

SECURITY SECTOR REFORM AND SUSTAINABLE DEVELOPMENT GOAL 16

PHILIPPINE CASE STUDY

Jennifer S. Oreta, Ph.D
and Mario J. Aguja, Ph.D
Editors

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Security Sector Reform and Sustainable Development Goal 16

Philippine Case Study

Published by:
Human Security Advocates (HSA)
Block 3 Lot 16 Mistletoe St. Greenland Subdivision,
Brgy. San Juan, Cainta, Rizal
Email: hsadvocates2018@gmail.com

With funding support from:
Friedrich-Ebert-Stiftung Philippines (FES)
Unit 2804 Discovery Centre, 25 ADB Avenue,
Ortigas Center, Pasig City
Tel No: + 63286346919



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Hardbound: ISBN 978-621-96854-0-5
PDF: ISBN 978-621-96854-1-2

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National Library of the Philippines CIP Data

Security sector reform and sustainable development
goal 16 : Philippine case study / Jennifer S. Oreta,
Ph.D and Mario J. Aguja, Ph.D, editors. — Cainta,
Rizal : Human Security Advocates (HSA), [2023],
c2023.
pages ; cm

ISBN 978-621-96854-0-5 (hardbound)
ISBN 978-621-96854-1-2 (pdf)

1. National security — Case studies — Philippines.
2. Military intelligence — Civil functions. 3. Sustainable
development. I. Oreta, Jennifer S. II. Aguja, Mario J. I. Title.

355.0330599 UA853.P5 2023 P320230295



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Overview

The book project reviews the security sector reform (SSR) interventions in the Philippines. It looks at the reform efforts in the military and police, the progress of the modernization and transformation roadmaps of these institutions, and provides an assessment using the Sustainable Development Goals (SDGs), human rights, and good governance principles as framework of analysis.

The book is divided into six chapters. Chapter 1 provides the context and introduction. It discusses the concepts, framework, and current security challenges in the Philippines. Chapter 2 deals with the evolution of the Philippine military from post-independence up to the Marcos administration, looking specifically on the dynamics and effectiveness of civilian authority over the military. Chapter 3 deals with the military during and after martial law, covering the periods of the administrations of President Corazon Aquino to President Gloria Macapagal Arroyo. The chapter examines how the martial law imposition impacts on the military establishment; it likewise looks at the Davide and Feliciano Commission reports, and scrutinizes the progress of the reform efforts being done in the security sector. Chapter 4 covers the military under Presidents Benigno Aquino III and Rodrigo Duterte, focusing on the modernization, professionalization, and transformation roadmaps that the police and military have embarked on. An assessment of the military establishment relative to gender mainstreaming and approach is the focus of Chapter 5. Chapter 6 links up the chapters, provides the conclusion, and offers recommendations for policy reforms.



Chapter 1

Security Sector Governance and Reform and the Sustainable Development Goals

Jennifer S. Oreta, Ph.D. and Mario J. Aguja, Ph.D.

Abstract

Security has often been associated with state-security, highlighting the necessity of state protection and survival. Security forces are utilized to achieve this end. Of late, however, the lexicon on security has been expanded, stressing the centrality of human security. As a public good and as a major pillar of sustainable development, security must be compliant to good governance principles. This chapter introduces the major concepts that will be tackled in this book, as well as the security context of the Philippines as its main case study. It frames the discussion within the perspective of security sector governance and reform (SSGR), and the aspirations of sustainable development goals (SDGs).

Keywords: *security sector governance and reform, security sector reform, Philippines, military, police, peace process, sustainable development goal 16*

Introduction

Crafting the security sector governance and reform (SSGR) agenda takes, as its beginning position, the assumption that the security system, including the process of imagining, crafting, and planning it, is clear and rational. In the ideal scheme of things, security planning begins with a clear articulation of what are (a) the *national interests* of the state, and (b) a grounded *security threat assessment*. The process of crafting the national interests and the subsequent analysis of security threats must be based on a broad-based consultation with different sectors and groups in society, as well as consultations with community, provincial and national tiers of government, private sector, and civil society.

The national security policy and strategy guide the administration in crafting the internal and external security plans of various agencies. Alignment of policy, strategy, programs and plans is crucial in addressing both internal and external challenges. For the security forces, it informs the planning process relative to the force structure, equipment, budget, organizational set-up, and oversight mechanisms that must be in place to address the security policy and strategy of the state. The policy and strategy also guide the diplomacy engagement of the state with friends, allies, and adversarial states.

Clear and well-articulated policy, strategy, and programs are necessary to temper politics from interfering with law. The sociologist Luhmann (1988) argued that society is composed of systems that are cognitively open but are operationally closed (Baralou, 2012). Politics is different from laws since politics is fueled by the agency's values, ideologies, and norms, and thus, operate in a cognitively open discursive space. But the state's political order needs an effective functioning legal system to administer its decisions. The legal system requires the coercive power of the state to ensure that people comply with laws. Law is necessary to maintain social order and resolve disagreements and conflicts in society (Michailakis, 1995). The system hence is considered operationally closed when the state has full mandate to prosecute and punish violators of laws, and the people respect and follow the authority of the state.

Society regulates itself without the use of force by normalizing the actions and behavior of its members within a socially constructed normative framework. Systems, institutions, and laws are put in place and people are socialized into these structures. People modify their behavior according to the acceptable limits imposed by society. Those who deviate are punished through the

formal-legal system like fines or imprisonment, or through informal process like shaming, ostracizing, or even banishing.

Different societies have varied degrees of social control, some being more coercive and repressive than others. Modern society has created what Foucault would call “docile bodies” where machineries of power are able to discipline the physical and cognitive aspects of the individual through socialization, formation, manipulation, and coercion. Institutions and structures are created to impose limits on the human agency. The higher the need and want to impose authority and control in society, the more repressive are the structures as manifested through its legal system. While both authority and legitimacy are required for state to exercise power, if the legitimacy of the government is questioned, reliance on the state’s coercive organs becomes a necessity to enforce its authority in the society.

The instruments of power, specifically the security sector, are created to ensure that authority and control remain with the state. Weber (1919)¹ argues that the modern society is one where the state has monopoly of the legitimate use of violence. The security forces, the state’s instrument of power, are society’s constant reminder of the authority and control of the state over its citizens. It is precisely for this reason why it is necessary to have clarity in security policy and strategy. Given the immense power and expectation levied on the security sector, and the fact that it has full control of the instruments of violence, ambiguousness relative to the performance of its duty must be significantly reduced if not totally eliminated.

What is Security?

Security is a contested but also an evolving concept. Security has traditionally been regarded within the so-called Westphalian framework. The Treaty of Westphalia in 1648 ended the 30-year war in Europe by putting boundaries on the colonized territories and colonizers agreeing to respect these boundaries. This sets the tone to how state security is framed today – i.e., maintaining and promoting the territorial boundary and sovereignty of the state, ensuring the cohesion of people, the survival and endurance of society, and protecting the citizens from violence caused by internal armed groups and foreign aggressors. Security is thus equated with state security and the physical safety of people and property (or the guarantee and confidence that no harm or danger may threaten the people and property in a given political community).

The First and Second World War further bolstered this framing, with both wars triggered by usurpation of state territories. The Cold War that followed continued the state-centered framing of security, where security was understood as referring to the security of the state (Hanggi, 2012), and the focus of security forces is to safeguard territories and state apparatuses. Given this framing, alongside the rise of many dictators around the world, the military and the police were perceived as protectors of dictators, their families, and allies; the security sector is regarded as an instrument in suppressing the rights and freedoms of people.

While there had been constant debates that attempted to broaden the conceptualization of security, it was during the post-Cold War era that these discussions took a more definitive shape. The post-Cold War period marked an expansion of the security concept shifting from traditional to the so-called “new security agenda”. Protecting the state remains a relevant security concern, but the emergence of intra-state wars and “failing states” called for greater protection of the citizenry. The call for a human-centered approach to security (United Nations Millennium Report) resulted in the inclusion of “community security” and “human security”, broadening the traditionally state-centric focus of the discourse.

The concept of human security entered the discursive space of the global community after the United Nations Development Programme (UNDP) Human Development Report of 1994 questioned security *for whom, from what, and by what means* (Evans, 2004). This is fueled greatly by the argument that in most states, what is being protected is not necessarily national security but the interests of the dominant group in power. The concern for security and its governance has shifted tremendously — the security policy has widened to cover both state and human security, and its focused *deepened*, i.e., security must be *people-centered* or the welfare of the people is premium. Threats impinging on the “freedom from fear” such as organized violence and trafficking of persons to “freedom from want” such as economics, food, health, and environmental security (Hanggi, 2012) are now recognized as essential security agenda. This development had direct implications on the mission of security actors. Kofi Annan, the former Secretary-General of the United Nations, noted that security can no longer be understood in purely military terms. Rather it must encompass economic development, social justice, environmental protection, democratization, disarmament, and respect for human rights and the rule of law (Annan, 1999).

Security actors also are no longer just comprised of the police and the military; it has expanded to include civilian bodies and non-state actors that have direct role in the management and oversight of uniformed personnel. The delivery of security is likewise expected to be effective, efficient, and relevant just like any other government services, and since it is treated as a public good, security is subject to the same metrics of good governance. All these changes were brought about by the changing perspective on development, security, peace, and their inherent interface.

The UN General Assembly Resolution in 2012 provides the most succinct discussion on what human security is all about. Accordingly, human security is:

- (a) The right of people to live in freedom and dignity, free from poverty and despair. All individuals, in particular vulnerable people, are entitled to freedom from fear and freedom from want, with an equal opportunity to enjoy all their rights and fully develop their human potential;
- (b) It calls for people-centered, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people and all communities;
- (c) Human security recognizes the interlinkages between peace, development and human rights, and equally considers civil, political, economic, social and cultural rights;
- (d) The notion of human security is distinct from responsibility to protect (R2P) and its implementation;
- (e) Human security does not entail the threat or the use of force or coercive measures. Human security does not replace state security;
- (f) Human security is based on national ownership. Since the political, economic, social and cultural conditions for human security vary significantly across and within countries, and at different points in time, human security strengthens national solutions which are compatible to local realities;
- (g) Governments retain the primary role and responsibility for ensuring the survival, livelihood and dignity of their citizens. The role of the international community is to complement and provide the necessary support to governments, upon their request,

so as to strengthen their capacity to respond to current and emerging threats. Human security requires greater collaboration and partnership among governments, international and regional organizations, and civil society;

- (h) Human security must be implemented with full respect for the purposes and principles enshrined in the Charter of the United Nations, including the full respect for sovereignty of States, territorial integrity and non-interference in matters that are essentially within the domestic jurisdiction of States. Human security does not entail additional obligation on the part of States.

Table 1: Traditional vs Human Security	
Traditional/National Security: <i>State-centered</i>	Human Security: <i>People-centered</i>
Whose security? The State The state remains to be the primary focus of security.	Whose security? The people Security gives equal priority to both people as well as state security; it maintains that protecting people enhances human rights promotion, and strengthens citizens' human development.
Security against what? Threats from outside (foreign states); Threats from inside (armed threat groups).	Security against what? The various threats that cut across different aspects of human life (i.e., the interface of security, development, and human rights).
By what means? Physical security care of the military (with support from police and other deputized security actors).	By what means? The use of various instruments of power - political, military, economic, health, ecology, technology, among others.

Despite these developments, there is still a preponderance of national security over human security in Asian states (Acharya, 2001). The Cold War strengthened the national security framing due to the proxy war that the superpowers played in the region. Most, if not all Southeast Asian states continue to give premium on internal security and stability, viewing it as a prerequisite to regional stability. The Association of Southeast Asian Nations, created more than fifty years ago as a venue for dialogue among states to address potential inter-state conflict due to territorial contest and politics, remains as an intergovernmental organization where advocacy issues are discussed and agreed on, but has no authority to obligate states to comply. Thus, agenda like *human security* remains an aspiration, driven by the desire to accommodate the advocacy of member states and allies, but not given the same level of importance as state security.

The aggressive stance and occupation of China in the South China Sea since the early 1990s that privileges the *might makes right* principle, the same principle that the United Nations has been trying to challenge in all its years of existence, bolster once again the dominance of state security discourse. Moreover, the Russian occupation of Ukraine in February 2022 again

shows the allure of the principle. If Russia succeeds with the *might makes right* strategy and effectively occupies an independent state, a dangerous precedent is established. International agreements, treaties, and conventions that regulate inter-state relations post-World War 2 can all be challenged, given the inability of the international community to deal with an aggressive state like Russia. Smaller states who are heavily dependent on international law and order are again vulnerable against the bullying and/or usurpation of bigger states.

Who are the Actors in the Security Sector Discourse?

What used to be an exclusive domain of uniformed personnel and the agencies that directly supervise them (*e.g.*, the defense department), security sector now includes many other actors such as oversight bodies (*e.g.*, parliament, ombudsman, human rights bodies, etc.). The broader definition of security is captured in the 2008 Report of the UN Secretary-General on Security Sector Reform. It defines security sector as a broad term often used to describe the structures, institutions, and personnel responsible for the management, provision, and oversight of the security sector (United Nations, 2008). The definition of the concept calls for the inclusion of more actors. What was mainly dominated by state security apparatus (*e.g.*, military, police, paramilitary, intelligence services, border guards, customs, etc.) has expanded to include a host of oversight bodies and non-state actors contributing to state security and human security. These include management and oversight bodies, justice and the rule of law, and non-statutory security forces (Hanggi, 2012). The Development Assistance Committee-Organization for Economic Cooperation and Development (DAC-OECD) in its guidelines *Security System Reform and Governance* provided a much broader definition of security actors, to include “all those institutions, groups, organizations and individuals – both state and non-state, that have a stake in security and justice provisions” (DAC-OECD, 2006). See Table 2.

Table 2: The Security Sector Actors

	State Actors	Non-state actors
Security Providing Institutions/ Core Security Actors	<ul style="list-style-type: none"> • Armed forces • Paramilitary forces • Police and gendarmerie • Intelligence services • Border/Coast guards • Criminal courts, prison • Other judicial institutions 	<ul style="list-style-type: none"> • Armed forces • Paramilitary forces • Police and gendarmerie • Intelligence services • Border/Coast guards • Criminal courts, prison • Other judicial institutions
Management and Oversight Institutions	<ul style="list-style-type: none"> • Executive bodies • Parliament • Judicial authorities • Independent oversight bodies (<i>e.g.</i>, human rights bodies, budget and finance agencies, etc.) 	<ul style="list-style-type: none"> • Civil society organizations • Media, academia, think tanks • Political parties • Business community • Foreign authorities (<i>e.g.</i>, transitional administrations in post-conflict settings)

Why Security Sector Reform?

There is a consensus among scholars that by its nature, mission, and traditions, the security sector continues to be the most secretive, expensive, prone to violations, and simultaneously highly consolidated public institution around the world (Aguja & Born, 2016).

Security sector provides a critical public good, ensuring that it is responsive, effective and efficient, as well as capable of addressing current and emerging threats. Security sector reform aims to professionalize the delivery of security by ensuring that security actors are effective, efficient, and accountable under the framework of democratic civilian control and respect for human rights. Security Sector Reform (SSR) aims to apply the principles of good governance to the security sector (Born, 2009; Hanggi, 2012; Hans & Schnabel, 2009). The primary focus are the state's core security actors – the military, police, other uniformed personnel, and deputized bodies. The premise is with good governance, the security sector will deliver state and human security effectively and efficiently, if not better. Reforms are needed for many reasons. An unaccountable security sector endangers the population and the state. It cannot credibly perform its mission for defense, public order, and safety, and in contributing to the provision of human security. An inefficient security sector wastes public resources and potentially burdens the state. When the security sector is subjected to transparency and accountability, it reduces opportunities for corruption and enhances professionalism. As for the management and oversight bodies, SSR means strengthening the capability of civilian authorities to check and reign in the core security forces to ensure that they are not abusing their power nor become instruments of atrocities.

Reforming the security sector is not an easy process. In a study done in select countries in Africa, Asia, Europe, and Latin America, SSR was found to be predominantly focused on making the security sector effective but not necessarily more accountable. Likewise, the military elements were given prominence in the reform efforts but minimal intervention was done on intelligence service; reform efforts also often fail to consider gender issues or are mostly remain “gender-blind” (Born, 2009).

The 2030 Agenda and SSGR

The 2030 Agenda on Sustainable Development Goals (SDGs) underscored the important role of the security sector and the needed reforms in the pursuit of new global development agenda. The 2030 Agenda was adopted in 2015 by the United Nations General Assembly. While not a legally binding document, it seeks to define and promote socio-economic and environmental development for the “people, planet and prosperity”. The 2030 Agenda has 17 goals, 167 targets, and 230 indicators. It defines what development is and sets the global goal through the set targets and indicators (Sachs et al., 2021). It was noted that sustainable development goes hand in hand with peace and security. It is also argued that the absence of development goes hand in hand with peace and security. It is also argued that the absence of sustainable development is a key driver of inequality, fragility, and conflict (DCAF, 2021). Sustainable Development Goal Agenda 16 (or SDG 16) aims to *Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels*. This agenda is directly linked to security sector reform. Table 3 sums up the targets under SDG 16; they clearly illustrate how SSR and SDG 16 are linked.

Table 3: SDG 16 and its 12 Targets

16.1	Significantly reduce all forms of violence and related death rates everywhere
16.2	End abuse, exploitation, trafficking, and all forms of violence against women and torture of children
16.3	Promote the rule of law and the national and international levels and ensure equal access to justice for all
16.4	By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime

Table 3: SDG 16 and its 12 Targets	
16.5	Substantially reduce corruption and bribery in all their forms
16.6	Develop effective, accountable and transparent institutions at all levels
16.7	Ensure responsive, inclusive, participatory and representative decision-making at all levels
16.8	Broaden and strengthen the participation of developing countries in the institutions of global governance
16.9	By 2030, provide legal identity for all, including birth registration
16.10	Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements
16.a	Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.
16.b	Promote and enforce non-discriminatory laws and policies for sustainable development

The DCAF-Geneva Centre for Security Sector Governance (2021) outlined the important security-related targets of Goal 16. It includes the right of everyone to live their lives free from fear, violence, and abuse, with special emphasis on protecting women and children (Targets 16.1 & 16.2) and combatting organized crimes and illicit arms flow (Target 16.4). It also seeks to develop accountable and transparent institutions (Target 16.6), promote the rule of law and ensure equal access to justice (Target 16.3), ensure responsible, inclusive, and representative decisions making (Target 16.7), and promote and enforce non-discriminatory laws and policies for sustainable development (Target 16.b).

SDG 16 has an inherent bias in good governance that calls for improved management of the security sector, strengthened capacity of relevant national institutions to prevent violence and combat terrorism and crime (Target 16.a), substantial reduction of corruption and bribery (Target 16.5), and ensured public access to information and protection of fundamental freedoms (Target 16.10). This bias is premised on the view that weak, dysfunctional security and justice institutions perpetuate conflict, injustice, and human rights violations.

The 2030 SDG Agenda emphasized the interdependence of security and development (DCAF 2013). As the UN Resolution 70/1 stated, “sustainable development cannot be realized without peace and security; and peace and security will be at risk without sustainable development.”

The Philippines: Security Environment

The Philippines has 81 provinces, and according to the Armed Forces of the Philippines (AFP) in 2016, 76 of these provinces are conflict affected areas (i.e., affected by the presence of armed rebel groups and terror groups). Of the 76 provinces, 71 have been declared by the AFP as “conflict manageable” (i.e., communities have a stable security environment and development interventions can be sustained).

There are a number of armed threat groups that confront the Philippines. The groups discussed next are those that pose dangers to the internal security of the state and the physical safety of citizens.

1. **Armed rebel groups.** The groups under this category are those that have and/or are still waging rebellion against the government. There are two sub-clusters under this category:

- a) **Separatist/Bangsamoro:** The two major groups are the Moro National Liberation Front (MNLF) and the Moro Islamic Liberation Front (MILF). The MNLF, established in 1970, is more secular in orientation. Their original goal was secession, but later agreed to regional autonomy and signed a peace agreement with the government in 1976, and a Final Peace Agreement in 1996 (Office of the Presidential Adviser on the Peace Process, 2016).

The MILF split from the MNLF in 1978. It has a more religious-fundamentalist orientation. Its goal was secession, but like the MNLF, agreed to a regional autonomous arrangement and signed a peace agreement in 2014 (Ibid).

- b) **Communist:** Communist Party of the Philippines-New People's Army-National Democratic Front (CPP-NPA-NDF). The group, established in 1969, advocates land redistribution, national industrialization, end of imperialism, and end of oligarchic elite rule. Its peace process with the Philippine government started in 1986, but has been on-and-off since and has produced only one major agreement, the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) (OPAPP, 2016).

