Journalism, at least 20 military officers have been assigned to the Department of National Defense since Marcos fell from power in 1986. At least 26 retired and active duty military officers have also been assigned to the Department of Transportation and Communication since 1986.

At least 37 military officers were appointed in government-owned and controlled corporations (GOCCs) as well as in special economic zones (free ports) under the Ramos, Estrada and Arroyo administrations. The Bureau of Customs, which is the biggest revenue-generating agency has had at least 9 military appointees under the Aquino, Ramos, Estrada and Arroyo administrations.

"Military theorists," the PCIJ report said, "argue that the blurring of line between civilian and military tasks results in the weakening of civilian institutions."

Moreover, military personnel are trained to work within a structure where the rule of thumb is to "follow now and question later." Military men are trained under a discipline that is necessary in a war situation. Military and police personnel including officers bring their military training, culture and practices even after they have been appointed to civilian positions. Such training and practices are inconsistent with democratic processes that characterize the civilian bureaucracy.

Further, the police organization has already been militarized since many of its leading officers come from the Philippine Military Academy and are therefore imbued with military discipline and culture.

Obviously there is merit to the Constitutional provision of upholding civilian supremacy at all times.

This bill aims to uphold civilian supremacy.

The approval of this bill is earnestly and urgently sought.

Liza Largoza-Maza
LIZA LARGOZA-MAZA

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AN ACT

PROHIBITING ALL RETIRED AND ACTIVE MILITARY AND POLICE PERSONNEL, INCLUDING OFFICERS, FROM BEING APPOINTED IN A CONCURRENT OR ANY OTHER CAPACITY TO THE POSITIONS OF SECRETARY, UNDERSECRETARY, HEAD OR MEMBER OF GOVERNING BODIES OF GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS AND AGENCIES AND OTHER EQUIVALENT POSITIONS

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Prohibiting military and police personnel from being appointed to civilian positions.* — All military and police personnel, including officers, shall be disqualified from being appointed in a concurrent or any other capacity to the positions of secretary, undersecretary, head or member of governing bodies of government-owned or controlled corporations and agencies and other equivalent positions. This prohibition shall apply even after the military or police officer shall have been separated from service including retirement.

SECTION 2. *Elective position.* — Nothing in this law shall prohibit military and police officers from running for any elective position after they have become separated from the service.

SECTION 3. *Repealing Clause.* — Any law, presidential decree or issuance executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 4. *Separability Clause.* — If any portion or provision of this Act is declared void or unconstitutional, the remaining portions or provisions hereof shall not be affected by such declaration.

SECTION 5. *Effectivity Clause.* — This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation which ever comes earlier.

Approved,