The two break-away groups of the communist movement are:

- b.1) **Cordillera People's Liberation Army (CPLA)**, whose rebellion was triggered by discrimination against indigenous/ethnic peoples and usurpation of ancestral land in the Cordillera region. It seeks political autonomy for Cordillera. CPLA signed a ceasefire agreement with the government in 1986; and a formal peace agreement in 2011.
 - b.2) **Revolutionary Proletariat Army-Alex Buncayao Brigade (RPA-ABB):** The group's rebellion is rooted on abject poverty of farmers and the state's failure to implement a comprehensive agrarian reform program. It signed a ceasefire agreement with the government in 2001.
2. **Terror Groups** are organizations that are labelled by the security forces as terrorists/violent extremists. Most of these groups are operating in the island provinces of Sulu and Basilan, as well as in central Mindanao. Notable for its notoriety are the Abu Sayyaf Group (ASG), Rajah Sulayman Group (RSG), Maute Group, Ajang-ajang, Khalifa Islamiyah Mindanao (KIM), Ansaral-Khalifa Philippines; these groups have been involved in kidnapping, bombing, siege, and ambushes.
 3. **Private Armed Groups** are organized and financed by political families/dynasties to provide protection to their interest. During the colonization periods, the Spanish, the Americans, and the Japanese had organized armed civilians to help fight rebel groups. "The post-World War II government encouraged recruitment and arming of 'civilian guards' to augment government forces..."(Patino, 2012). Post independence, these groups persist, driven by the self-serving interests of political families.
 4. **Criminal Syndicates** operate in local settings; some also have international networks of connections. Some criminal groups have established illicit working relations with leaders of local communities, state security authorities, and international organizations. Keene (2018) uses the term "silent partners" to describe the mutually reinforcing relationship of organized crime groups (OCG) and irregular forces (e.g., militias, revolutionary groups). "Close collaboration between OCGs

and irregular groups often makes it impossible to make a clear distinction between the two” (Keene, 2018).

Geographically isolated and depressed areas provide a conducive environment for these armed groups to operate and thrive. Especially in Bangsamoro areas, these irregular forces share the same operational battle space, creating a space where tactics and operations are shared, and grievance are magnified and radicalized (Oreta, 2018). The underdeveloped security policy environment of the country contributes to the deficient response to effectively deal with armed groups. “The tenuous policy environment creates the political opportunity for these groups, and the dysfunctional rule of law and ineffective management of security provide the context for irregular forces to mobilize and operate” (Oreta, 2022).

Security Sector Reform Efforts. SSRG is a continuing process to ensure that security forces are accountable to civilian authority, are respectful of human rights and international humanitarian law, promotes democratic values, and are bound by the rule of law. It also warrants that civilian institutions in charge of management, support, and oversight of the security forces are able to perform their function. In the Philippines, the security sector actors are comprised of the following:

Table 4: Security Sector Actors in the Philippines		
	State Actors	Non-state actors
Security Providing Institutions/ Core Security Actors	<ul style="list-style-type: none"> Armed Forces of the Philippines, i.e., Philippine Army, Philippine Navy, Philippine Air Force; Philippine National Police; Philippine Coast Guards; Paramilitary forces, i.e., Citizens Armed Forces Geographical Units (CAFGU), Civilian Volunteer Organization; Intelligence bodies, e.g., Intelligence Service-AFP; National Intelligence Coordinating Agency, Local Government Units (LGU) Intelligence units, etc; Criminal courts, prisons, i.e., Bureau of Jail Management and Penology, Bureau of Corrections; Other judicial institutions, e.g., Court Sheriff 	<ul style="list-style-type: none"> Armed groups (MNLF, MILF, NPA) Private security companies, e.g., Security guards of private establishments; Customary or informal justice providers, e.g., Council of Elders in indigenous peoples’ (IP) communities, Bangsamoro communities; Bagani or IP community fighters; Foreign troops, i.e., International Monitoring Troops of the Government of the Philippines and the Moro Islamic Liberation Front (GPH-MILF) Ceasefire Agreement

Various reform initiatives had been done over the years, but challenges remain given the wavering commitment of political leaders to SSR, and the volatile and uncertain security environment that core security forces navigate. Especially for the military and the police, they are tasked to address multi-faceted challenges of security. Yet, most of the security issues require response from civilian agencies instead of armed response, thereby exposing the uniformed personnel to potential missteps and reproach from the public for overstepping their boundaries.

In 2010, the AFP had the Internal Peace and Security Plan (IPSP), meant to guide the campaign and operations of the military from 2010-2016. This was modified in 2016-2022, the Development Support and Security Plan (DSSP). The core values and principles of the two documents are the same: primacy of the peace process in addressing internal conflicts, respect for human rights (with strong bias on gender rights), uphold the rule of law and international humanitarian law. The IPSP and DSSP documents have allowed the military to work closely with relevant peace and security institutions of the bureaucracy like the Office of the Presidential Adviser on the Peace Process (OPAPP), Commission on Human Rights (CHR), Department of the Interior and Local Government (DILG), Philippine National Police (PNP), and Department of Social Welfare and Development (DSWD). The IPSP and DSSP were the military's response to (a) the recommendations done by the Feliciano and Davide Commissions created to look into the various coup attempts of the military during the Aquino administration (1986-1992) and the mutiny during the Arroyo administration (2001-2010); as well as (b) the Defense Reform program crafted by the Department of National Defense (DND) during the Arroyo administration.

In 2012, the military also initiated a "good governance" score card to strengthen the professionalization and modernization of the institution, to be monitored by the Multi-Sectoral Governance Council, a body composed of civilian leaders. The military's reform process has been moving steadily.

The people-centered framework as reflected in its core values, doctrines, operations and processes has improved its image and relationship with local communities. More positive engagements with communities have been reported, and has contributed to address the presence of armed threat groups in conflict affected areas. While there are still those who are wary of the military, communities and groups especially in conflict affected areas generally support the military; this confidence was notable in the Marawi siege in 2017, when communities cooperated with the military in its effort to neutralize the Islamic State of Iraq and Syria or ISIS-affiliated groups.

The 2017 Martial Law in Mindanao. Martial Law was declared in Mindanao in May 2017 and extended until December 2019 to address the threat of terrorism, post Marawi siege. Communities traumatized by armed violence welcomed the martial law declaration; some groups however, remained cautious². The most manifest benefit of martial law was security stability, with the increased number of checkpoints, military visibility, and curfew³. The more latent effect of martial law are the increased number of firearms confiscated or surrendered, the regularity of presence/attendance of local Mayors and Village (Barangay) Captains during work hours, the constricted operation of criminal groups particularly on the drug trade, and the containment of the operations of warlords and private armed groups⁴. The downside, however, of having martial law is the increased reliance of communities, the local government units (LGUs), and the local police on the military. It normalized the militarized response to local security problems, it further weakened the governance capacity of LGUs, and undermined the democratic norms and processes on the ground. Martial law was a temporary arrangement meant to address the urgency of the security situation, i.e., the rebellion of the ISIS affiliate groups⁵, but a prolonged martial law, no matter how beneficial to communities, can stretch the already limited capacity of the Philippine military, politicize its ranks, and undermine the professionalism of the organization⁶.

SSR was part of the Philippine Development Plan (PDP) of 2011-2016 of the Aquino administration, under Chapter 9 *Peace and Security*. The PDP called for "people-centered security" within the context of human security as part of the strategic framework (PDP 2011-2017). For the first time in a medium-term development plan, the concept of security sector reform was referenced. In ensuring national security, the PDP laid down the strategy to carry out security sector reform and modernization initiatives that adhere to the principles of transparency

and accountability, strengthening of civilian control and oversight of the security sector, and strengthening of the rule of law.

Under the Duterte administration, PDP targets include “strengthening government peace and development institutions and mechanisms to increase their responsiveness to peace, conflict and security issues” and strengthening of the core security actors and other core elements of the security sector (National Economic and Development Authority, 2017). The PDP 2017-2022 integrated the SDG agenda in its target goals. Relative to security, the PDP chapters on *Attaining Just and Lasting Peace* (Chapter 17) and *Ensuring Security and Public Order* (Chapter 18) are directly linked with SDG 16. The Philippine Development Plan, launched in 2017, hoped to “empower the poor and the marginalized, push for improved transparency and accountability in governance” (NEDA, 2017). The plan aims to bring inclusive growth by lowering poverty incidence, job creation through innovation, and building greater trust in government and society. It likewise prioritizes peace and security.

Despite the integration of SDGs in the medium-term development plan, the Philippines continues to lag in its SDG accomplishments based on the *Sustainable Development Report 2021*. Its overall index score is 64.5 out of 100, and its SDG Global rank is 103 out of 199 countries.⁷ The *Report* noted that the country is maintaining SDG achievements in only one indicator, i.e., Goal 13, on Climate Action. One plausible reason for the low accomplishment of the PDP 2017-2022 and the SDGs is the absence of systematic monitoring mechanism. Of the 500 targets or indicators of the PDP, only 300 are monitored by the Philippine Statistical Agency through its Statistical Indicators on Philippine Development; the chapters on security, safety and peace and order of the PDP 2017-2022 “do not have any targets or indicators of success” (Monsod, 2021). It is therefore crucial not just to develop a metrics of evaluation that allows for accurate assessment of accomplishment, but also to ensure that the nexus between SDG and SSR are appropriately reflected in the monitoring and evaluation tools.

The *National Security Policy (NSP) 2017-2022* under the Duterte administration also highlights the need for SSR. The NSP 2017-2022 states the 12-point National Security Agenda of the Duterte administration as Human and Political Security, Health Security, Economic and Financial Security, Food and Water Security, Military and Border Security, Socio-cultural Security, Environment and Disaster Security, Energy Security, Maritime and Airspace Security, International Security, Information and Cyber Security, and Transportation and Port Security. The NSP also called for modernizing and professionalizing the armed services; strengthening the judicial system; and strengthening legislative oversight of the security agencies (NSP, 2017). Still, the national policy environment on security and peace remains weak. Currently, there is seeming confusion on which is the primary institution to handle terrorism. While it is regarded as a law enforcement problem and hence the domain of the police, the linkage of domestic terrorist groups to the international ISIS alliance makes it a national security problem that requires the military to have a role. The confusion on who has the primary responsibility on matters relative to terrorism affects the strategic responses of both the military and police. The accountability lines of both the police and the military are divided between the DND for the military and the DILG for the police; this adds to the complication in synchronizing the efforts of the two security forces. Note that these two departments are among the biggest agencies in the government and the layers of bureaucratic processes are among the greatest challenges.

Headways have been achieved relative to SSGR; still, there are reports on abuse, incompetence, and human rights violations of the uniformed forces. Currently, the security sector is also criticized for the “red-tagging” or labelling government critics as sympathizers or members of the communist group. Civilian bodies like Congress are also criticized for failure to exercise power of effective oversight beyond grandstanding.

The jail system, the immigration, and the justice systems are also accused of corruption, incompetence, and betrayal of public trust. Civil society groups remain weak in extracting accountability from security sector actors. Moreover, gender mainstreaming is still a concern in SSR. Women are always perceived as being on the receiving end of security – they are either the beneficiary of security or the victim of armed conflicts. The welfare of women must be recognized in any reform process, but their voice must equally be regarded in finding solutions to security concerns.

Security is a public good, and the state is generally expected to provide this good to its constituents. The problematic security landscape especially in community settings is largely due to the weak rule of law, ineffective community security management, and the ambiguous and constant shift in security policy guidelines. Complicating the problem are the limited capacity of local government units and the lack of strong political will of officials to address the security issues.

This chapter believes that promoting institutional reform in the security sector, done properly, will promote inclusive security provisions and equal opportunity within the security sector in accord with the principles of diversity and inclusion. It will promote unity, political neutrality, equality, and professionalism within the uniformed personnel, shield it from partisan politics and powerful elites, and ensure the security sector's loyalty to national and public interest. Security sector governance and reform is part of the larger agenda of strengthening democratic institutions, and deepening normative commitment to democratic governance. In a context where society continues to be beset by internal armed conflicts or is transitioning from conflict, SSGR is meant not just to institute good governance principles but also to ensure that security institutions do not contribute to, nor perpetrate abuses on peoples' basic rights, and that security sector institutions are capable of limiting if not outrightly removing the use of arbitrary power.

Endnotes

- 1 "Politics as a Vocation" (1919). See https://www.balliol.ox.ac.uk/sites/default/files/politics_as_a_vocation_extract.pdf
- 2 Community meetings held from August to October 2018.
- 3 Interview, community members of Camp Bito Buadi Itowa, Marawi City, 24 August 2018.
- 4 Interview, military officer, Marawi City, 3 August 2018. The military checks the attendance of local Mayors and Barangay Captains.
- 5 Report of the AFP during the Forum on Martial Law in Mindanao: Accomplishments and Challenges. Ateneo de Manila University. 09 November 2018
- 6 Prashanth Parameswaran, "What's Next for Philippine Military Modernization Under Duterte?," *The Diplomat*, 17 March 2017. The Philippine military is regarded as one of the weakest in Asia.
- 7 See Jeffrey Sachs et al. (2021). *Philippines*. Retrieved from Sustainable Development Report: <https://dashboards.sdgindex.org/profiles/phl>

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Chapter 2

Taming the Soldier's Gun:
*An Analysis of Civilian
Control of the Armed
Forces of the Philippines
from 1946 to 1986*

Mark Davis Madarang Pablo

Abstract

Civilian control and oversight over the Armed Forces of the Philippines (AFP) underwent radical transformation post-World War II until the collapse of Ferdinand Marcos' authoritarian regime in 1986. With the notable exception during the term of Diosdado Macapagal, the overall historical trajectory of the AFP, from President Manuel Roxas to Ferdinand Marcos was one of expansion of the role in domestic governance and socio-economic development. However, with the deepening of engagement of the Philippine military in domestic affairs, there was observable erosion of institutionalized mechanisms at the executive and legislative branches aimed at ensuring the subordination of the AFP under civilian political authority, and the weakening of civilian oversight functions of the judiciary, political parties, civil society organizations, and media. This would later pose a major setback to the Philippine democratic consolidation process.

Keywords: *civil-military relations, security sector reform, structural theory, post-independence era, Marcos era*

Introduction

Civil-military relations in the Philippines remain as one of the understudied yet promising areas of research in the emerging discipline of Strategic Studies that could help shed light on the institutionalization of security sector reform (SSR) in the country. Of particular interest is the study of civilian control and oversight over the Armed Forces of the Philippines (AFP) from the post-independence era (1946-1972) to the Marcos era (1972-1986) which coincide with the inception and spread of two main internal security threat: the Communist insurgency first led by the Hukbong Magpalayang Bayan (HMB) or People's Liberation Army that transformed into the Communist Party of the Philippines-New People's Army (CPP-NPA); and the Moro separatists in Mindanao and Sulu led by the Moro National Liberation Front (MNLF), followed by the splinter group, the Moro Islamic Liberation Front (MILF). The various policy interventions of the Philippine state during the said critical junctures would largely shape the contemporary structural configurations of power among the stakeholders within the defense and security sector, and affect the stability (or lack thereof) of institutions governing the complex web of relationship of the military with the civilian government and the civil society.

To deepen one's understanding on how civil-military relations vis-à-vis SSR progressed during the four (4) critical decades of state formation, the author wishes to pursue the following research objectives: (a) discuss Michael Desch's Structural Theory of Civil-Military Relations as the foundational theoretical framework in plotting the range of outcomes for civilian control of the military and relate it with SSR as a normative concept; (b) provide a historical overview of the civil-military relations under various administrations—from Manuel Roxas to Ferdinand Marcos; and (c) assess and evaluate using Desch's Structural Theory of Civil-Military Relations and SSR the extent upon which the security policy interventions implemented during the previous administrations have advanced (or undermined) the professionalization of the military and strengthened (or weakened) the political institutions of civilian control and oversight deemed necessary for democratic consolidation.

The Theoretical Framework of Analysis: Desch's Structural Theory of Civil-Military Relations

One of the relevant theoretical frameworks in Strategic Studies academic research and security policy literature that may be used in explaining civilian control over the military is Michael Desch's

Structural Theory of Civil-Military Relations. According to Desch (1999), structural factors, especially the confluence of internal and external security threats affect how the three (3) major domestic actors, namely the military, the civilian government and the rest of society relate with one another, which in turn, shape the strength of civilian control over the military. Desch creates an analytical distinction between “actual” and “perceived” threats. Referring to Lewis Coser, he said that in structurally determinate situations where there is only one optimal behavior like in an actual war, the threats are objective, and hence, irrefutable. In indeterminate situations such as during peacetime where there are many optimal behaviors, the threats become subjective. In such cases, military doctrines provide the basis in determining which among the emerging security issues and challenges are considered as threats.

Desch’s study found that the presence of great external threats (e.g., during major wars) that endangers the existence of the entire state, will most likely produce stronger internal cohesion among the military, the civilian government, and the rest of society, as seen for example in the activation of integrative and collaborative national mobilization initiatives under homeland defense. The collective focus is outward. Under such circumstance, civilian control becomes strong usually through the operationalization and streamlining of command-and-control mechanisms of the duly elected civilian commander-in-chief over the armed forces. Conversely, the presence of internal threats create more complex effects on actors within a state. An internal threat that affects only state and society, not the military, is unlikely to have an effect on civilian control. A threat from society to the military and civilian institutions could precipitate the rise of a military-supported civilian dictatorship, as in the case of Alberto Fujimori’s Peru. Meanwhile, a threat from the state to the military and society is likely to produce a military coup that installs a different civilian leadership, as in the case of France in May 1958, with the return of Charles de Gaulle to power. In both cases of military-backed civilian leadership, civilian control over the military is usually confined to the civilian chief executive with diminished oversight role for the civil society. Finally, a threat from the state and society to the military could pave the way for military rule, and hence, weak civilian control as in Brazil in 1964 or Chile in 1973. Desch argues that the presence of internal threats creates divisions within the state and draws the attention of domestic actors inward.

In sum, Desch explains that a state facing high external and low internal threats will have the most stable civil-military relations (see quadrant [Q]1). Under such circumstance, a civilian leadership with knowledge and experience in national security affairs is highly likely to be brought to power. Civilian institutions tend to become cohesive and reliant on objective control mechanisms due to the so-called “rally ‘round the flag” effect of external threats while potential and actual military factions are highly likely to unify their ranks to address the threat and less likely to participate in domestic politics. In contrast, a state faced with low external but high internal threats is likely to experience the weakest civilian control over the military (see quadrant [Q]4). Civilian leadership has less incentive to pay attention to national security affairs. Civilian institutions are likely to be weak and fractured, while civilian leaders may be tempted to politicize the military by imposing mechanisms of subjective control in order to garner support in addressing internal conflicts.

		<u>External Threats</u>	
		High	Low
<u>Internal threats</u>	High	(Q3) Poor	(Q4) Worst
	Low	(Q1) Good	(Q2) Mixed

Fig 1. Structural Theory of Civil-Military Relations

Civilian Control of the Military as a Function of Location and Intensity of Threats

Desch (1999) illustrates that the most difficult cases of Structural Theory of Civil-Military Relations are those with security challenges in indeterminate threat environments, such as low external and low internal threats (see quadrant [Q]2) or high external and high internal threats (see quadrant [Q]3). On the one hand, a state facing low level of threats both internally and externally may produce a civilian leadership without knowledge, experience or interest in military affairs. Civilian policymakers might abandon objective control of the military and civilian institutions may lose their cohesiveness in the absence of actual or perceived threats. Furthermore, the military institution may suffer from factionalism, thereby rendering it less capable of unified command. Civilian and military ideas may also be less harmonious which could lead to lack of coordination and low-level civil-military conflict (i.e., inter-civilian-military coalitional disputes). Under this circumstance, civilian control of the military can range from good to mixed. On the other hand, a state encountering high level of internal and external threats may or may not bring knowledgeable and experienced civilian leaders to the helm of power. Both civilian and military institutions may become politically and ideationally divided over competing internal and external threats; hence, one may expect the emergence of issues on civilian control but may have fewer issues compared to situations where there is low external and high internal threat environment. This is due to the fact that despite uncertainty over military orientation, the confluence of both internal and external threats may incentivize the military to consolidate its ranks for unified, collective action.

Security Sector Reform (SSR) as a Normative Concept

Desch's Structural Theory of Civil-Military Relations may serve as a tool in contextualizing the national security environment and understanding the behavioral dynamics of the stakeholders in the defense and security sector. The OECD/DAC Handbook on Security System Reform which remains as a popular reference material on this subject matter "calls for a holistic approach in reforming the roles and tasks of all state and non-state institutions and actors that contribute to the provision of security for the state and the people" (Schnabel & Born, 2011). The OECD/DAC Handbook enumerates the following actors and institutions as constitutive of a country's security sector.

- Core security actors, including the armed forces; police service, gendarmeries, paramilitary forces, presidential guards, intelligence and security services (both military and civilian), coast guards, border guards, customs authorities, and reserve and local security units (civil defense forces, national guards and militias);
- Management and oversight bodies, including the executive, national security advisory bodies, legislative and select committees, ministries of defense, internal affairs and foreign affairs, customary and traditional authorities, financial management bodies (finance ministries, budget officers and financial audit and planning units), and civil society organizations (civilian review boards and public complaints commissions);
- Justice and the rule of law, including the judiciary and justice ministries, prisons, criminal investigation and prosecution services, human rights commissions, ombudspersons, and customary and traditional justice systems; and
- Non-statutory security forces, including liberation armies, guerrilla armies, private security and military companies, and political party militias.

According to Schnabel and Born (2011), SSR does have a two-fold objective: (a) to develop an effective, affordable and efficient security sector capable of addressing the security threats at hand;

and (b) to facilitate civilian control of the security sector by strengthening the management and oversight capacities of government ministries, parliament and civil society organizations which is fundamental to democratic consolidation. In operational terms, there are five (5) broad categories covered by SSR, as specified in the OECD/DAC Handbook:

1. *Overarching activities*, such as security sector reviews and their development, needs assessments and development of SSR strategies and national security policies;
2. *Activities related to security- and justice- providing institutions*, such as restructuring and reforming national defense, police and other law enforcement agencies as well as judicial and prison systems;
3. *Activities related to civilian management and democratic oversight of security and justice institutions*, including executive management and control, parliamentary oversight, judicial review, oversight by independent bodies and civil society oversight;
4. *Activities related to SSR in post-conflict environments*, such as DDR (disarmament, demobilization, and reintegration), control of small arms and light weapons, mine action and transitional justice;
5. *Activities related to cross-cutting concerns*, such as gender issues and child protection.

The following guiding principles were also proposed by the OECD/DAC Handbook:

1. SSR should be people-centered, locally owned and based on democratic norms, human rights principles, and the rule of law;
2. It should be viewed as a framework to restructure responses to diverse security challenges facing states and their populations through integrated development and security policies and greater civilian involvement and oversight;
3. SSR activities should form part of multisectoral peacebuilding approaches, based on thorough assessments of the security and justice needs of the people and the state;
4. SSR should be developed in adherence to good governance principles, such as transparency, accountability, and others; and
5. SSR should be implemented through transparent and efficient processes and policies that enhance institutional and human capacities.

Historically, SSR emerged as a concept in the 1990s, after the end of the Cold War (Kaldor, 1999, as cited in Mangan, 2018). According to Mangan (2018), the international community sought alternatives to the strictly militarized approaches of the Cold War era which, in select cases, perpetuated instability in post-conflict environments. This eventually paved way for the development of a liberal template anchored on two principal ideas: (a) development and security are intimately linked; and (b) democratization would enhance peace, security, and stability as a whole (Andersen, 2011, as cited in Mangan, 2018). The emphasis was to implement reforms centered on the armed forces and civilian security forces such as the police towards the attainment of long-term national security objectives.

One may deduce that in its original context, SSR is a post-Cold War policy template for restructuring the security sector of developing states transitioning from authoritarian to democratic systems.

For this chapter, the author examines how much the Philippine security sector has internalized the SSR objectives and principles from 1946 to 1986.

The Philippine Military: Post-Independence (1946-1972) and Martial Law (1972-1986) Periods

The next four (4) decades after World War II would prove critical in the history of civil-military relations in the Philippines. Six administrations, namely Manuel Roxas (1946-1948), Elpidio Quirino (1948-1953), Ramon Magsaysay (1953-1957), Carlos Garcia (1957-1961), Diosdado Macapagal (1961-1965), and Ferdinand Marcos (1965-1986) enacted various security policies in response to the threats to national security that are mainly internal in nature, such as the Communist insurgency and Moro separatism. Research works on Philippine civil-military relations adopt a division of two (2) major eras: the post-independence era (1946-1972) and the Marcos era (1972-1986) to highlight how civil-military relations have been radically altered and, in retrospect, illustrate why the preliminary applications and gains in SSR have been drastically reversed with the declaration of Martial Law in 1972.

Post-Independence Period (1946-1972)

In the aftermath of the Philippine independence on July 4, 1946, the AFP was imbued with three (3) missions: (a) defense of the country from external aggression; (b) internal defense; and (c) promotion of peace and order (Hernandez, 1999). Given the heavy concentration of US forward deployment forces in the Philippines at that time, as well as the application of the United States of America-Republic of the Philippines Mutual Defense Treaty of 1951, the task of external defense has been de-emphasized (Hernandez, 1999). Meanwhile, the emergence and spread of the Communist insurgency, and later on, Muslim separatist groups reoriented the AFP into a de facto constabulary force tasked mainly with internal security operations (Hernandez, 1999). The Hukbo ng Bayan Laban sa Hapon (Hukbalahap or Huk), later rebranded as Hukbong Magpalayang Bayan (HMB) or People's Liberation Army began as a guerrilla army aimed at liberating the Philippines from Japanese rule during World War II. After the war, under the leadership of Luis Taruc, it transformed into an underground armed organization committed to establishing a Communist Philippine state. This brought the Huks on a collision course with the US-backed, post-colonial Philippine government in 1949. The Huks had control over the sugar cane and rice plantations in Bulacan, Nueva Ecija, Pampanga, and Tarlac which comprised the Central Luzon (Mitchell, 1969).

Faced with the armed threat of the Huk rebellion, Presidents Manuel Roxas (1946-1948) and Elpidio Quirino (1948-1953) both adopted policies of coercion using the military, but failed to quell the insurgency by brute force (Mitchell, 1969). Policies of conciliation broke down as well over fundamental differences in political ideology and vision for the postcolonial state (Mitchell, 1969). After the allegedly fraudulent election of President Quirino in 1949, the Huks' strength steadily increased; by 1950 large unit raids became quite common and a full-scale assault of Manila was planned for 1951 (Mitchell, 1969). However, before the Huks could execute their attack, President Ramon Magsaysay (1953-1957) implemented vast array of political and economic reforms that would reverse the tide of the armed conflict. Under President Magsaysay's Counter-Insurgency (COIN) Program, the role of the AFP was expanded from purely armed combat to active participation in socio-economic interventions aimed at winning the hearts and minds of the local population (Hernandez, 1999). The AFP built infrastructure projects to foster agricultural development such as roads, bridges, irrigation systems, ditches, and school buildings; as well as provided free dental, medical, and legal services to the residents in the rural areas. The COIN Program also included the Economic Development Corps (EDCOR)

project which sought to resettle and provide land for the Communist rebel returnees in different parts of the country (Hernandez, 1999).

The gains of the Philippine government under President Magsaysay were continued by President Carlos Garcia (1957-1961) who implemented the Socio-Economic Military Program (SEMP) (Hernandez, 1999). Under SEMP, the AFP personnel were tapped to assist in land resettlement, rural development, food production, and public works construction. President Garcia established SEMP settlements throughout Luzon, Mindanao and Panay Islands (Hernandez, 1999). President Macapagal (1961-1965) briefly reversed the trend of role expansion for the AFP, stating that the military should not be drawn into civic programs because it would encourage its officers to engage in politics (Hernandez, 1999). He ordered the AFP to return to barracks and re-focused them to their role for external defense notwithstanding the continuing presence of the US forward deployment forces. This coincided with the waning of the Communist insurgency from the early 1950s - a significant development in internal security that would be undone with the imposition of Martial Law in 1972 (Hernandez, 1999).

The principle of civilian authority over the military has been established as part of the post-independence democratic state. Civilian political authority is exercised with the President serving as Commander-in-Chief (CIC) of the military. Civilian control over the armed forces is shared with the legislative branch through power over budget, appointments and promotion of officers, and conduct of investigation of cases concerning military and defense matters. (Hernandez, 1999). Oversight functions are performed by the judiciary, political parties, executive bodies such as the Departments of National Defence and Budget and Management, and constitutional bodies such as the Commissions on Audit and Human Rights. Media organizations, civil society, and political parties also perform oversight function by serving as watchdogs or subjecting the military establishment through constant scrutiny.

Marcos Administration (1972-1986)

President Ferdinand Marcos (1965-1986) assumed power in 1965, inheriting a myriad of internal security problems, made more complicated with the imposition of Martial Law in 1972. The Huk rebellion has been reduced to a law enforcement problem, but in the late 1960s, a faction of the group forged an alliance with the old Philippine Communist Party mostly composed of young students and professors from the University of the Philippines (Hernandez, 1999). This alliance paved the way to the formation of the Communist Party of the Philippines (CPP) and its armed wing, the New People's Army (NPA) (Hernandez, 1999).

Founded by Jose Maria Sison and launched in Central Luzon on March 29, 1969, the CPP-NPA sought to carry out a protracted people's war to overthrow the Philippine government and establish a national democratic political system founded on the philosophy of Marxism, Leninism (Santos, 2010), and Maoism (Parlade Jr., 2015). The Communist movement adopted a dual strategy of waging armed struggle in the rural areas and firming up clout on the social, political, and economic fronts in the urban areas (Santos, 2010). As part of their strategic defensive, they built mass bases and set up barangay organizing committees, barangay revolutionary committees, as well as support infrastructure through sectoral and other mass organizations (Santos, 2010); when conditions are satisfied, the strategy is set to advance into strategic stalemate and strategic offensive.

On the other hand, the secessionism agenda soared in Muslim Mindanao, especially after the establishment of the Moro National Liberation Front in 1969. While the Tripoli Agreement of 1976 was signed between the MNLF and the Philippine Government, providing the legal framework for the creation of the first autonomous region in Southern Philippines (Cagoco-Guiam,

2018), armed conflict continued between the parties. Moreover, the Moro Islamic Liberation Front (MILF), a break-away group of MNLF, also started fighting state security forces.

Faced with the twin threats of Communist insurgency and Moro separatism, Marcos tapped the AFP as an integral component of the government's economic development program (Hernandez, 1999), claiming that economic development is an effective solution to internal security threats, and utilizing military resources for development projects will contribute to the resolution of internal security problems (Hernandez, 1999). Military personnel were again sent to the countryside to implement the Philippine government's socio-economic programs in the spirit of civic action (Hernandez, 1999).

President Marcos declared Martial Law on September 21, 1972. Under Martial Law, the role and clout of the AFP in government and society tremendously expanded. Military personnel and defense budget increased dramatically to capacitate the armed forces in quelling the Communist insurgency and Moro secessionism (De Castro, 2012). Military engineering battalions were tapped to carry out various civic action missions (De Castro, 2012).

AFP also began assuming judicial and public administration or management roles, i.e., military tribunals were established for cases that involve military and civilian personnel; military officers assumed top management positions in government-sequestered companies; some were appointed as regional heads and directors of government-owned and controlled corporations; assigned as representatives of the President and/or military advisors of certain government offices such as the Board of Transportation, Land Transportation Commission, the Philippine Coconut Authority, and the Philippine Sugar Commission (De Castro, 2012; Hernandez, 1999), further expanding its influence over the courts, mass media, public utilities, and the national economy (De Castro, 2012).

The imposition of Martial Law drastically altered the dynamics of Philippine civilian-military relations. The AFP remained in conformity to the principle of civilian supremacy over the military, but in reality, it was reduced into an instrument of Marcos' authoritarian regime (De Castro, 2012)¹. Other civilian institutions such as the Congress which used to have control powers over the armed forces on matters pertaining to budget, appointments and promotion, and conduct of investigation were abolished (Hernandez, 1999). Meanwhile, judiciary, political parties, media organizations, and civil society were dissolved or constrained (Hernandez, 1999). The military dominated virtually most aspects of civilian life from 1972 to 1986 (Hernandez, 1999). In sum, instead of civilian control over the military, Martial Law placed the AFP under the personal control of President Marcos (De Castro, 2012; Hernandez, 1999).

The Reform the AFP Movement (RAM) was organized by junior military officers from the Philippine Military Academy (PMA) classes 1971 to 1984, and later expanded to include retired alumni and active officers (Guerrero, 1988). It was a reaction to the perceived breakdown of professionalism and decay of the military organization due to patronage politics, crony capitalism and rampant corruption. Guerrero (1988) highlights four (4) major internal issues that RAM sought to rectify: (a) economic/livelihood issues or the relative stagnation of the minimum wage of the military personnel vis-à-vis inflation and increase in cost of supporting the needs of their growing families; (b) professional career issues where merit-based system was replaced with patron-client practice, and personal loyalty to the commanding officer became the basis for promotion, assignment and receipt of benefits; (c) irregularities/inequities in personnel pay and allowances, the procurement system, and the unexplained wealth of the top military brass; and (d) organizational issues where military structure became overly bloated and centralized, duplication of functions was rampant, and personnel appointment had to undergo clearance or approval from the President through General Fabian Ver.

RAM called for institutional changes within the Philippine military, with their agenda summarized in the acronym, REFORM, i.e., Restore Ethics, Fairmindedness, Orderliness, Righteousness, and Morale (Guerrero, 1988). The nine-point objective of RAM highlights its aspirations (Guerrero, 1988):

1. Maintain a strong and solid AFP that can uphold the sovereignty of the people and the state, support the constitution, protect the geographical integrity of the country, and eradicate all divisive forces within and outside the organization;
2. Cleanse the AFP of the undesirables;
3. Maintain a high standard of discipline;
4. Effectively enforce the merit system;
5. Reorient training and education in the AFP;
6. Promote the morale and welfare of every man and woman in uniform;
7. Restore camaraderie and esprit de corps in the AFP;
8. Rationalize the management of the AFP's limited resources;
9. Align the concept and practices of leadership with the basic constitutional concept and the tasks of the AFP.

The emergence of RAM in the military, along with the assassination of former Senator Benigno Aquino, Jr. on August 21, 1983, contributed to the chain of events that culminated in the People Power uprising from the 22nd to the 25th of February, 1986 which deposed President Marcos and dismantled his authoritarian regime.

Analysis and Conclusion

Analyzing civilian control over the military using Desch's Structural Theory, the Philippine case from 1946 to 1972 both had low external and internal threats; however, from 1972 to 1986, the external threat was low but the internal threat was high. The heavy concentration of US forward deployment forces in the Philippines throughout the entire duration of the said timeframe made the US as the de facto guarantor of Philippines' external defense. The presence of US forces also downplayed the Sino-Soviet Communist threat and de-emphasized the AFP's role on territorial defense.

Meanwhile, the presence of various internal armed threat groups compelled the AFP to look inward, reorient itself as a constabulary force, and become an active player in (or even contender for) state governance.

As argued by Desch, the inward turn of the AFP during the given timeframe would alter the overall dynamics of civil-military relations and undermine what Samuel Huntington (1957) referred to as "objective civilian control" over the armed forces. Objective civilian control, according to Huntington, is guaranteed with the institutionalization of constitutional checks and balance and professional military ethos (De Castro, 2012). For Alagappa (2001), this translates to the top military brass complying with civilian authorities out of sense of duty rather than agreement with their policies (as cited in De Castro, 2012). However, "objective civilian control" is difficult to attain during internal armed conflicts – in times of conflict, the technical expertise and socio-economic roles of the military are broadened, and their prestige as political actors is also enhanced (Alagappa, 2001, as cited in De Castro, 2012). "Objective civilian control" was established during the 1946 to 1972 period. As discussed earlier, the Executive shared monitoring and control powers with the Legislative branch on matters pertaining to the military budget/finance, delegation of personnel, and prosecution of cases. A broader network of civilian government and non-government instrumentalities such as the judiciary, political parties, media organizations, and civil society

also perform oversight functions. The overall institutional set-up of the AFP during this period was more conducive to the SSR agenda. The Philippine state, especially under Presidents Magsaysay and Garcia who implemented the COIN and SEMP was effective in reducing the internal security threats to a minimum level while the management and oversight capacities of government agencies and civil society organizations were enhanced.

In contrast, the Martial Law period either abolished or suppressed civilian-political institutions that are critical to the democratic control of the armed forces, and concentrated all control powers under the Office of the President. For Desch, the rise of a military-supported civilian dictatorship such as what was created under Marcos' Martial Law is the logical structural outcome of a political-security milieu where threats are mainly internal rather than from outside the state. Marcos' decision to expand the role of the AFP in domestic politics while simultaneously undermining both the government and non-government institutions of control politicized the ranks and deepened the culture of corruption in the organization; the irony is that the larger the political role given to the military, the greater it constrained its capability to effectively address internal armed threat groups. Interestingly, the entry of RAM towards the latter years of the Marcos' administration can be claimed as the beginning process of SSR. The reformist movement wants the AFP to return to its original mandate of being the protector of the people and the State, and this agenda later on contributes to the institutional reform process in the security sector. Arguably, the pre-Martial Law institutional arrangement was conducive to advance the SSR agenda. In contrast, the Martial Law period created an environment that leaves little to no room for advancing reforms in the institution. The politicization of the military would have a detrimental impact not just to democratic consolidation, but also to the strengthening of civilian control over the military. Hence, subsequent SSR initiatives from Presidents Corazon Aquino to Rodrigo Duterte were mostly focused on reversing the practices and processes established during the Martial Law period.

Endnotes

- ¹ The Philippine government during Martial Law period was a military-supported civilian dictatorship, not military dictatorship per se. 'Military supremacy over the civilian' would mean the forced removal of the last remaining duly elected civilian authority on top of the government bureaucracy and the self-appointment of a military junta (i.e., coup d'état); this was not the case in the Philippines. President Marcos (as the duly elected civilian authority at that time) have more direct command-and-control over the armed forces and power of delegation of select military officials to key positions within the government bureaucracy.

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Chapter 3

Civilian

Authoritarianism:

*The Effects of Martial
Law on the Philippine
Military*

Alexis Jerome Tolibas

Abstract

This chapter examines the effects of the imposition of martial law (1972 to 1983) on the Philippine government's institutions, especially its armed forces. It outlines how President Ferdinand Marcos Sr., through what Hernandez (1985) coined as Constitutional Authoritarianism, manipulated the Philippine Constitution to extend his presidential term by declaring a state of martial law. Through Proclamation No. 1081, the Philippine Congress was abolished and political parties were outlawed. President Marcos issued multiple orders and instructions in the form of General Orders to persecute his political opponents, quash dissent, and insulate himself from prosecution. This resulted in a consolidation and concentration of executive, legislative, and judicial powers all under the Office of the President, and by extension, the military as the martial rule's main implementer.

The extent by which this has affected the armed forces became evident in their predisposition to military adventurism which escalated into multiple coup d'etat attempts waged during the presidencies of Presidents Aquino and Macapagal-Arroyo, as documented by both Davide Commission and Feliciano Commission Reports, respectively. This paper discusses the reforms instituted, both constitutional and institutional, to prevent future abuses of power, restore the professionalism in the ranks, depoliticize and insulate the armed forces from partisan political processes.

Keywords: martial law, security sector reform, modernization of the Armed Forces of the Philippines, Davide Commission Report, 1987 Philippine Constitution, Feliciano Commission Report, coup d'etat

Martial Law

Proclamation No. 1081. President Ferdinand Marcos Sr. issued Proclamation No. 1081 in September 1972, placing the Philippines under Martial Law (Francisco, 2016). As justification for the imposition, President Marcos highlighted the increasing civil unrest, Muslim secessionism, and the threat of a communist takeover; he also referred to the Plaza Miranda bombing and the ambush on then Defense Minister Juan Ponce Enrile¹. Despite Marcos's rationalization, critics believe that the proclamation was a ploy to extend his stay in power, given that he was constitutionally mandated to step down at the end of his second term in office. That being said, the imposition of martial law extended the presidential term of Marcos through a Constitutional Authoritarianism form of government (Hernandez, 1985) until he was ousted from power through the EDSA People Power uprising in 1986.

Excesses of Martial Law. Marcos's rule was controversial due to the numerous reports of human rights (HR) violations committed by the core security forces. An Amnesty International Mission to the Philippines in 1975 reports that they were able to document 3,357 known extrajudicial killings, 35,000 accounts of documented tortures, 77 disappeared individuals, and 70,000 incarcerations (Amnesty International, 1976). There were also several reports of corruption cases. Marcos and his cronies were reported to have pocketed an amount estimated to be between USD 5-10 billion (Vera Files, 2017). As of 2020, the Philippine government has recovered PHP 174.2 billion of the ill-gotten wealth, with an additional PHP 125.9 billion still under litigation (Buan, 2021).

Consolidation of Power and Erosion of Democratic Institutions. To stay in power, Ferdinand Marcos instituted a series of legal manipulation to legitimize his authoritarian rule. The first step was the imposition of Martial Law through Proclamation 1081 using Section 10, Article VII of the 1935 Constitution, which states that the President may place the Philippines or any part of it under

Martial Law in case of invasion, insurrection, or rebellion (1935 Constitution, art. VII, §10). Marcos issued multiple orders and instructions which he used to consolidate power in his office, insulate himself and his representatives from prosecution, and curtail civil and political rights.

Under General Order No. 1 (GO 1), Marcos declared that:

I shall govern the nation and direct the operation of the entire Government, including all its agencies and instrumentalities in my capacity and shall exercise all the powers and prerogatives appurtenant and incident to my position as such Commander-in-Chief of all the armed forces of the Philippines (GO No. 1, 1972).

With the abolition of Congress and the outlawing of political parties, GO 1 concentrated executive powers under the Office of the President.

General Order No. 2 (GO 2, 1972) ordered the arrest and detention of many leading political leaders including Senators Benigno Aquino, Jr., Jovito Salonga, Francisco “Soc” Rodrigo, and Jose W. Diokno, along with leaders and members of organizations labeled as *subversive*, which included the Communist Party of the Philippines-New People’s Army (CPP-NPA) and the Movement for the Advancement of Nationalism led by former Senator Lorenzo M. Tanada (Hernandez, 1985). The order was to arrest the political leaders, take in custody, and hold until otherwise ordered release. This was later amended by General Order No. 19 to include:

“any person who shall utter, publish, distribute, circulate and spread rumors, false news and information and gossip, or who causes the publication, distribution, circulation or spreading of the same which cause or tend to cause panic, divisive effects among the people, discredit of or distrust for the duly constituted authorities, undermine the stability of the Government and the objectives of the New Society, endanger the public order, or cause damage to the interest or credit of the State” (GO No. 19, 1972).

Looking past the legal jargon, this is seen as a *catch-all* amendment that prohibits the open criticism of the President, his martial law, and the military.

General Order No. 3 (GO 3) said that all executive departments, bureaus, offices, agencies and instrumentalities of the National Government, as well as local governments (provinces, cities, municipalities, and barrios), shall continue to function, unless otherwise ordered by the President or his duly designated representative (GO No. 3, 1972). Simply put, everyone in the Executive branch of the government, even elective positions, are now only allowed to function at the behest of the president. The second half of GO 3 limits the jurisdiction of the Judiciary by preventing them from trying the following cases (GO No. 3, 1972):

- Those involving the validity, legality or constitutionality of any rules, orders or acts issued, promulgated by public servants pursuant to decrees, orders, rules and regulations issued and promulgated by the President or his duly designated representative pursuant to Proclamation No. 1081.
- Those involving crimes against national security and the law of nations.
- Those involving crimes against the fundamental laws of the State.
- Those involving crimes against public order.

- Those crimes involving usurpation of authority, rank, title, and improper use of names, uniforms, and insignia.
- Those involving crimes committed by public officers.

This ensured that the Supreme Court, supposedly the ultimate arbiter of issues regarding constitutionality, cannot question the legitimacy of Proclamation No. 1081 as well as the decrees, orders, or acts issued (e.g., General Orders), pursuant to it. It also insulates public officers and representatives acting on behalf of the President in the implementation of martial law. However, the more insidious part of the order is the removal of the judiciary's jurisdiction on crimes against national security and the law of nations, crimes against fundamental laws of the state, and crimes against public order.

General Order Nos. 4 and 5, imposed a curfew from twelve midnight until four in the morning and prohibited the staging of rallies, demonstrations, strikes, and pickets, respectively. General Order No. 6 prevented the carrying of weapons unless duly authorized. Those who are authorized to carry weapons were detailed in General Order No. 7 and General Order No. 7-A.

General Order No. 8 references GO 3 and mentions that the President has ordered for certain military cases (mentioned in GO 3) be tried by special military tribunals. It also mentions that the Chief of Staff of the Armed Forces of the Philippines (CSAFP) is empowered to create military tribunals to try and decide cases of military personnel (GO No. 8, 1972). The breadth of cases that are transferred to the jurisdiction of the military tribunals were expanded by General Order No. 12 to include the following (GO No. 12, 1972):

- Violations of the Anti-Subversion Law
- Violations of the Law on Espionage
- Violations of the Hijacking Law
- Crimes against public order (rebellion or insurrection, conspiracy and proposal to commit rebellion or insurrection, inciting rebellion or insurrection, sedition, conspiracy to commit sedition, inciting sedition, illegal assemblies, and illegal associations)
- Violations of the Law on Firearms and Explosives
- Crimes on usurpation of authority, rank, title, and improper use of names, uniforms, and insignia
- Crimes committed by public officers
- Violations of Anti-Graft and Corrupt Practices Law
- Violations of the Dangerous Drugs Act
- Violations of all decrees, orders, and regulations promulgated by the President
- Crimes committed by personnel of the Armed Forces of the Philippines in relation to or as a consequence of the enforcement or execution of Proclamation No. 1081 or any decree, order and regulation issued or promulgated by the President

The last item essentially insulates the members of the AFP from being tried by a civilian court for offenses committed in the implementation of martial law.

General Order Nos. 10 and 14 pertain to increases in the monthly quarters allowance and daily subsistence allowance of enlisted personnel.

Through the General Orders following Proclamation 1081, executive powers were consolidated and concentrated towards the President with the military as his major implementer. All employees, executive officers, appointees, and even elective positions of the executive branch function only as long as the President allows it. Steps were also taken to ensure that the constitutionality of Marcos's orders cannot be checked by the Supreme Court by removing them from the judiciary's jurisdiction. The President, the military, and officials appointed by Marcos were also insulated from being tried by civilian courts, with the transfer of jurisdiction to military tribunals. Civil and political rights of citizens are also curtailed such as freedom of speech, freedom to form associations, freedom of the press, among others.

With Proclamation No. 1081, Congress was abolished. The 1973 Constitution, crafted by the 1971 Constitutional Convention, came into force on January 17, 1973. Constitutional amendments introduced in 1976 were meant to ensure that the legislative powers of President Marcos were not diminished. Pertinent portions of the 1976 Amendments are Amendment No. 5 which states that the incumbent President shall continue to exercise legislative powers until martial law shall have been lifted; and Amendment No. 6 which declares:

“Whenever in the judgment of the President (Prime Minister), there exists a grave emergency or a threat or imminence thereof, or whenever the interim Batasang Pambansa or the regular National Assembly fails or is unable to act adequately on any matter for any reason that in his judgment requires immediate action, he may, in order to meet the exigency, issue the necessary decrees, orders, or letters of instructions, which shall form part of the law of the land” (1973 Constitution as cited in Hernandez, 1985).

Hernandez (1985) aptly pointed out that Amendment No. 5 ensures that the legislative powers of the President remains intact, and Amendment No. 6 removes the legislative limits on the powers of the President as he is no longer limited to utilize emergency power only during invasion, rebellion, or grave emergency but anytime he deems the National Assembly is unable to act adequately. In his article, La Viña (2016) observed that Marcos virtually became a one-man ruler by virtue of Amendment No. 6, whose legislative powers persist even after the formal lifting of martial law on January 17, 1981.

1987 Constitution

Three months after President Marcos was removed from office through the EDSA People Power, the 1986 Constitutional Commission (ConCom) was convened. The ConCom was composed of appointed members selected through public nominations of political and sectoral groups. Coming out of the experience of martial law, it is not surprising that the Constitution includes many safeguards to prevent a repeat of the tyranny experienced under Marcos (Atienza, 2019).

Under Article II, Section 1 (Declaration of Principles and State Policies) of the 1987 Constitution, the word ‘democratic’ is added to the 1973 version, thus “The Philippines is a democratic and republican state.” (Const. (1987), art. II, §1 (Phil.)). “Sovereignty resides in the people and all government authority emanates from them.” (Const. (1987), art. II, §1 (Phil.)).

Another revision can be found in the specific sections that pertain to the primary duty of the government. The 1973 Constitution, Section 2 of Article II, states that “(t)he defense of the State is the prime duty of government” (Const. (1973), art. II, §2 (Phil.)). Its counterpart section in the 1987 Constitution states, “(t)he prime duty of the Government is to serve and protect the people.” (Const. (1987), Art. II, §4 (Phil.)). Article II also emphasizes that securing the integrity of the national territory is corollary to the military’s primary duty of protecting the people and the state.

The specific edit aims to emphasize the human security paradigm that highlights the well-being of its citizens on equal grounds with protecting national or state security. Section 8 of Article II of the 1973 Constitution asserts that “Civilian authority is at all times supreme over the military.” (Const. (1973), art. II, §8 (Phil.)). However, the 1987 Constitution would further expound on the concept by defining the duty of the Armed Forces, thus:

Civilian authority is, at all times, supreme over the military. The Armed Forces of the Philippines is the protector of the people and the State. Its goal is to secure the sovereignty of the State and the integrity of the national territory (Const. (1987), art. II, §3 (Phil.)).

This principle of civilian authority over the military is a basic democratic tenet, a way of institutionalizing the people’s sovereignty over the military and preventing possible abuse and excess of power. During the martial law of President Marcos, the ‘civilian supremacy principle’ was bogus, given that people’s sovereignty is non-existent under martial law.

Article II Section 11 of the 1987 Constitution states that “(t)he State values the dignity of every human person and guarantees full respect for human rights.” (Const. (1987), art. II, §11 (Phil.)). The word “human rights” appears in the 1987 Constitution fifteen (15) times and is featured prominently in Article XIII, Social Justice and Human Rights. Section 17 of said article provides for the creation of the Commission on Human Rights (CHR). The CHR, as defined in the 1987 Constitution, is an independent national human rights body that has the following mandate:

- Human Rights Protection: Investigation and case management of human rights violations complaints;
- Human Rights Promotion: Prepare strategies for policy, advocacy;
- Promotion, social mobilization, training, education, research, communication, public information, and networking linkages;
- Human Rights Policy Advisory: Monitor government’s compliance with its treaty obligations relative to human rights.

The 1987 Constitution also features a stronger Bill of Rights (Atienza, 2019). This is significant since in the Public Consultations Committee of the ConCom for the 1987 Constitution it was reported that “the military at that time did not like too much emphasis on human rights” (Atienza, 2019).

As a post-martial law Constitution, the 1987 Constitution has many provisions that are meant to prevent the emergence of another dictatorial rule. For example, Section 12, Article IX of the 1973 Constitution mentions that the Prime Minister may place the Philippines under martial law in case of *invasion, or rebellion or imminent danger when the public safety requires it*. It also says that the Prime Minister can suspend the privilege of the writ of habeas corpus. The writ of habeas corpus requires authorities to bring the accused in a court of law; suspension of this would

mean the individual can be arbitrarily detained by the state for an indefinite period. It is also noteworthy that there are no provisions in the 1973 Constitution when martial law can be lifted. Contrast these with the contents of the 1987 Constitution, Article VII, Section 18, which states in cases of invasion or rebellion, when the public safety requires it, the President may, *for a period not exceeding sixty days*, suspend the writ of habeas corpus or place the Philippines or any part thereof under martial law. It also states that forty-eight hours after the proclamation of martial law or the suspension of the privilege of the writ of habeas corpus, the President shall submit a report in person or in writing to Congress, and Congress has the power to confirm or revoke the proclamation of martial law or the suspension of the writ of habeas corpus. The extension of the duration of the martial law is also decided by the Congress.

There is also a reminder in the same section that the state of martial law does not suspend the operation of the Constitution nor replaces the function of civil courts or legislative assemblies with that of military courts. On the suspension of the writ of habeas corpus, the Constitution limits its application only to persons charged by the courts with rebellion or with offenses inherent or connected with invasion. The section also highlights that even during the suspension of the privilege of said writ, any person arrested or detained must be judicially charged, or shall otherwise be released (1987 Phil. Constitution, Art. VII, Sec 18).

Of the many checks and balances that the 1987 Constitution has placed, it is important to emphasize that the declaration of martial law is no longer exclusively under the domain of the Executive Branch. Congress and the Supreme Court are both mandated to check the legality and constitutionality of martial law declaration. Also noteworthy are the specifics laid out to protect the citizens from abuse under the suspension of the privilege of the writ of habeas corpus.

There is also a set of provisions in the 1987 Constitution to ensure that the armed forces remain professional. These provisions can be found under Article XVI Section 5.

- *The State shall strengthen the patriotic spirit and nationalist consciousness of the military, and respect for people's rights in the performance of their duty.*
- *Professionalism in the armed forces and adequate remuneration and benefits of its members shall be a prime concern of the State. The armed forces shall be insulated from partisan politics. No member of the military shall engage, directly, or indirectly, in any partisan political activity except to vote.*
- *No member of the armed forces in the active service shall, at any time, be appointed or designated in any capacity to a civilian position in the Government, including government-owned or controlled corporations or any of their subsidiaries.*
- *Laws on retirement of military officers shall not allow extension of their service.* (During martial law, senior military officers, especially those favored by Marcos would not retire even when they are at the mandatory retirement age. This caused a glut in senior officers and slowed the progression of the careers of those below them, which resulted in disgruntled junior officers and general demoralization among the ranks).
- *The officers and men of the regular force of the armed forces shall be recruited proportionately from all provinces and cities as far as practicable.* (One of the characteristics of a professional armed forces is diversity. This provision is included since it was observed that a significant percentage of enlisted men and officers come from the Northern provinces).

- *The tour of duty of the Chief of Staff of the armed forces shall not exceed three years. However, in times of war or other national emergency declared by the Congress, the President may extend such tour of duty.*

Davide Commission Report

The previous section discussed how Marcos established his dictatorial rule through a Constitutional Authoritarianism by systematically eroding the powers of the government's democratic institutions and the consequent consolidation of said powers in the office of the President. This section will focus on the effect of martial law on the security sector, particularly on the military, and how it contributes to the propensity of the institution to meddle in politics.

The core security actors' participation and direct involvement in the implementation of the martial rule had profound and debilitating effects on its institutions and actors. Beyond the human rights abuse and entrenchment of a culture of impunity, it also politicized the core security forces that resulted in multiple coup d'état attempts during the administration of President Cory Aquino.

Following the 1989 coup d'état attempt on President Corazon Aquino, which was preceded by six other attempts to overthrow her government, President Aquino issued Administrative Order No. 146 that created the Presidential Commission tasked to conduct a fact-finding investigation on the attempted putschs (Administrative Order No. 146, 1989), with Hilario G. Davide Jr as chairman and members Ricardo J. Romulo, Christian S. Monsod, Carolina G. Hernandez, and Delfin L. Lazaro. This became known as the Davide Commission. As an investigating body, the Davide Commission had the power to summon witnesses, administer oaths, take testimony or evidence, and to issue compulsory processes to produce documents, books, records and other matters to perform its function. The Davide Commission was also authorized to deputize the AFP, the National Bureau of Investigation (NBI), the Philippine Constabulary (PC), and other law-enforcing agencies to assist the body in its investigation.

The resulting final report from the Davide Commission is a voluminous 609-page manuscript. It has seven major chapters namely:

- *Coup D'état: An Overview:* The chapter looked into the theoretical framing of a coup as a phenomenon, its elements, and possible contributing factors to its occurrence (group as factors internal to the military organization and factors external to the military organization).
- *Political Changes and Military Transformation:* The chapter discussed the formation and the transformation of the AFP (including the PC) through the years with specific emphasis on the organization's participation in the martial law under Marcos.
- *The Environment of the Philippine Military:* The chapter reviewed the socialization factors of military officers and how it affects their interactions with the economic and political environments, as well as how these result in the participation or non-participation in military adventurism.
- *Military Intervention in the Philippines:* The chapter discussed all of the coup attempts before 1989 with emphasis on the perpetrators, recruitment techniques, grievance, demands for the government, how the coup was plotted, carried out, and quelled.
- *The Failed December 1989 Coup: Pre-Coup & The Failed December 1989 Coup;* The two chapters examined the 1989 coup d'état attempt.

- *Causes, Analysis, And Recommendations:* The chapter presents the recommendations of the commission to prevent future coup d'état attempts.

The following discussion attempts to expound on select chapters of the Davide Commission report. It is presented here to help understand the dynamics of the coup d'état attempts that happened in the Philippines after martial law.

The report stated that coup d'états are fairly recent in the Philippines. The first ever attempt was in February 1986 when members of the Reform the Armed Forces Movement (RAM) tried to overthrow former President Ferdinand Marcos. While the attempt eventually precipitated the EDSA People Power uprising, the Davide Commission considers it as a failed coup d'état attempt.

"A direct seizure of political control by members of the armed forces, who may be acting in concert with civilian allies" is the working definition of a coup d'état used by the Fact-Finding Commission (1990). Other characteristics adopted from sources were cited by the Commission:

- A coup d'état is both a political act and a military action (Huntington, 1968); it is a political, an unlawful means of seizing power from the duly constituted government (Ferguson, 1987);
- A coup d'état is staged either by the entire armed forces or by a politicized group of military officers who ride on popular grievances among the officer corps against the civilian leadership (NARAA, 1989). The coup attempts in the Philippines were staged by a highly politicized segment and not the whole of the AFP.

The Fact-Finding Commission report (1990) also defined politicization of the armed forces as "the process by which military personnel acquire and develop political awareness and inclination to assume functions beyond the sphere of activities normally pertaining to the military role of national defense." Its extreme form is when they use the arms and resources entrusted to them against the very people and the state they solemnly swore to defend and protect.

It also differentiates *politicization* from *politicalization* — the former is the ability of an officer to make sense of his political environment and identify societal problems as well as navigate the interaction of political players; while politicalization refers to political astuteness, which by definition is a prerequisite to, but may not necessarily lead to politicization.

The chapter has a lengthy discussion on the elements of a coup but the most important discussion are the three key characteristics of the military that have direct implication in waging a putsch.

- (a) The military's *superiority in organization* is derived from the "obey first, complain later" mantra that applies to the whole chain of command, where orders from the direct superiors are carried out immediately without question. This is a necessity for an organization that is involved in the task of warfighting because this policy allows a large organization to act efficiently. The report would later reiterate, "the machine-like nature of the military, for instance, has often been exploited during the coup d'état" (Fact-Finding Commission, 1990: 10).
- (b) *Emotionalized symbols* such as uniform, insignia, merit medals, colors, and other physical manifestations of military traditions generate political strength because recruits are indoctrinated to respect these symbols and associate them with "service to the nation". These symbols often give the military an idea that everything it does is for the interest of the nation (Fact-Finding Commission, 1990).

- (c) Finally, the military's *access to instruments for violence* that they can use for illegal actions like usurpation of power.

Looking at existing literature and experiences of other countries, the following are highlighted by the report as relevant to the Philippine context.

- Military adventurism increases when the military is involved in missions that are outside their traditional role. These activities make the military an instrument of the political leadership. Specific involvement that was found to increase the military intervention in political affairs include involvement in domestic, police-type, or counter-insurgency activities; involvement in silencing critics and opposition; and use of military in enforcing unpopular decisions of the administration.
- When the military begins to think of themselves as the ultimate custodian of national interests and when they think that it is their duty to settle political disputes or veto decisions of civilian authorities (Finer, 1988), the likelihood of getting involved in politics likewise increases.
- When a government fails to cater to the corporate interests of the military, officers will be more inclined to intervene (Crouch, 1985). Government neglect contributes to a general sense of alienation. This was the case in Indonesia in the 1950s and in Thailand in 1976. Moves to change the decision-making clout of the military in state affairs may also prompt the organization to intervene in politics (Welch, Jr. and Smith, 1974).
- The military's exposure to political issues traditionally resolved by politicians would tend to increase the likelihood of military intervention. Deterioration in economic conditions of the people increases the likelihood of military intervention, especially if accompanied by the perception that the government cannot resolve the problem (Welch, Jr. and Smith, 1974).
- High-ranking officers may opt to work within the system because they have power and influence; junior and middle-ranking officers are more prone to military intervention because of their limited influence on policy-making process (Welch, Jr. and Smith, 1974). Coup plots are more often initiated by middle-ranking officers (NARAA, 1989).
- Foreign military assistance may lead the military to view itself as the most modern sector in society and may tempt it to seek larger political role (Welch, Jr. and Smith, 1974). Alternatively, this may become a source of frustration and demoralization because their government cannot provide them with the resources that their foreign peers are enjoying.
- Military is likely to intervene when the political institutions are weak. The same can be said when the military perceives that the civilian government cannot govern effectively (Welch, Jr and Smith, 1974). Military officers also tend to relate to the lived experiences of the middle class. Coups have taken place where the civilian government failed to meet the expectations of the educated urban middle class (Wells, 1985).

The report looked into the transformation of the AFP and the expansion of its role from the traditional external defense to include internal defense, law enforcement operations and policing functions, and during martial law, even civilian government functions. The chapter discussed how these developments led to the politicization of the military.

In 1917, the Revised Administrative Code changed the name of an earlier US-established Insular Police Force to the Philippine Constabulary. It was composed of 180 American officers

reinforced by Filipino scouts selected from various ethnic groups. The PC was in-charge of internal security while external security was provided by US forces (Dimacali, n.d. as cited in Fact-Finding Commission, 1990).

On December 21, 1935, the Philippine National Assembly passed Commonwealth Act No. 1, more commonly known as the National Defense Act. This act authorized the organization of the Philippine Army that was tasked to protect the state against external attack, promote internal security, and to maintain peace and order (Commonwealth Act No. 1, 1935 as cited in Fact-Finding Commission, 1990). Executive Order No. 11 issued on January 11, 1936 formally established the Philippine Army, composed mostly of members of the PC (Fact-Finding Commission, 1990). By the 23rd of December, 1950, President Quirino issued Executive Order No. 389 designating the four major services of the AFP: the Philippine Army (PA) is responsible for land defense, the Philippine Air Force (PAF) for air, the Philippine Navy (PN) for sea, and the PC as the national police (Dimacali, n.d. as cited in Fact-Finding Commission, 1990).

During the term of President Ramon Magsaysay Sr., the military was involved in the implementation of the socio-economic programs of the government, but remained subordinated to civilian authority, with the President as the Commander-in-Chief. The military's involvement in civic action, counter-insurgency functions, and socio-economic projects would persist until after Magsaysay's untimely death. Under President Garcia, the Socio-Economic Military Program (SEMP) was adopted as a military responsibility. SEMP authorized the military Chief of Staff to deploy military personnel for land resettlement, rural development, food production, and public works construction (Fact-Finding Commission, 1990).

This pattern of the AFP's involvement in non-traditional roles would be discontinued by President Diosdado Macapagal. "He terminated the AFP civic action programs arguing that it encouraged the military to engage in politics." (Fact-Finding Commission, 1990).

Under President Marcos, some civic functions were not only delegated to the AFP but made them integral components of his economic development program. In his state of the nation address (SONA), President Marcos mentioned the primary threat to the nation's security is internal subversion and this would be addressed by utilizing the AFP in developing the economy (State of the Nation Address, 1968 as cited in Fact-Finding Commission, 1990).

This eventually was translated into policy. In the Four-Year Economic Program, it says:

The Armed Forces of the Philippines with its manpower, material and equipment resources plus its organizational cohesiveness and discipline possesses a tremendous potential to participate in economic development which should be exploited to the maximum. Such participation becomes imperative considering that the problem besetting the country is socio-economic rather than military and that the resources available to solve this problem are scarce and limited (Four-Year Economic Program, 1966 as cited in Fact-Finding Commission, 1990).

Note that the obvious corollary of this is that the limited resources of the AFP are being used in this expansion in roles over and above its traditional role of external defense.

The extent of the involvement of the AFP in the nation's civic activities under President Marcos was incomparable to that of his predecessors. The Fact-Finding Commission reports that "AFP embarked on a socio-economic program of unprecedented scale under the banner of *civic action*." Apart from its role in civic actions, the AFP through the PC continued to maintain peace and order in the country.

The report also mentions that Marcos upon assuming the presidency, and in accordance with the precedent set by President Magsaysay, retained the defense portfolio for the first thirteen months, after which Marcos undertook the largest reshuffle in the history of the Philippine military (Selochan, 1990 as cited in Fact-Finding Commission, 1990). Fourteen out of the 25 flag officers were forced to retire, including the AFP Chief and Vice Chief, the Commanding General of the Army, the Chief of PC, all four Constabulary zone commanders, and approximately one-third of the provincial commanders (Manila Chronicle, 1966 as cited in Fact-Finding Commission, 1990). Key appointments were given to officers from Ilocos Norte, Marcos's home province. These moves were the earliest attempt on the part of Marcos to put in place men loyal to him in key positions in the armed forces (Fact-Finding Commission, 1990).

The Fact-Finding Commission notes that the involvement of the AFP in government's service delivery is not a novel idea but it is only during the time of Marcos that the AFP's participation in non-military roles are institutionalized. "Before Marcos, military role expansion took place within a political environment where the political institutions were relatively strong, the rules of the political game were observed, and the supremacy of civilian authority over the military was intact" (Ibid). During Martial Law, the AFP became a major instrument of the President to enforce its dictatorial rule.

The AFP enforced nationwide curfew, confiscated unlicensed firearms, and suppressed rallies, strikes, and demonstrations. The military was also ordered to assist other government offices in the implementation of price control imposed on commodities such as corn and milled rice (LOI No. 157, 1974 and LOI No. 115, 1973 as cited in Fact-Finding Commission, 1990). They were also involved in the collection of loans incurred from rural banks, the Philippine National Bank, and the Agricultural Credit Administration (LOI No. 117, 1973 as cited in Fact-Finding Commission, 1990). Along with the abovementioned functions, multiple Letters of Instructions (LOI) and Presidential Decree (PD), assigned the PC in the task of maintaining peace and order in corn procurement areas, assigned the implementation of the Agrarian Reform Law to the military, and authorized the PC Provincial Commanders to receive sworn statements of landowners to be submitted to the Secretary of National Defense (LOI No. 45, 1972 as cited in Fact-Finding Commission, 1990).

In an attempt to limit the powers of the local governments, police forces were incorporated into the Integrated National Police (INP) and placed under the command of the PC chief (Hernandez, n.d., as cited in Fact-Finding Commission, 1990). Other law enforcement agencies outside the jurisdiction of the military were supervised by the PC. The law enforcement units of the Land Transportation Commission (LTC), the Central Bank (CB), Bureau of Customs, Bureau of Internal Revenue, Bureau of Fisheries, and Bureau of Forest Development were absorbed by the PC/INP as special agencies (Azicate, 1987, as cited in Fact-Finding Commission, 1990).

Under Fabian Ver, who is inarguably Marcos's most loyal man, the Presidential Security Unit (PSU) was expanded to battalion strength and became the Presidential Security Battalion (PSB). It would later become an independent command (Presidential Security Command), with a force larger than a Battalion (Fact-Finding Commission, 1990).

General Orders No. 8 enabled the AFP Chief of Staff to create military tribunals that tried cases related to crimes against national security, violations of the Anti-Subversion Law and the Laws on Espionage, crime against public order, and crimes committed by public officials, among others (GO No. 8, 1972 as cited in Fact-Finding Commission, 1990).

Management functions of key utilities were also delegated to the military like the control and management of all media communication and public utilities such as the Manila Electric Company (Meralco), the Philippine National Railways (PNR), Philippine Airlines Inc. (PAL), and the National Waterworks and Sewerage Authority. Other corporations taken over were Jacinto Steel

Inc., Jacinto Iron and Steel Sheets Corp., J&P Shipping Corp, Perro Products, the Iligan Integrated Steel Mills, the Elizalde Steel Co., and the Elizalde Rolling Mills, Inc.

Then AFP Chief of Staff Espino became the board chairman of the Jacinto Companies (Fact-Finding Commission, 1990).

Presidential Decree No. 257 created the Philippine Expeditionary Forces to Korea and Investment and Development Corporation (PEFTOK-IDC) and was granted four-million pesos capital stock (Presidential Decree No. 257 as cited in Fact-Finding Commission, 1990). Another investment created for the military was the Philippine Veterans Development Co. (PHIVIDEC) that has a capitalization of ten million pesos (PD No. 353, 1973 as cited in Fact-Finding Commission, 1990).

Key officers were also appointed as executive officials in Mindanao. Brigadier General Benjamin Duque was appointed Governor of Sultan Kudarat and Rear Admiral Espaldon became the Governor of Tawi-Tawi (Fact-Finding Commission, 1990).

Martial Law was lifted in January 1981 by virtue of Proclamation 2045. However, the Commission reports that the military's roles persisted. The Jacinto group of companies were still under its management and military tribunals continued to try cases involving subversion. The Fact-Finding Commission further expounds,

The role expansion of the AFP enhanced its capacity to intervene directly in the political affairs of the country. The abolition of Congress, the muzzling of the press, and the weakening of the judiciary left Marcos as the only civilian authority in control of the military.

The final chapter of the Davide Commission Report analyses the 1989 Coup Attempt. The discussion listed the grievances which purportedly justified the move to stage a coup d'état. It also discussed the motivations of the perpetrators. This section, however, zeroes in on the discussion about how the state of the AFP as an organization facilitated these coup attempts.

The Fact-Finding Commission states that the weakening of the political institutions and processes during Marcos dictatorship, combined with the military's role expansion beyond its traditional responsibilities led to the politicization of AFP officers. The report further explains,

Because civilian control over the military was personal, when Marcos was removed, it exposed the political system to the peril of autonomous military adventurism, since institutionalized civilian control would take time to rebuild... the exigencies of dictatorial rule led to the erosion of the professional values of achievement and merit in promotions and assignments. They were replaced by the primary criterion of personal loyalty.

While there are other issues discussed in the chapter, the Fact-Finding Commission believes that three factors were most contributory in the series of coup attempts: (a) involvement of the AFP in non-traditional roles, (b) corruption of 'supremacy of civilian authority over the military' by eroding democratic institutions, and (c) loss of professionalism in the AFP.

The Commission's recommendations in order to prevent future coup attempts are the following:

1. "Damage Control" and Short-Term Prescriptions. This includes the following (Fact-Finding Commission, 1990).

- Administering a justice and rehabilitation program to military participants;
- Strengthening of security measures on those under detention, especially where there may be sympathetic guards;
- Intensification of efforts to capture key renegade soldiers with a special unit of trusted officers directly responsible to the Chief of Staff-AFP (CSAFP);
- A reinvestigation of the “God Save the Queen” plot and prosecution of all those implicated in it;
- A review of the subsequent actuations of those involved in the Manila Hotel incident, both military and civilian, who pledged never to engage in similar adventurism, if spared from prosecution;
- An intensive follow-up investigation by government police agencies and the Justice Department of civilians implicated in the December 1989 attempt;
- Speedy action on appeals over decisions of AFP courts-martial;
- Early passage of a comprehensive law on the establishment of the National Police;
- Immediate implementation of a comprehensive program to provide timely rescue and medical assistance to troops wounded in combat;
- A review by the military of its decision to disband the Scout Ranger Regiment;
- An immediate audit of the value formation program of the military and, with help of civilian experts, formulation of an intensive program (essentially constructive indoctrination), and the training of field commanders to carry it out;
- Immediate removal or reassignment of officers from sensitive positions in the military hierarchy, i.e., intelligence, operations, logistics, and training functions;
- Immediate disbandment of the Guardian Centre Foundation, Inc. (GCFI) and all other organizations not authorized by the military;
- For the Chief of Staff to go after corrupt officials using a process that is systematic, evidence-based, and shielded from politics;
- Immediately stop the unfair and/or humiliating treatment of military officers by Congress and other public officials, especially those under validation of the Commission on Appointments;
- Speedy and firm disciplinary action and/or prosecution against members of the military involved in human rights violations as well as of civilian law enforcement personnel involved in victimizing military personnel;
- Purchase or charter by Congress of its own transportation facilities and a prohibition on the use of military equipment and aircraft;
- The expansion of the government’s public information program which has considerably improved since December 1989, with more participation by local government officials;

- Provision of sufficient resources and support to the Deputy Ombudsman for the Military.

2. Agenda for the Remaining Twenty-One Months of the Aquino Administration (Fact-Finding Commission, 1990).

- For the Executive Department, review of key policies and programs, acceptance of shortcomings, and a performance review of appointive officials;
- For the President, the immediate convening of the National Security Council and an initiative to invite all political parties to enter into a covenant where peoples organizations and citizens groups would also subscribe to defend and preserve the democratic system, renounce the use of force and violence to effect change, commit to the holding of free, orderly, honest, peaceful, and credible elections... and arrive at solutions to national problems through an honest and open debate of issues and programs. On the part of the political opposition, a positive response to the call for a united front against unconstitutional means to change the government and to uphold democratic processes;
- For the Legislative Department and the President, establish a special full-time commission to implement a post-insurgency program for the military that will facilitate the modernization, and professionalization of the institution;
- For the Legislative Department, immediate enactment of laws to ensure the democratization of the electoral process and the validity and public acceptance of its results...;
- Establish supremacy of civilian authority over the military by appointing civilians with capability, integrity, and leadership to head the Department of National Defense (DND), the National Security Council (NSC), and the National Intelligence Coordinating Agency (NICA). NICA should have its own intelligence capability that can complement as well as validate military intelligence information;
- The President and the Commission on Appointments must work out a system where recommendations for promotions can be improved to avoid the exploitation of the confirmation process for political purposes;
- Budgets of the Judiciary and the Department of Justice (DOJ) must be increased to upgrade the physical facilities, recording, investigation and prosecutive capability, and staffing of the system;
- Non-state groups can help in improving the lives of the poor - the business sector, can help improve the economy, the non-governmental and peoples organizations can help unify a factionalized society; and the church can act as arbiter on moral issues even in the realm of politics.

3. Recommendations over the long-term involving the promotion of values and norms: (Fact-Finding Commission, 1990).

- Love of Country as the Highest Value - Love of country should be promoted primarily in the education sector but also in the private and public sector, with particular reinforcement from the family and the church. Demoralization, bad training, and lack of dedication and discipline of teachers should be addressed by the Executive and Legislative Departments by formulating a long-term and properly-funded program to improve the educational system.

- Social Justice - The social justice provisions of the Constitution should be fully implemented. Gross inequalities of wealth and power will always drive the military to seek relevant change through political intervention since a great majority of its members belong to the underprivileged class.
- Citizen Army - The citizen army concept and the designated role of a small, modernized, and professional military in a democratic society should be fully implemented. The military should de-link from the US on weaponry, assume the external defense responsibility, and immediately phase out the US facilities in Philippine bases and remove all vestiges of colonialism. These steps would constitute the basic military-related steps toward becoming a truly sovereign and independent nation.
- Decentralization - Decentralization of the national government is a precondition for efficient delivery of government services. The devolution of power to local communities would bring the government closer to the people and reduce the isolation of rural communities.
- The Constitution - After an appropriate period, to give the present Constitution to be tested, formal consultations should be conducted at the grassroots regarding the desirability of constitutional amendments and the specific proposals carried by the different sectors. A rush to amend the Constitution, including the basic structure of government to address contemporary problems is not always the answer. The people must be prepared to make amendments if it is clear that the fundamental law has proven to be irrelevant. However, the best way to test the relevance of the Constitution is through fully implementing its provisions, particularly on the diffusion of wealth and political power (social justice), and on equitable economic progress.
- Choosing Democracy - If a coup d'état starts in the minds of men, then it is the collective will of a united people that can prevent and overcome it. The people must choose democracy. When there are forces that would destroy democracy, only the strength that comes from such a people can protect and uphold it. And the irreducible minimum to peaceful and orderly change, both societal and political, is for all contenders in the political arena to agree use the ballot and forego the bullet for the path of peace is the path to progress, social justice, and nationhood.

AFP Modernization

As discussed in the previous section, since its inception, the AFP has focused on internal security functions, specifically fighting against communist insurgency and secessionism in the Southern part of the country. In the post-independence period, the country has relied on the United States' security umbrella for protection from external threats. However, the security landscape changed when the Philippine Senate voted against the Philippine-American Cooperation Treaty (PACT) of 1991 that would extend the United States' basing rights in the country. Following this development, it then became urgent and essential for the AFP to rationalize its organizational structure and beef up its arsenal.

The AFP was asked to prepare a 10-year Modernization Program when PACT was not ratified (De Villa, 1991 as cited in De Castro, 1999). The program's centerpiece was the modernization of the navy (De Castro, 1999). While it was a logical prioritization given the archipelagic nature of the Philippines, this may also have been pushed by the Chinese government's sweeping claims in the West Philippine Sea (Business World, 1992 as cited in De Castro, 1999).

National Security Council Deputy Director Alan Ortiz made the first public pronouncement hinting that the modernization program could have been directed against China's moves in the

Spratlys. In a symposium held in January 2002, he pointed out that “the Philippines must have a respectable and credible defense system or it would be vulnerable to other countries’ military adventurism” (Ibid).

This 10-Year modernization program would eventually be given up because of the military’s inability to secure continuous multi-year funding from Congress.

The Republic Act 7898 or The AFP Modernization Act was eventually passed in 1995. Three years after the last of the American bases were closed, De Castro (1999) highlights the problems that the AFP encountered in pushing for its modernization:

The Philippines has no dynamic military-industrial base, and the absence of any visible or active business or interest group to lobby for the modernization program meant the lobbying had to be done by the military itself. However, strong public opinion against perceived *militarization* and an increased military budget at the cost of social services did not make it easy for the AFP to push its own budget proposal in Congress. The fact that many legislators had been affected by the AFP’s actions during Martial Law further complicated the process.

This *guns versus butter* issue which in itself is complicated to navigate, is taking place in the backdrop where both the government and its people are wary of its military.

The military also had to contend with the government’s priority of stabilizing the economy, resolving the energy crisis, and other socioeconomic reforms. De Castro (1999) points out that in 1994, the Ramos administration’s continuing indifference to military modernization could be attributed to its obsession with effecting economic growth, partly because the government was in no position to finance the modernization program.

Perhaps to make the modernization of the AFP more palatable, Senate Defense Committee Chairman Mercado offered a 45 billion pesos upgrading program that is contingent on the following: (a) for the AFP to become the country’s lead disaster agency, and (b) for the AFP to take a more active part in environmental protection. Then AFP Chief of Staff General Lisandro Abadia proposed that the AFP should only have specialized units that could be utilized in support of economic programs, disaster relief operations, and environmental protection and that the AFP’s modernization should be primarily for external defense, with socioeconomic developments as a secondary function (De Castro, 1999).

The then proposed bill suddenly became a priority when China occupied a portion of Mischief Reef. It triggered a renewed public clamor for AFP modernization “through any program of purchases which would have to be gradual and subject to financial resources” (Kulkari, 1995 as cited in De Castro, 1999).

Despite its passing, RA 7898’s implementation would eventually be overtaken by the 1997 Asian Financial Crisis which resulted in the suspension of its funding until its eventual expiration in 2010. RA 7898 would be amended on July 23, 2012 by RA 10349.

Reorganization of the PNP

The Philippine National Police. Section 6 of Article XVI of the 1987 Constitution declares that the State shall have a police force that is national in scope and civilian in nature that will be administered and controlled by a national police commission (Phil. Const. 1987, Art. XVI, §6). Republic Act 6975 was enacted to operationalize the Constitutional provision, creating the Philippine

National Police (PNP). RA 6975, enacted on December 13, 1990, established the PNP under the DILG (Republic Act No. 6975). Before the enactment of RA 6975, the country had two national police forces, the PC and the INP. The PC was a gendarmerie-type national police force or a military force with law enforcement duties. It was one of the four branches of the Armed Forces of the Philippines. The Integrated National Police, on the other hand, was a municipal police force for cities and large towns of the Philippines and was in charge of maintaining peace and order at the local level. During Martial Law, the PC became infamous for human rights abuses committed against the civilian population (Francisco, 2016).

RA 6975 enacted in 1991 merged the PC and the Integrated National Police to what is now the Philippine National Police (Republic Act No. 6975, 1990). Accordingly, the law states that the “Philippine National Police shall be organized, trained and equipped to perform its police functions and no element of the police force shall be military nor shall any position thereof be occupied by active members of the Armed Forces.” To this end, the Department of Local Government was reorganized into the Department of the Interior and Local Government (DILG) and the National Police Commission (NAPOLCOM) was created and placed under the direct supervision of the Secretary of the DILG. It is mandated to exercise administrative control over the PNP. Governors and are deputized as representatives of NAPOLCOM in their respective areas of responsibilities and are given the mandate to exercise operational supervision over the PNP in their respective jurisdiction.

Twenty-four months since RA 6975 came into force, the DILG, through the PNP, was tasked to take over the role of preserving internal security; the AFP was to transition to its primary role of preserving external security (Republic Act No. 6975, 1990). This provision highlights the shift on how policing is to be practiced in the Philippines, where functions of the police and the military are clearly delineated. It is coming from the premise that a military force that is organizationally-structured and trained for warfighting, when employed in law enforcement operations, will create more problems (Hope J, 2018; Friesendorf, 2009).

On February 25, 1998, RA 8551 was enacted, which amended some provisions of RA 6975 (RA 8551, 1998). Under the Declaration of Policy and Principles of RA 8551, ‘community and service-oriented agency’ is used to describe the PNP. There is also emphasis in ensuring accountability and the exercise of discretion (RA 8551, 1998).

The relationship of the DILG and PNP with the DND and AFP on suppression of insurgency was redefined. Section 3 of RA 8551 reads, “the DILG shall be relieved of the primary responsibilities on matters involving the suppression of insurgency and other serious threats to national security.”

There are also amendments pertaining to the composition of NAPOLCOM under Section 4. The head of the Commission now uses the gender-neutral term ‘Chairperson’ and there is an addition of the provision that at least one of the four Commissioners is a woman (RA 8551, 1998). The qualifications of the commissioners were also updated on Section 6.

An exhaustive list of specific items was also identified by RA 8551 under Powers and Functions of the Commission on what constitutes “Exercise Administrative Control over the PNP” (RA 8551, 1998).

Section 13 of RA 8551 gives the NAPOLCOM the authority to reorganize the PNP further. It says,

The Commission shall conduct a management audit, and prepare and submit to Congress a proposed reorganization plan of the PNP not later than December 31, 1998, subject to the limitations provided under this Act and based on the following criteria: (a) increased police visibility through dispersal of personnel from the

headquarters to the field offices and by the appointment and assignment of non-uniformed personnel to positions which are purely administrative, technical, clerical or menial in nature and other positions which are not actually and directly related to police operation; and (b) efficient and optimized delivery of police services to the communities (RA 8551, 1998). The PNP reorganization program shall be approved by the Congress through a joint resolution (RA 8551, 1998).

An Attrition System and Promotion System was also put into place to ensure that the PNP remains efficient and lean, and that career progressions within the system are orderly and merit-based. RA 8551 also provided for the creation of an Internal Affairs Service (IAS) that is mandated to administer investigation of police misconduct. Under Section 39, the IAS is mandated to conduct *motu proprio* investigations on the following incidents (RA 8551, 1998):

- When a police personnel discharges a firearm;
- Death, serious physical injury, or any violation of human rights occurred in the conduct of a police operation;
- Evidence was compromised, tampered with, obliterated, or lost while in the custody of police personnel;
- Suspect in the custody of the police was seriously injured;
- Established rules of engagement have been violated.

Multiple amendments were introduced under Title IX – Strengthening the People’s Law Enforcement Board (PLEB). PLEB is another check and balance mechanism for the PNP. It is the central receiving entity for citizens’ complaints against officers and members of the PNP.

Regarding requests for preventive suspensions, Section 71 provides that the PLEB may ask any authorized superior to impose preventive suspension on a subordinate officer who is the subject of a complaint and that the suspension shall not be denied in the following cases listed below. Failure to act on requests for suspension without valid ground may expose the authorized superior to administrative liability due to neglect of duty (RA 8551, 1998):

- Respondent refused to heed the PLEB’s summons or subpoena;
- PNP personnel has been charged with offenses involving bodily harm or grave threats;
- Respondent is in a position to tamper with evidence;
- Respondent is in a position to unduly influence the witnesses.

Section 79 provides for a mandatory per diem and life insurance coverage for the members of the PLEB. Section 70 mandates that the annual budget of the LGUs should have a corresponding allocation for the maintenance and operation of their local PLEBs.

Feliciano Commission Report

On July 27, 2003, a little over 300 soldiers took over the Oakwood Premiere Hotel in Ayala Center, Makati, and demanded the resignation of President Gloria Macapagal-Arroyo, Defense Secretary

Angelo Reyes, PNP Police Director Gen. Hermogenes Ebdane, and Chief of AFP Intelligence Service Victor Corpus, in what would later be referred to as the Oakwood Mutiny (Philippine Daily Inquirer, 2018). The incident was led by the “Magdalo Group”, whose identified members include Navy Lt. Antonio Trillanes IV, Army Cpt. Gerardo Gambala, Army Cpt. Milo Maestrecampo, Navy Lt. James Layug and Marine Capt. Gary Alejano. Magdalo Group claims that they went to Oakwood (Fact Finding Commission, 2003)

to air their grievances about graft and corruption in the military, the sale of arms and ammunition to the “enemies” of the state, the bombings in Davao City which were allegedly ordered by the Chief of the Intelligence Service of the Armed Forces of the Philippines (ISAFP) BGen. Victor Corpus in order to obtain more military assistance from the United States, and “micromanagement” in the AFP by then Department of National Defense (DND) Secretary Reyes.

The stand-off lasted less than a day, with multiple dialogues taking place involving formal and informal negotiations with the Government.

Administrative Order No. 78 (AO78), s.2003 was signed by President Gloria Macapagal-Arroyo (GMA) on July 30, 2003 creating the Feliciano Commission to conduct a fact-finding investigation of the 2003 rebellion. It is chaired by Retired Supreme Court Justice Florentino P. Feliciano. Other members of the Commission are Retired Supreme Court Justice Minerva Reyes, Joaquin G. Bernas, SJ, Professor Carolina G. Hernandez, Commodore Rex C. Robles (Ret.), and Cpt. Rex Banjo Q. Bumanlag, PA.

As an investigative body, the Feliciano Commission had the same powers as the previous Davide Commission, defined by Section 37, Chapter 9, Book I of the Administrative Code of 1987 (AO 78, 2003).

The Feliciano Commission report comprehensively examined the several grievances expressed by the Magdalo group and examined the extent to which those grievances are reflective in the entire AFP. The recommendations of the Feliciano Commission were able to assess the extent of the implementation of the recommendations stated by the Davide Commission and proposed its own recommendations and observations. This section looks at the recommendations of the Feliciano Commission.

The Mutiny was Planned and not “Spontaneous.” This is contrary to the claim of the Magdalo Group that the event was spontaneous and was done to air their grievances in a dramatic manner. The Commission was able to establish Magdalo’s real goal (Fact Finding Commission, 2003), i.e.,

the political goal of taking power by the Magdalo group and the establishment of fifteen-member council after the restoration of former President Estrada to the Presidency for three (3) days only.

Other evidence cited by the Commission to support the finding was the involvement of groups identified with retired Army colonel and then Senator Gregorio Honasan (Diablo and PGBI)² as well as the deposed President Joseph Estrada, Jr. (PMAP and DEMOKRASYA)³, the systematic recruitment of military personnel during gripe sessions where bloodletting rites took place and oaths of loyalty were done, the purchase of uniforms, combat boots, rebel flags and arm bands, and the reservation made of Oakwood hotel rooms by Captain Gambala for July 19-28, 2003, among others (Fact Finding Commission, 2003).

Diablo and Philippine Guardians Brotherhood Inc. (PGBI) are fraternities whose members are uniformed personnel. Former members of Diablo squad were absorbed into the PGBI when it disbanded. People’s Movement Against Poverty (PMAP) and DEMOKRASYA are political groups that are critical of President Gloria Macapagal-Arroyo.

The event was pre-empted due to its early discovery which forced the Magdalo group to stage their attempt at around the time when security preparations for the SONA were being planned. The plotters also miscalculated the state of public sentiment or opinion as they failed to draw civilian support (Fact Finding Commission, 2003).

Grievances aired by the Magdalo Group are not without foundation. However, the Commission concludes that the real motivations for the rebellion are to seize power and implement Honasan's National Recovery Program (NRP) (Fact Finding Commission, 2003).

The goal, plot and the willingness to use armed violence to secure political change seem to reflect the "Messianic Complex" that the Davide Commission pointed out in their assessment of the coup attempts during Cory Aquino's presidency (Fact-Finding Commission, 1990 as cited in the Feliciano Fact Finding Commission, 2003).

Despite the previous findings, it does not diminish the reality and legitimacy of their grievances, with respect to Retirements and Separation Benefits System (RSBS), the Modernization Fund, and the AFP Procurement System. Likewise, the military's rigid hierarchy renders the grievance mechanism such as the Inspector General and the Office of Ethical Standards and Public Accountability (OESPA) ineffective (Fact Finding Commission, 2003).

Return to Barracks. Different groups have been instrumental in persuading the rebels in Oakwood to stand down and return to barracks, including classmates from the PMA, as well as AFP Officers Lim, Oban, Domingo, and Danga. Complications arose from the "mutual ignorance" on the side of the government negotiator and the mutineers on the applicable laws. At one point the rebels were lobbying that the Magdalo core group would bear full responsibility for the incident under military law while the followers would be processed under the Articles of War. The commission's report pointed out that both sides were not aware of Article 134 of the Revised Penal Code that penalizes coup d'etat (Fact Finding Commission, 2003).

The following were the triggers that led to the Oakwood Mutiny (Feliciano Fact Finding Report, 2003):

- Politicization of the military amid erosion of civilian political institutions that had oversight power over the military, especially during martial law. Failure of the government to enforce the law deprives the law of its power to deter. Those who took part in previous coup plots were granted unconditional amnesty in 1995 without prior punishment. This is contrasted to those who participated in the 1980s coup attempts who were punished. The role of AFP in communist insurgency and Moro secessionism makes civilian Government dependent on the military. The report highlights that this does not only contribute to the military's politicization but also enhances the military's political power.
- Enlistment by civilian persons, including politicians, of military support for their personal and political ambitions contributed to further military politicization and adventurism. Officers and troops who were under diligent and respected officers did not participate in the mutiny.

Based on the analysis, the Feliciano Commission listed the following recommendations:

- Due diligence by commanding officers. The report mentions that the coup virus can be managed by commanding officers by talking to their men about the recruitment for destabilization plots. It also suggests the conduct of regular dialogues with former military rebels (or participants in the coup plots in the '80s) to increase awareness about these deceptive events.

- Effectively address legitimate grievances of soldiers. The report strongly suggests that legitimate grievances of the military against corruption in their ranks be properly addressed.
- Appoint a civilian Secretary of National Defense. This is a recommendation of the Davide Commission that the Feliciano Commission reiterates (Fact-Finding Commission, 1990 as cited in Fact Finding Commission, 2003). Beyond the need to institutionalize the supremacy of civilian authority over the military, the appointment of persons who have no deep ties with the military, and who have not held positions in the military establishment, is essential if reform program is to succeed.
- Return NICA to its original mandate. The Davide and Feliciano Commissions recommend the appointment of a civilian head for NICA and the necessity of having another source of intelligence data aside from ISAFP. Furthermore, the Feliciano Commission suggests that NICA should return to its original mandate of coordinating all intelligence agencies, military and otherwise, and enforce the law against all violators. The report maintains that the failure of the government to enforce the law against coup plotters creates a culture of impunity that may lead to coup attempts again in the future. It also suggests that officer education and training be conducted in order to prevent a repeat of “negotiation in mutual ignorance.”
- Observe or respect the military’s political neutrality. The Commission calls on civilian political leaders to refrain from enlisting military support for their personal and political agenda to prevent further politicization.
- Provide “negotiators” with clear terms of reference – On this matter the Fact Finding Commission explains.

Government “negotiators” in similar incidents should be given clear terms of reference by the authorities to avoid misperceptions that could promote another coup plot in the future. In this regard, strict adherence to the law as recommended in number 5 above need not deter rebel soldiers from “negotiating” with the government. In a “negotiation” of a similar nature, it is incumbent on the Government “negotiators” to demonstrate to and persuade the other side that it is to their common interest to “negotiate”. The law itself embodies the basic principle that punishment must be tailored to the degree of participation in the offense to be penalized.

The Feliciano Commission looked into the grievances aired during the stand-off and found that most of the issues were not without foundation. The following are the recommended courses of action:

On the RSBS Problem (Fact Finding Commission, 2003).

- Liquidate present RSBS in an orderly manner
- Return the soldier’s RSBS contributions
- Initiate an AFP Service and Insurance System

On the AFP Procurement System (Ibid, 2003)

- Simplify the AFP procurement procedures
- Control commanders’ discretionary powers over Centrally-Manages Funds (CMF)

- Reduce the amount of CMF in General Headquarters/service headquarters' hands
- Strictly implement control measures over supplies
- Set tenure limits for AFP finance and procurement officers
- Establish an autonomous Internal Affairs Office (IAO)

On Modernizing the AFP, specifically on funding and consequential problems
(Fact Finding Commission, 2003).

- Vigorously pursue the recovery of the Joint US Military Assistance Group (JUSMAG) and the Navy Officers' Village Association Inc. (NOVAI) properties
- Pursue recovery of "squatted" land (or lands with urban settlers) in Fort Bonifacio
- Substantially increase AFP's share in Fort Bonifacio's sales proceeds
- Reinforce Office of the Ombudsman by increasing funding and other support

Finally, the Feliciano Commission recommended that an official of high competence, with direct access to the President be assigned to implement the recommendations (2003).

Some of these recommendations need to be specified in more operational terms; some may even require legislative action, e.g., the strengthening of the Office of the Ombudsman. Competent prosecutors were also recommended to be detailed from the Department of Justice to assist the Ombudsman's Office in prosecuting the criminal cases relating to the extraordinary overpricing of the RSBS real property acquisitions.

Conclusion

The imposition of martial law by President Ferdinand Marcos Sr. weakened the democratic institutions that exercise oversight over the military. Moreover, the involvement of the military in the implementation of martial law resulted in the organization's loss of professionalism and its politicization, which predisposes them to military adventurism. While the 1987 Constitution puts in place multiple provisions to ensure that the civilian authority remains supreme over the military, the multiple coup d'état attempts during President Cory Aquino's administration exposed the extent of the damage to the military institution brought by the martial law years. Even President Gloria Macapagal-Arroyo was not spared when members of the Magdalo group attempted to do the same fourteen years later. The Davide and Feliciano Fact-Finding Commissions identified grievances within the military organizations that coup d'état plotters were able to utilize to recruit members. The Feliciano Commission reported that these grievances are substantial and resonate with members of the military, and thus, must be addressed so that it can no longer be used to persuade younger officers to join plots for putsch.

All of the failed attempts to overthrow the government have one thing in common: they all failed to win the support of the people. The 1986 attempt by Juan Ponce Enrile and Fidel Ramos failed, and was overtaken by the EDSA People Power uprising. Despite the failure, some of the coup d'état plotters, especially those that had ties with RAM, felt they were entitled to power-sharing because of their role in the event.

It can also be observed that power grab attempts were waged against leaders whose assumption of power had shadows of legitimacy due to the extraordinary circumstance they were in. President Aquino assumed the Presidency after the 1986 people power, and President Gloria Arroyo after the 2001 people power. Incidentally, both are also women leaders, which highlights the gendered bias of the power grab attempts. During the investigation of the Davide Commission, one retired officer, when asked by the Commission whether a woman Secretary of National Defense would be acceptable to the AFP, answered: “What? Another woman again?”

The AFP has made strides in institutionalizing reforms in the post martial law period. Examples here are the adoption of the primacy of the peace process in addressing security problems, highlighting the civilian supremacy over the military, upholding and respecting human rights, the rule of law, and international humanitarian law in the campaign and operations, and adopting a ‘good governance’ scorecard metrics to help professionalize and modernize the institution. Now, the people can trust the military as an institution that is constitutionally and duty-bound to ensure security, stability, and hopefully, the institution will continue its journey to achieve its vision of becoming a world-class Armed Forces that is a source of national pride.

Endnotes

- ¹ There were, however, personal accounts from eye witnesses in the area making counter-claims that the ambush was staged. Also, a report from the Official Gazette in 1986 states that Enrile himself disclosed that the ambush was staged in order to justify the imposition of Martial Law (Gavilan, 2016). In 2014, though, Enrile published his memoir and insisted that the ambush really happened (Inquirer Research, 2012).
- ² Diablo and PGBI (Philippine Guardians Brotherhood Inc.) are fraternities whose members were uniformed personnel.
- ³ PMAP (People’s Movement Against Poverty) and DEMOKRASYA are political groups referred to by the Feliciano Commission Report as “anti-PGMA”. The Feliciano Report writes it as “DEMOKRASYA”, which give the sense that it’s an acronym but never spells it out in the whole report. Other sources discussing the Oakwood mutiny also used “DEMOKRASYA” but none spelled it out.

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Chapter 4

Governance and Strategy Management in the AFP and PNP

Ruel Rombaoa

Abstract

Security Sector Reform (SSR) or Security Sector Governance (SSG) is closely linked to the reform/transformation programs and campaign plans of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP). Amidst the shifts in the national government's policy directions, the AFP and PNP persistently align the core narratives of their plans and programs to the universal principles of SSR/SSG. This alignment however, must go beyond mere rhetoric. As both organizations steadily attempt to synchronize performance of current mandates and pursuit of envisioned organizational changes, unique challenges must be recognized openly and hurdled carefully. These challenges include strengthening of capabilities of both planners and operators to transition from strategy development to strategy execution. Another challenge is how to generate and process empirical data so it can be translated to actionable information that are valuable for decision-making. In addition, information needs to be converted into knowledge that is useful for institution-building and learning. While availability of analytical frameworks, success parameters, and performance measurement tools related to SSR/SSG have steadily grown through the years, the final challenge is how to integrate these with existing management frameworks. Overcoming these hurdles will significantly contribute to mainstreaming SSR/SSG.

Keywords: armed forces, police, Philippines, security sector, reform, transformation, governance, strategy, balanced scorecard

Internal Security Operations and Security Sector Reform

Security sector reform (SSR) or the more-overarching concept of security sector governance (SSG) remains to be a highly-contested, if not controversial subject particularly in countries like the Philippines. The concept has come a long way since it was introduced in the late 1990s (The Centre for International Governance Innovation, 2010). Discourse on SSR/SSG becomes all the more complex when discussed together with the concept of counterinsurgency and internal security operations (ISO).

Frequent shifts in the government's security policy makes an enabling environment continuously elusive (Oreta, 2014). The passage of Republic Act (RA) 6975 ("An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and for Other Purposes") may be considered a crucial step towards transitioning the military to territorial defense mode. Among other changes, RA 6975 effected the creation of the Special Action Force (SAF) as combat unit in the police to handle and engage in counterinsurgency operations. In 1992, the conduct of internal security operations was given to the police as part of its law enforcement work. But in less than a decade, RA 8551 ("An Act Providing for the Reform and Reorganization of the Philippine National Police and for Other Purposes" or known as the "Philippine National Police Reform and Reorganization Act of 1998") was passed, transferring the responsibility of suppressing insurgency from the police and the Department of the Interior and Local Government (DILG) back to the military. Generally perceived as mainly due to institutional limitations of the police (Oreta, 2014), a series of executive issuances were issued (e.g., Executive Order 110 [EO] and EO 546) to clarify the roles of agencies and created joint mechanisms to help ensure synergy and lateral coordination at the operational and tactical levels.

The modernization programs of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) were continued and even received stronger policy and financial support from the administrations of President Benigno Aquino III and President Rodrigo Duterte (Oreta, 2021).

Oreta (2021) argues however that “while materiel modernization is a major feature of the security sector reform agenda, it is equally important that the norms and values of the institutions, its organizational doctrines, and the standard operating procedures or rules of engagement are also reformed. As policy instruments of a democratic state, these institutions must fully embrace the principles of democratic governance, respect for human rights, and civilian authority over the military and the police.”

This chapter argues that the AFP and the PNP have persistently exerted conscious effort at the operational level to align the core narratives of their campaign plans and reform/transformation programs along the overall goals of SSR/SSG. A cross-section of key publications and available references on AFP and PNP is reviewed in the succeeding paragraphs to describe this alignment. These plans and programs, developed, written and implemented during the administrations of President Aquino III and President Duterte, suggest a steady attempt to synchronize performance and organizational changes. It is suggested, however, that this attempt to align current and future initiatives should go beyond the rhetoric. Narratives should not only involve attribution to SSR/SSG agenda. Availability of evidence in the form of codified or written literature and aspirational expressions are equally important. Evidence in the form of empirical data should be produced and subjected to the rigors of evaluation and assessment using globally or internationally recognized and utilized parameters and measurement tools.

The first challenge that these institutions faced was how to strengthen existing and future strategy development methodologies and ensure that they effectively transition to strategy execution. The second challenge is how to generate and process empirical data so it can be translated to actionable information that are valuable for decision-making. The next challenge is how to process information so they can become useful knowledge for institution-building and learning. The final challenge is how to integrate these SSR/SSG-related frameworks, parameters and tools with existing management frameworks (e.g., Defense System of Management or DSOM, Strategic Execution Management Process or SEMP),¹ operational planning/budgeting systems (e.g., Program Expenditure Classification or PREXC structure) and decision-making processes in the AFP and the PNP. Explicit alignment with government mandated performance monitoring frameworks like the Organizational Performance Indicator Framework, National Evaluation Policy Framework, and Results-Based Monitoring, Evaluation, and Reporting (RBMER) Policy Framework among others, also need to be established.

AFP Internal Peace and Security Plan (IPSP) “Bayanihan”. The Internal Peace and Security Plan (IPSP) “Bayanihan” 2011-2016 of the AFP was developed to focus on “Winning the Peace” and not just defeating the enemy. It was guided by two Strategic Approaches: the whole-of-nation (WoN) approach and people-centered security/human security approach. It adopted two Strategic Imperatives: adherence to human rights (HR)/International Humanitarian Law (IHL) and the rule of law (RoL), and involvement of all stakeholders; and four Strategic Concepts: contribute to the permanent and peaceful closure of all armed conflict, conduct of focused military operations, support community-based peace and development efforts, and carry out Security Sector Reform (AFP, 2011).

Carrying out SSR in the organization revolved around three focus areas: *capability development, professionalization of the ranks, and involvement of stakeholders in AFP initiatives* (AFP, 2011). It is important to note that these focus areas have been covered by both the original and revised AFP Modernization Program (AFPMP) under its various components, i.e., *force re-structuring and organizational development; capability, materiel and technology development; bases support system development; human resource development; and doctrines development.*

Despite this normative congruence, nowhere in either RA 7898 (AFP Modernization Law, 1995) or RA 10349 (Revised AFP Modernization Law, 2012) would a direct attribution to SSR/SSG be found.

Other than mentioning professionalization and reform among other concepts in the declaration of policy, even the proposed legislations such as Senate Bill No. 2376 filed on 01 September 2021 and later Act No. 11709 approved on 13 April 2022 bear no direct attribution to SSR/SSG.

Literature from the executive branch, past and present, shows a stark contrast. The IPSP underscored the security agenda of the Aquino administration geared towards a people-centric and multi-stakeholder approach to peace and security, as well as on protecting human rights and civil liberties. The approach involved four specific elements: *governance, delivery of basic services, economic reconstruction and sustainable development, and security sector reform* (AFP, 2011). The IPSP document was designed not only to serve as an internal guide for all AFP units towards the government's aspiration to bring sustainable peace and security to the country, but also as an open resource "made available to the public to signify the AFP's intent to draw on the support of the broadest spectrum of stakeholders" as "it highlights the importance of increased involvement of stakeholders, the national and local government agencies, non-government entities and the entire citizenry in addressing peace and security concerns" (AFP, 2011).

The IPSP introduced the concept of effects-based operations (EBO). EBOs are "operations conceived and planned in a systems framework that considers the full range of direct, indirect, and cascading effects which may with different degrees of probability—be achieved by the application of military, diplomatic, psychological, and economic instruments" (Davis, 2001). EBOs are designed to create a "consciousness of victory" for friendly forces and a "cognitive perception of defeat" for enemy forces (Mattis, 2008).

The desired strategic end-state under the IPSP campaign plan was to reduce the capabilities of internal armed threat groups "to a level that they can no longer threaten the stability of the state and civil authorities can ensure the safety and well-being of the Filipino people" (AFP, 2011). In pursuit of this end-state, the campaign plan gave equal importance to both combat and non-combat efforts in military operations. The plan departed from using age-old "combat" parameters and expanded the metrics of success indicators to include "non-combat" parameters.

Examples of the non-combat measures include enhanced people's perception and confidence towards the AFP, reduction of human rights and IHL violations by members of the military, increased capacity of military personnel to engage in inter-agency efforts, and promotion of peacebuilding and conflict resolution efforts, among others. Measuring progress and success under the fourth strategic concept of carrying SSR focused on an ideal condition of a "professional and respected AFP".

An "independent" study on the IPSP was undertaken by the AFP's Office of Strategic and Special Studies (OSSS) between September 2011 to January 2012. The IPSP was lauded for its inherent transparency being an open public document and significant alignment with internationally accepted standards in peace and security including SSR (OSSS, 2012). The study, however, highlights among others the issue of "support relations" between the AFP and PNP. The AFP was tasked to implement support operations under IPSP, but PNP Campaign Plan "Samahan" citing provisions of RA 8551 directed the police forces to support the military, creating confusion on which agency is lead and which is supposed to support. The study also found gaps in the conceptual development and in the communication/dissemination process resulting to varying levels of understanding and interpretation among AFP personnel across the ranks. For instance, the study noted the preponderance of "civilian" and "academic" terminologies used which military personnel are not generally accustomed to. The study likewise challenged the seeming lack of clear policy guidelines on SSR and direction on what specific activities to undertake to promote SSR.

Four years after, the AFP posted significant operational accomplishments under the IPSP. Over 4,700 members of the Communist Party of the Philippines-New People's Army (CPP-NPA) were

neutralized (i.e., apprehended, killed, or surrendered) and more than 2,700 firearms were captured or gained (Yuson, 2021). Within the same period in November 2011, Bantay Bayanihan (or BB and later on, Bantay Bayanihan sa Kapayapaan or BBK), “Asia’s first civil-society led initiative creating an oversight body over the armed forces” (BBK, n.d.) was launched. Spearheaded by the Ateneo de Manila University’s Working Group on Security Sector Reform and in partnership with the Philippine Coalition on International Criminal Court, InciteGov, and the Philippine Council on Islam and Democracy, the organization aimed “to create a dialogue space where civil society groups, members of the academe, and civilian government units, and the Armed Forces of the Philippines can discuss the implementation of the IPSP-Bayanihan” by opening avenues for discourse, conducting or validating periodic assessments, and by providing recommendations to the AFP leadership (Evangelista, 2011). The organization began with 17 BBK areas across the archipelago (SRI, n.d.). By 2018, the BBK network of civil society groups had grown to more or less 250 member-organizations (Oreta, 2018).

Creation of the BBK network coincided with the establishment of numerous third-party watchdogs such as the Philippine Army’s Multi-Sector Advisory Boards (MSAB) “to promote continuity, sustainability and shared responsibility” for the Army Transformation Roadmap or ATR (Headquarters Philippine Army, 2013). The Multi-Sector Governance Council (MSGC) for the AFP was likewise organized “to guarantee accountability, transparency, stronger public-private partnership, and sustainability and continuity of the AFP Transformation Roadmap” or AFPTR (AFP, 2014). On the part of the PNP, the National Advisory Group for Police Transformation and Development or NAGPTD was established “to serve as an external advisory body to the PNP on key issues and concerns pertaining to the institution and as a strategy execution partner in the effective implementation of the PNP P.A.T.R.O.L. Plan 2030” (NAPOLCOM, 2021). These bodies were instrumental in providing the military and police leaderships with broad-based evaluation on the progress of their respective transformation programs. The AFP MSGC and PAMSAB in particular generated support projects and activities through the various working committees on governance, resource generation, strategic communications, and assessment and review. The PNP NAGPTD meanwhile continues to conduct support initiatives like the 7th National Advisory Group Summit held on 23-24 November 2021. The virtual summit aimed to “adapt to new changes in conducting PNP P.A.T.R.O.L. Plan 2030 and Advisory Group activities, to strengthen the national and regional collaboration among the Police Advisory Groups and the communities, to build resiliency amidst the pandemic and future disruptive challenges in giving advice to the PNP, and to stay relevant as Advisory Group to the PNP in its Transformation Journey” (CPSM, n.d.).

AFP Development Support and Security Plan (DSSP) “Kapayapaan”. The AFP initiated the Development Support and Security Plan (DSSP) “Kapayapaan” (2017-2022), continuing from the gains of the IPSP, anchored on the Philippine Development Plan 2017-2022 and the long-term development agenda “Ambisyon Natin 2040”, as well as on the National Security Policy 2017-2022, the National Peace, Security and Development Roadmap,² and the Department of National Defense (DND) policy thrusts. The “Development-Governance-Security” framework was adopted “to help foster the foundation for inclusive economic and human development of the Filipino people” (Año, n.d.).

Similar to the IPSP, the DSSP document was made as an open document to emphasize its commitment on transparency. It calls for collaboration with stakeholders and gives “emphasis on the convergence of all the development, governance, and security efforts to achieve peace and promote the national well-being of the Filipino people” (AFP, n.d.).

The DSSP offers a detailed assessment of the strategic environment which includes the prevailing development and security situation of the country; the various challenges to development and security like issues in governance, infrastructure, informational, internal stability relative to “Peace-Inclined

Armed Groups” or groups that are engaged in peace process with the Philippine government, violent extremism/terrorism, and other strategic issues like cyber security, and climate change.

The DSSP marked a conceptual shift in ownership of the plan, giving the main stage to the local government units (LGUs) and national government agencies to converge development, governance and security interventions, with the AFP at the backstage, ensuring a secure environment (AFP, n.d.). This is where the concept of “development support operations” (DSO) comes in. As defined in the document, DSO are “AFP operations and activities conducted in support of civil authorities and other stakeholders in promoting and sustaining internal stability to foster the foundation for inclusive economic and human development of the Filipinos. It is focused on support for nation-building, support for law enforcement in the fight against criminality and illegal drugs, civil military cooperation, peacebuilding and advocacy, and the application of military force against terrorists and other armed threat groups” (AFP, n.d.).

The desired strategic end-state under the DSSP is sustained internal stability where “terrorist groups and armed peace spoilers are defeated; conflicts with major insurgent armed groups are resolved; and a secure environment is established to enable civil authorities to maintain public order and build the foundation for inclusive growth and a high-trust Philippine society” (AFP, n.d.). In pursuit of this end-state, SSR/SSG is identified as a means and not as an end or an outcome – a clear contrast with what the IPSP previously posed.

PNP Campaign Plan “Samahan”. The ISO campaign plan implemented by the PNP “Samahan” 2011 was drawn to steer the police’s internal security efforts to complement not only the AFP’s IPSP “Bayanihan” but also SSR/SSG.

Under the campaign plan, the PNP hopes to see communities that enjoy peace and order and move forward in their development. The plan calls for a well-coordinated effort with the Peace and Order Councils (POCs) of the LGUs to improve peace and order and public safety in their respective areas of responsibility; undertake multi-stakeholder partnerships to resolve conflict; and achieve sustained, consistent, integrated and concerted efforts with the AFP in conducting counterinsurgency (Police Regional Office 2, 2011).

Campaign Plan “Samahan” was guided by the following Strategic Concepts: recognition of the indispensable role of LGUs through the POCs in mobilizing and unifying key stakeholders in consonance with the whole-of-government approach; empowerment of the community as a unified front against criminality and insurgency; support to the government’s peace initiatives; multi-stakeholder collaboration in peace-building through the AFP-PNP Joint Peace and Security Coordinating Centers and the Law Enforcement Coordinating Councils; performance of role as AFP’s strategic partner in the implementation of IPSP (consistent with the PNP’s mandate under EO 546 to undertake active support in ISO); adherence to the rule of law, human rights and social justice in the conduct of police operations; and initiation of broader legal measures (Police Regional Office 2, 2011).

The PNP adopted the strategic concept of transforming itself into a highly capable, effective and credible police force through the PNP Integrated Transformation Program – Performance Governance System (PNP ITP-PGS). The program was designed to bring about lasting reforms, resolve organizational dysfunctions, improve the quality of police services in the country, strengthen law enforcement capabilities, and enhance the welfare and benefits of police personnel and dependents (Police Regional Office 2, 2011). It can be argued that by this time, it was evident that the PNP has also recognized the importance of pursuing a reform and transformation agenda to drive and sustain the achievement of its operational objectives. A more detailed discussion on the PNP ITP-PGS (now called PNP P.A.T.R.O.L. Plan 2030) is offered in the succeeding section of this chapter.

PNP ISO Campaign Plan "Katatagan". The campaign plan was developed to complement the AFP DSSP "Kapayapaan". The campaign plan intends to develop the capability of PNP field units in gathering intelligence and enhancing legal offensive against threat groups, reduce the capabilities of these threat groups, promote public safety and order, and adhere to the rule of law, human rights, and social justice.

Joint AFP-PNP Campaign Plan "Kapanatagan". Amidst the institutional and organizational challenges, the AFP and the PNP continue to synergize efforts along common objectives. Most recent among these efforts is the publication of the Joint AFP-PNP Campaign Plan "Kapanatagan" 2018-2022. This joint campaign plan underscores the whole-of-nation approach in ensuring security, peace, and order of the state. It also applies four strategic concepts, i.e., enhancing joint operations to defeat all armed threat groups (including terrorists and all other organized crime groups), enhancing management of police operations, promoting peace and order, and strengthening inter-agency engagement (Gonzales, 2021). The joint campaign plan also lists down the guidelines in delineating AFP and PNP tasks in promoting peace, security, and development.

Transformation and Security Sector Reform in the AFP and PNP

At the outset, it would be useful to note that SSG is a concept frequently substituted for SSR "especially in societies whose leadership remains highly sensitive to the concept of 'reform'... because the term suggests an inadequacy, ineffectiveness, or inefficiency and equally if not more importantly, a lack of integrity on the part of the object of reform" (Hernandez, 2011). It has been observed that the combined discourse on military and police campaign plans, organizational reform or transformation programs and SSR/SSG appeared as too theoretical if not outright abstract at first, hence was initially a hard-sell among stakeholders, both internal and external to the AFP and the PNP. By mid-term of President Benigno Aquino III's administration however, initiatives to mainstream SSR/SSG practices among key players in the AFP and PNP and in the broader civil society were already observed to be gaining considerable traction (Delos Reyes & Layador, 2014).

This section summarizes the evolution and highlights the key features of various organizational reform/transformation programs initiated and pursued by the military and the police during President Aquino III's and President Duterte's administrations.

AFP Transformation Roadmap (AFPTR) 2028. The military's transformation journey dates back to 2005 with the Philippine Military Academy's (PMA) adoption of the Performance Governance System (PGS) a local adaptation of Kaplan and Norton's Balanced Scorecard (BSC) spearheaded by the non-government organization Institute for Solidarity in Asia (ISA) – as a framework to craft the *PMA Roadmap 2015*. The PGS is a comprehensive framework covering the entire spectrum of strategy development and strategy execution through a four-stage "governance pathway:" initiation, compliance, proficiency, and institutionalization. The Philippine Navy (PN) followed in 2006 with the *Sail Plan 2020*. In 2010, the Philippine Army (PA) initiated the *Army Transformation Roadmap (ATR) 2028*. The *Flight Plan 2028* of the Philippine Air Force (PAF) was started in 2014. The AFPTR integrates and harmonizes the transformation roadmaps of the major services and other AFP units. These subsidiary roadmaps serve as building blocks in coming up with one coherent and cohesive strategy towards the realization of the vision of "world-class Armed Forces, source of national pride" by 2028. The concept of a world-class military is more normative in a sense that it is focused on having a professional and disciplined personnel, living by the core values of honor, service, and patriotism as well as by the principles of professionalism, integrity, and excellence (OSSSM-AFP, 2014).

The AFPTR was conceptualized at a time when more complex security challenges such as peace process, humanitarian assistance and disaster response, and counter-terrorism also needed

to be confronted. The level of capabilities of the military lagged behind the realignment of functions and the fast-changing regional and global security environment. These issues were aggravated by domestic challenges. Cases of human rights violations, graft and corruption, and involvement in partisan political activities were greatly eroding the public's trust and confidence in the organization. The AFP recognized the urgent need to adapt and embark on a sustainable reform/transformation program in order to remain relevant as an Armed Forces of the Filipino people (OSSSM-AFP, 2014). The AFP was very clear about implementing the AFPTR as part of SSR. As a fifteen-year strategy, the AFPTR aims to transform the Armed Forces into a strong and credible institution built on good governance. Guided by the SSR framework, efforts are geared towards two (2) strategic priorities: capability development and professionalization of all AFP personnel (OSSSM-AFP, 2014).

The AFP aims to bridge organizational gaps in its systems and processes, capability, and personnel. The goal of which is to have a military organization that seamlessly joins the service units of army, navy and marines, and air force, and is fully mission capable with professional, disciplined and competent soldiers. Key to success in achieving the desired change is alignment within and beyond the organization. All stakeholders (both internal and external) must be on the same page, and critical factors needed to create and nurture an enabling environment must be mobilized. By the time the AFPTR was initiated, the Army and the Navy have already gained considerable experience and best practices in aligning messages, resources, expectations, support mechanisms, and functions. The succeeding section on the ATR provides a more detailed description on how such alignment is achieved.

Two "basecamps" or milestones were identified: (a) in 2016, the AFP was envisioned to be "mission capable" on Territorial Defense (TD), Humanitarian Assistance and Disaster Response (HADR), ISO, International Defense and Security Engagements (IDSE), and Peace Support Operations (PSO). A mission capable AFP for TD means having the minimum credible defense posture, referring to a range of defense capabilities that would enable the government to protect the national interest by deterring and preventing intrusions or possible invasion of Philippine territory or parts thereof. Fully mission capable for HADR, ISO, IDSE, and PSO on the other hand refers to the full capability to respond to situations necessitating AFP presence. To achieve this, the capabilities of internal armed threats must be reduced to a level that they can no longer threaten the stability of the state, allowing for civil authorities to take the lead in ensuring the safety and well-being of their constituents. When this is achieved, the AFP can effectively refocus on transitional defense missions; and (b) By 2022, the AFP transitions into a "strong and sustainable Armed Forces in the Pacific Region, source of national pride" (OSSSM-AFP, 2014).

The AFP was conferred the PGS *Initiated Status* the first in the four-stage PGS Pathway – on 19 March 2013. Achieving this stage requires the completion of the AFP Charter Statement (composed of the vision, mission and core values statements), the AFP Strategy Map and the CSAFP Performance Scorecard. The *Compliant Status* achieved on 11 April 2014 required three (3) key elements: the creation of an Office for Strategy Management (OSM), the convening of the MSGC, and cascading of the strategy to subordinate units of the organization. The AFP MSGC was formally established on 20 February 2014. Composed of experts and thought leaders from various sectors of society, the MSGC provides strategic advice and recommendations on how to ensure sustainability and continuity of the AFPTR, champions the reform program to external stakeholders of the AFP, and assists in improving transparency and accountability in performance reporting (AFP, 2014). The Office for Strategic Studies and Strategy Management (OSSSM) was created on 16 February 2014. The office assumed the functions of the former OSSS (i.e., conduct of strategic, special, and policy studies) and the new responsibility of managing cross-functional processes related to governance and strategy management or implementation of the AFPTR (OSSSM, 2014). Likewise, by 2014, the AFP has cascaded the AFPTR, the milestones and strategy map, and performance scorecard to various AFP units, AFP-Wide Support and Separate Units, six Unified Commands, and one Joint Task Force (OSSSM-AFP, 2014).

The AFP achieved the *Institutionalized Status* on 29 November 2016. Ascension to this stage requires the AFP to achieve breakthrough results, integration of the reform strategy to existing systems and processes, linking performance with incentives, sharing of governance best practices, and advocacy for the PGS. As of this writing, the AFP is now aiming to be the first Armed Forces in the world to be inducted to the Palladium Balanced Scorecard Hall of Fame for Executing Strategy.³

Philippine National Police “PATROL” Plan 2030. The year 2003 proved to be a tipping point in the PNP’s public image post-EDSA 2 (2001). Earning a “bad” Net Sincerity Rating in fighting corruption in the third annual survey administered by the Social Weather Stations (SWS), the PNP joined the league of other government instrumentalities rated between “mediocre” to “very bad” (SWS, 2003).

Coming hard on the heels of this public perception crisis was President Gloria Macapagal-Arroyo’s order to create the PNP Reform Commission headed by Former Ambassador Sedfrey Ordoñez (Office of the President of the Philippines, 2003) to overhaul the PNP in the wake of the escape of self-confessed terrorist Fathur Rohman al-Ghozi while under police custody (Villanueva, Laude & Diaz, 2003). The Commission’s report would later substantiate the negative perceptions, identifying “variables such as the PNP’s low level of professional training, massive human rights abuses, low crime conviction rate, poor technological capability and corruption as having the highest impact towards its low credibility status to the public” (PNP, n.d.).

“The imminent degeneration of the PNP’s organizational culture and morale brought about by its low level of performance and credibility” fostered the development of the PNP Integrated Transformation Program (ITP) in 2005 which was eventually integrated with the Philippine Medium-Term Development Plan 2005-2010 (PNP, n.d.).

The ITP’s primary objectives include the ability to address the organizational and systematic dysfunctions, enhance the law enforcement capabilities of the police and improve the welfare and benefits of PNP personnel and their dependents. Nineteen priority projects were developed and implemented leading to critical milestones and achievement of breakthrough results in the PNP’s transformation efforts (CPSM-PNP, n.d.).

With the assistance of ISA and the Development Academy of the Philippines, the PNP adopted the PGS in 2009 and renamed the ITP as the PNP P.A.T.R.O.L. Plan 2030 (Peace and Order Agenda for Transformation and the Rule of Law). This coincided with the Philippines’ reselection by the Millennium Challenge Corporation (MCC)⁴ as *Compact Eligible* or eligible for a large-scale grant funding in recognition of the country’s “capacity as partner to address corruption and poverty reduction” (NAPOLCOM, 2014). The MCC Board determines eligibility based on “independent indicators that measure good governance, the country’s investments in its people and policies that encourage economic freedom” (MCC, 2008).

The PNP was among the six (6) government agencies chosen and mandated by the Office of the President of the Philippines to participate in the MCC program for three reasons: “it has a significant development impact to the country; it is deemed ready for productive good governance in view of the gains already established through ITP; it is a national government agency that has daily direct contact with ordinary citizens, thus, any breakthrough result from an improved governance system would have a direct positive impact to the welfare of the people in all communities it serves” (CPSM, n.d.).

The PNP was “initiated” to the PGS Pathway on 24 September 2009, declared “compliant” on 14 October 2011 and “proficient” on 16 September 2012. Similar to what the AFP underwent in the *initiation stage*, the PNP also had to craft three (3) core documents: the PNP Charter

Statement, Strategy Map and Enterprise/Agency or Chief PNP Performance Scorecard. The stage also required successful cascading of the three core documents to lower units, crafting of lower unit scorecards and creation of the NAGPTD To earn the “proficient” status, the PNP also established an OSM which it called Center for Police Strategy Management or CPSM (NAPOLCOM, 2012).

What took three years for the AFP to accomplish, the PGS Pathway is taking longer in the PNP. It can be argued however, that any journey towards genuine reform/transformation is worth the wait no matter how long it takes. While willingness to reform/transform remains as the first crucial step, readiness to transform at the organizational and individual levels not only requires more explicit structural and behavioral changes but also more precision in presenting evidence of such changes. These imperatives seemed clear for the PNP. Based on the experiences of other PGS adopters, achieving “institutionalized” status is not easy, and it is worth noting that the PNP is once again back on track to achieve the elements or hallmarks of institutionalization. It has shown breakthrough results in executing the strategy, integration of the PGS with existing systems and processes such as communication and budgeting, linking rewards, recognition, and incentives to the strategy, documentation and dissemination of governance best practices; and sharing of the PGS advocacy with other agencies (CPSM, n.d.).

Along this line, strategic policy directions on SSR/SSG continue to be cascaded down to the operational and tactical levels. The Revised PNP Operational Procedures published in September 2021 has been lauded by no other than the Department of Justice, National Police Commission and the Commission on Human Rights for its orientation towards key principles of professionalism, transparency, accountability, human rights legal framework, and rights-based approaches (Directorate for Operations PNP, 2021).

Philippine Army Transformation Roadmap (ATR) 2028. In 2010, the Philippines was considered one of the most corrupt countries in the world, ranking 134 out of 178 countries on Transparency International’s Corruption Perception Index. The Philippine Army “recognised that even the perception of corruption within the institution compromised its ability to successfully achieve its important mandate. In addition, the army was perceived as barely capable of accomplishing its mission, lacked sufficient organizational cohesion, and had trouble paying its soldiers sufficiently for them to provide for the basic needs of their household. All of this led to the precarious situation of demoralised troops. It was obvious that change was sorely needed.” On the same year, the organisation laid out a bold new vision and started on a governance transformation process that would change the face of the army at home and abroad (The Palladium Group, 2018).

The need to tackle the problem areas dubbed as “3 S” or short-term thinking, self-centeredness, and single-issue-focused was evident. It involved thinking beyond the status quo. Strategic/long-term issues rather than the tactical/short-term problems must be addressed. More focus must be given on the institution rather than on personalities. A systems-perspective must be adopted in order to address interrelated issues rather than to solve single/isolated problems (Philippine Army, 2011).

The Army was publicly recognized and welcomed into the PGS Pathways, a PGS-Initiated institution, before an audience of more than 280 foreign and local private and public sector delegates to the 2010 Palladium Asia-Pacific Summit on Strategy Execution and Governance. To ensure that the Army Vision 2028 “(t)o be a world-class Army that is a source of national pride” is attained, the Army continued with the ATR and pursued the requirements of the PGS Pathway Compliance Stage by aligning the organization and cascading the strategy. Building on the strategic direction set and agreed upon during the PGS Initiation Stage, the PGS Compliance Stage aligned key aspects of the organization to the strategy.

The alignment occurred in terms of message, resources, expectations and support mechanisms, and functions. Alignment in resources meant the Army must rationalize the use of its finite resources in order to support the direction and produce the outcomes envisioned. This entailed a shift in paradigm: from a “budget-driven strategy” to a “strategy-driven budget”. Alignment in functions meant employment of a common framework by different offices and units within which varying accountabilities are identified, analyzed, and monitored.

The concept of the BSC was introduced and adopted for this purpose. Alignment in message meant greater awareness of and commitment to the long-term strategic direction must be established and sustained; while alignment in expectations and support mechanisms meant working closely with both internal and external stakeholders and get them to agree and to partner with in attaining the vision. To bring about alignment in message, the Army implemented an intensive information dissemination plan designed to ensure that information, themes, and messages regarding the ATR are effectively relayed to and understood by the internal target audience so that they can articulate and support the ATR (Headquarters Philippine Army, 2011). To align expectations, the PA MSAB was created “to promote continuity, sustainability and shared responsibility” for the ATR (Headquarters Philippine Army, 2013).

Groundbreaking innovations and concepts sustained the strategy cascading and alignment efforts. On 24 February 2014, the Army headquarters directed the implementation of the Army Governance Pathway or AGP⁵ to hasten the adoption of the PGS and drive performance and results from the Army headquarters down to the level of individual soldiers. The AGP together with the Communication Plan “Breakthrough Results Alpha”⁶ and the ATR Personal Scorecard Development Workbook entitled “Game Plan” fast-tracked the development of 19,720 personal/individual-level scorecards by 2013.

Recognizing and allowing internal and external stakeholders to associate with and explicitly express or articulate their level of commitment and participation to the ATR was also key to successful strategy cascading and alignment. An ATR stakeholder recognition process was established for this purpose. Following specific eligibility requirements, a stakeholder can be conferred a status of ATR Champion, Warrior, Advocate, or Partner (Headquarters Philippine Army, 2012).

Another communication plan (titled “Breakthrough Results Bravo”) was issued on the 1st of May 2013 to outline the execution of the intermediate/transitional communication strategy for the period covering May to December 2013 to create, strengthen, and preserve awareness on and support for the ATR among the Army’s external target audience, stakeholders, and various publics (Headquarters Philippine Army, 2013). This communication plan contributed significantly to the attainment of a 75% Trust Index and 70% Satisfaction Index as of April 2014 in a survey conducted nationwide (Club Media Asia, Inc., 2014). “The organization far exceeded its goal of scoring +20 in both areas in response to the survey which gauged soldier engagement in civilian undertakings, military presence in communities, and willingness of youth to join the Philippine Army. Its ratings make the organization the most trusted service in the Armed Forces of the Philippines” (ISA, 2015).

The Army was conferred the PGS ‘Compliant Status’ in October 2011. Proficiency in strategy execution occurred in March 2013. Institutionalization of the PGS followed in October 2014. Exactly a year after, the Army was recognized as an “Island of Good Governance” by the ISA, Institute of Corporate Directors and the National Competitiveness Council. In March 2018, the Army was eventually inducted to the Palladium Balanced Scorecard Hall of Fame for Executing Strategy, joining the league of more than 200 organizations conferred since year 2000. The Palladium Group in partnership with the inventors of the BSC – Dr. Robert Kaplan and Dr. David Norton – recognizes organizations with proven track record in transitioning from mere strategy development to execution evidenced by the accomplishment of breakthrough goals or targets.

Time and again, continuous, out-of-the-box, and strategic thinking has proven to be key to attaining steady progress along the PGS Pathway and sustaining SSR/SSG initiatives especially in a volatile, uncertain, complex, and ambiguous world. One of the latest innovations is the incorporation of the classical risk management framework into the Army's SEMP (AGSMO, 2020).

Appraising Performance of AFP and PNP in Promoting SSR

"...SSR programs seek to strengthen the fairness, efficiency, and effectiveness of security sector institutions and to improve citizens' ability to hold these institutions accountable" (USAID, 2019).

Despite the availability of analysis frameworks, success parameters and performance measurement tools related to SSR/SSG, measuring progress proves difficult to do due to several factors (USAID, 2019):

- the sensitive nature of the work of security sector institutions such as the military, police, and intelligence communities...(poses)...challenges to obtaining accurate and complete primary data
- public perceptions of institutions' strengths and weaknesses tend to be relatively volatile and not necessarily aligned with the actual performance of service rendered, depending on how information is communicated and amplified

Measuring performance in SSR/SSG, whether failure or success entails thoroughness in selecting performance indicators. Employing best practices such as using a "basket of indicators" may be able to provide a more comprehensive view of the situation. As defined by USAID (2019), a "basket of indicators" is "typically a collection or grouping of two to nine indicators that permits practitioners to measure the same concept from multiple angles." USAID proposes an array of indicators for the following key result areas:

- Access to justice
- Police investigations
- Quality of adjudications
- Efficiency of court processes
- Correction facilities' conditions
- Border safety and security
- Civilian oversight of security sector institutions
- Civilian safety and security
- Security sector response to violence against women and girls
- Predatory, inhumane, or unethical behaviors in the security sector
- Reintegrating former combatants
- Countering trafficking in persons

- Natural resource protection
- Public financial management in the security sector
- Human resource management in the security sector
- Women's employment and retention in security sector institutions
- Implementation of national action plans on women, peace and security

It also gave a cautionary note on the adoption of performance indicators that measure public trust or confidence on the security sector, as some factors driving public perception may be beyond the control of security sector institutions. Perceptions should not be equated with actual performance. This was the very reason why the Philippine Army took extra care when it conducted the first net trust and net satisfaction rating surveys back in 2014. Instead of jumping straight into a quantitative survey, the research undertook a qualitative survey to ascertain the factors that drive perception among the Army's external stakeholders. The research also looked into the respondents' "attitudinal equity" or "share of heart" as they witnessed or experienced first-hand the Army's performance of duties. The results were made more granular with the inclusion of other government instrumentalities in all the surveys administered (i.e., trust, satisfaction and AE surveys).

In the Philippines, an earlier study to establish an SSR Index or SSRI (ISDS, 2011) was undertaken between 2005-2011. The baseline SSRI was broken down into five dimensions, each covering the five common attributes of good governance (i.e., transparency, responsibility, accountability, participation, and responsiveness):

- democratic principles of governance
- extent of powers, knowledge or awareness, and capacity of oversight institutions
- performance record of oversight institutions and core security sector actors
- SSR programs and initiatives
- contribution to conflict prevention and peace-building

The SSRI Project sought to build a tool to measure and monitor the performance of the country's security sector, determine ways to improve security sector governance and guide the formulation of an SSG reform program. The study came up with the following main observations:

- sufficiency of constitutional and legal framework for democratic and security sector governance
- institutional and functional arrangements among security sector actors fall below the standards of democratic civil-military relations (e.g., AFP performing ISO)
- inability of security sector actors to fully perform their functions
- functions and powers of government oversight institutions are misunderstood, misused and even abused (e.g., during the conduct of budget deliberation, confirmation of appointments and investigations in-aid-of-legislation)

- mandates, functions, jurisdiction, powers, etc. among government oversight institutions significant overlap
- government oversight institutions are yet to tap SSR as a governance tool, while non-government/civil society oversight mechanisms are yet to tap SSR as an assessment and monitoring tool

The SSRI study offered specific recommendations for the military and the police among other security sector actors (ISDS, 2011):

For the AFP to –

- Re-examine the officer recruitment system that prioritizes the PMA, including options for an alternative structure for officer recruitment and training;
- Restructure the curriculum of military service schools to develop a politically non-partisan officer corps;
- Recruit competent civilian academics into the faculty of the PMA and other military teaching and training institutions;
- Eliminate practices and systems that violate the principles of meritocracy, fairness and objectivity in education and training, as well as in promotions and appointments, such as the “bata-bata” system, “ruling class mentality”, recruitment source, etc;
- Provide the AFP including its training commands with the requisite resources (expertise, leadership, manpower, financial, material, etc.) to discharge its mandated tasks;
- Re-examine the rationale behind the CAFGU concept, while in the meantime restore CAFGU units to their legal role/function and capacitate them accordingly;
- Redress the sources of legitimate military grievances to reduce politicization among the ranks, promote transparency and accountability in the AFP;
- Punish military offenders equally, strictly, and speedily.

For the PNP to –

- Re-examine the PNP Law especially in terms of the appropriate agency that should exercise oversight jurisdiction over the police;
- Take adequate measures to improve the police to population ratio to increase police visibility;
- Provide adequate resources (manpower, financial, material, etc.) to police stations;
- Ensure access by police personnel to their three minimum needs: education for their children, a roof over their head, and medical care for their family;
- Professionalize personnel recruitment from the entry level all the way to promotion and assignment;
- Adopt actionable measures against graft and corruption among the police such as strict enforcement of applicable rules and regulations, effective exercise of oversight functions by their Internal Affairs Service (IAS), and the like;

- Adopt and strictly adhere to meritocratic criteria in appointments to oversight bodies (depoliticize appointments).

These recommendations are rather straightforward and it would definitely be useful to revisit them and determine how much have been accomplished by the concerned institutions.

Conclusion

Despite its inherent complexity amidst the forces at play and the plethora of approaches in measuring success or failure, it is hoped that the SSR/SSG discourse will be fully mainstreamed in the nation's socio-politico-economic psyche. The transformation roadmaps and campaign plans discussed in this essay are the main drivers of reforms that are taking place in the respective institutions. The military and police are taking significant steps to change their agencies, but there remain a number of challenges including the reshaping of the narratives of campaign plans and programs, and infusing basic and universal principles of SSR/SSG in the ebb and flow of executive policies. It also requires deliberate and conscious recognition of stakeholders on the reform and transformation of the police and military institutions, and that this change will benefit the Philippine society and democracy in the long run.

Endnotes

- ¹ As early as 2011, the Philippine Army has already successfully integrated DSOM with the Performance Governance System to form the Army Strategy Management Philosophy
- ² As outlined by Foreign Affairs Secretary Yasay in his address before the 71st session of the UN General Assembly on 26 September 2026, the "Governance roadmap for peace, security and development" of the Duterte administration covers four key priority areas: commitment to the Rule of Law (strict adherence to due process fully governs the national campaign against corruption and criminality, including the fight against illegal drugs); commitment to the Filipino People (the Philippines, continues to enhance the delivery and quality of basic social services to the Filipino people, anchored on the implementation of a human approach to development and governance and pursuant to the 2030 Agenda for Sustainable Development); climate change and disaster risk reduction (the Philippines reiterates its call for climate justice and the principle of equity and common but differentiated responsibilities [CBDR] in the implementation of obligations under the Paris Agreement); and commitment to peace and the international community (the Philippines reaffirms its abiding commitment to pursue the peaceful resolution and management of disputes in the South China Sea, following the arbitral award of the Permanent Court of Arbitration in The Hague, which is final and binding on all parties) (<https://dfa.gov.ph/dfa-news/dfa-releasesupdate/10444-president-duterte-s-governance-roadmap-for-peace-security-and-development-outlined-before-the-un-general-assembly>)
- ³ Initiated in 2000 by The Palladium Group, the Palladium Balanced Scorecard Hall of Fame for Executing Strategy® recognizes organizations that "have proven the intuitive truth that well-designed strategy and sustained excellence in execution yield industry-leading performance. Such performance comes in many forms including more engaged employees, more satisfied stakeholders, and returns for shareholders or reinvestment in the mission." A total of 225 organizations have been recognized so far. (<https://thepalladiumgroup.com/awards-program>)
- ⁴ The MCC was founded by the U.S. Congress in January 2004 to provide "time-limited grants promoting economic growth, reducing poverty, and strengthening institutions" among developing countries (<https://www.mcc.gov/about>)
- ⁵ Conceptualized in 2013, the AGP is an adaptation of ISA's PGS Pathway. It consists of the same four stages (i.e., initiation, compliance, proficiency, and institutionalization) during which similar sets of elements or hallmarks are accomplished to serve as basis for the conferral of corresponding status
- ⁶ The communication plan set the foundation for the Army's short-term information dissemination plan for the period 01 June 2011 to 31 December 2013 to ensure critical information, key themes, and messages regarding the Army Transformation Roadmap (ATR) are effectively relayed to and understood by the Army's internal target audience (ITA) so that they can articulate and support the ATR.

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Chapter 5

Creating a Philippine
Gender-Responsive
Security Sector:
Are We There Yet?

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Abstract

Reforming the security sector to an effective, efficient and accountable set of institutions that respect the rule of law and human rights is indispensable to ensuring sustainable peace, justice and development. The role of women in peacebuilding and the attainment of gender equality as an agenda for development have been enunciated and recognized in international documents. Women are part of the process of attaining security sector reform, not only as recipients or beneficiaries, but also as partners and co-workers within these sectors. Necessarily, the needs and issues particular to women, separate from those of men should be recognized and addressed. In the process of achieving reforms, how has the security sector taken cognizance of gender equality as an important aspect of its journey? The interlink of security sector reform and gender equality has been recognized by international instruments as well as national laws. The different members of the security sector have taken measures to include gender equality through a strategy called mainstreaming. By looking at the identified entry points of mainstreaming, namely, policies, people, programs and mechanisms, this chapter. presents the extent of gains, some remaining challenges and recommendations to strengthen the gender-responsive measures taken by the institutions in its aim towards security sector reform.

Keywords: *gender in security sector reform, security sector governance, security reform agenda, gender in the military, gender equality in the armed force*

Introduction

The discussion in this chapter covers the relevance of gender equality in security sector governance and reform, the efforts of including gender in security sector governance and a look at the National Action Plan on Women, Peace and Security. The data and information provided are limited to those pertaining to the Armed Forces of the Philippines and the Philippine National Police.

Security sector reform (SSR) is viewed as a set of means on how the security sector may become an effective and accountable sector that respects civilian authority, the rule of law and human rights. On the other hand, gender equality refers to equal access and rights of all genders to opportunities, resources and benefits, regardless of their status, religion, race or ethnicity. It means a non-discrimination stance not only in law but in the effects of those laws in all aspects of women's lives. Along the subject of security, gender equality includes the right to enjoy the protection against all forms of abuses, especially gender-based violence, as well as having the right and opportunity to participate in the different aspects involved in security sector reform, especially in decision-making. While women, peace and security discussions are usually viewed as the presence of women in the security sector, it is important to explore the influence of more women leaders in the security sector (i.e., the peace processes, legislative, and executive bodies) in any country's political stability (Schroeder, et al, 2018). In their discussion, Schroeder, et al (2018) shows that there is a nuanced effect of women in politics suggesting a positive political benefit associated with women's access to civil military institutions.

Is gender equality relevant to the security sector and in the security sector reform agenda? Security sector and gender equality play significant roles in nation-building. The 1987 Constitution separately mentions these concepts, referring to the security sector by declaring the supremacy of civilian authority over the military, the quality of service expected from the armed forces, and the establishment of one police force in Article II Section 3 and Article XVI, Sections 4 to 6, respectively.

Likewise, the role of women in nation-building and the fundamental equality of men and women before the law are recognized in Article II, Section 14. They are interlinked, as both are important elements to achieve sustainable peace and development.

The Connection of Security Sector Reform and Gender Equality in International Commitments, Laws and Policies

Security sector reform and gender equality are relevant aspects for sustainable and inclusive development. International policy documents recognize that security sector reform cannot be realized without including other development agenda such as gender equality.

The international instrument that frames the rights of women and gender equality is the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), also called the international bill of rights of women. It is the most important document on gender equality from where subsequent important policies are based upon. Article 7 of the CEDAW affirms measures to eliminate discrimination against women in the political and public life.

The CEDAW adopted General Resolution 30 (2013) to ensure that the National Action Plans on women, peace, and security are compliant and “reflects a model of substantive equality and takes into account the impact of conflict and post-conflict contexts on all rights enshrined in the Convention, in addition to those violations concerning conflict-related gender-based violence, including sexual violence.”

Another important document is the Beijing Platform and Declaration for Action, or simply the Beijing Declaration. To reaffirm the elimination of discrimination against women and ensure women’s participation in political and public life, the Beijing Declaration was ratified in 1995. This document addresses the link between gender and security sector reform. It identified 12 critical areas of concern where urgent actions are needed to ensure gender equality, among these are women and armed conflict where it calls on governments to “investigate and punish members of the police, security and armed forces, and others who commit acts of violence against women in situations of armed conflict.”

The role of women in conflict prevention and peacebuilding is given focus in United Nations Security Council (UNSC) Resolution 1325 (2000). Among the different mechanisms necessary to carry out its objectives, security sector reform is identified as an important tool. As security institutions have historically been designed for men by men, focus must be made to make it inclusive. As Holvikivi (2015) pointed out, addressing UNSCR requires women to be included in the conflict prevention efforts. This includes addressing root causes of conflict, including militarized gender norms. This can mean reforms in military and police recruitment to ensure institutions will not condone violence or discrimination against women. It also requires making the security sector more effective by reducing expenditure, for instance by having streamlined, compact, and affordable programs. SSR as a framework calls for meaningful participation of women and improving gender balance in the security forces.

UNSC Resolution 1325 also affirms the role of women in conflict prevention and resolution, and the necessity to give women bigger role in decision making processes, and calls on states to be mindful of this. It also “calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.” Subsequent resolutions on women, peace and security adopted by the Security Council aim at operationalizing the obligations of Member States through developing indicators, providing funding, Special Representatives, consultations, among others.²

Women’s meaningful participation in security institutions is also expressed in UNSC Resolutions. Resolution 1888 (2009) highlights the necessity of having female military and police personnel in

responding to conflicts on the ground. This highlights the necessary reforms within the institutions such as reforms related to discipline and codes of conduct to prevent abuses by security sector personnel. This also includes looking at training and capacity building. SSR, guided by the women, peace, and security (WPS) agenda, should not be about making war safe for women but on ensuring women are included in the vision of peace (Holvikivi, 2015). The presence of women affects institutional and cultural changes within military institutions; research also shows that uniformed women are more likely to de-escalate tensions and are less likely to use unnecessary force in addressing conflicts. The presence of more women security personnel lessens possible sexual exploitations on the ground (Arostegui, 2015). In their research, Arostegui (2015) pointed out that the security sector should include women's participation in leadership positions as part of providing domestic oversight of the security sector. Having women leaders also ensure the policies are more gendered, such as policies for training and enhancement of women's roles in leadership positions; policies on ensuring that military expenditures do not take resources from developmental sources (e.g., education, social services, economic and skills development); and policies on ensuring inclusive representation in the security structures.

UNSC Resolution 2151 (2014) affirms that especially in post-conflict situations, a reformed security sector is beneficial in maintaining and consolidating peace and security, as well as in promoting the rule of law, good governance, and legitimacy of the state. "It recognize(s) that a professional, effective and accountable security sector and accessible and impartial law enforcement and justice sectors are equally necessary to laying the foundations for peace and sustainable development." A second document, UNSC Resolution 2553 (2020) affirms the "importance of security sector reform in peacebuilding and sustaining peace, including conflict prevention and post-conflict stabilization" and calls on states to develop relevant and context-based strategies to increase spaces for women in the security sector.

Gender equality as a development agenda is embedded in Goal 5 of the 2030 Agenda for Sustainable Development. The 2030 Sustainable Development Goals (SDG) is adopted by the United Nations as a blueprint for peace and prosperity. It is both a stand-alone agenda and a cross-cutting agenda that should be integrated in other development goals. This means that to achieve inclusive and sustainable growth, gender equality should be present in all the areas of development. SDG 16 aims to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. One of these indispensable institution is the security sector. Security sector reform is sustainable when it includes addressing gender equality and the participation of women, together with other equally important principles, such as the rule of law, human rights, and democratic civilian control.

The National Action Plan on Women, Peace and Security. To further operationalize the various UNSC resolutions, the Philippine National Action Plan (NAP) on Women, Peace and Security was developed in 2007, initiated and led by women civil society organizations in collaboration with various agencies of government. After consultations with stakeholders, the first NAP in Asia was finalized and launched in 2010. The NAP identifies two outcomes: (a) women empowerment and participation in areas of peacemaking, peacekeeping and peace building, and (b) protection of human rights and prevention of gender-based violence on women. To this end, the two support mechanisms include the mainstreaming of the NAP, and monitoring the implementation of the plan. In sum, these four areas – the outcomes and the support mechanisms - constitute the "pillars" of the NAP. Indicators or action points are identified for each outcome and national agencies and local government agencies as well as civil society organizations are the implementers of these action points.

An inter-agency coordinating body was established through Executive Order 865 (2010) issued by President Macapagal-Arroyo; the body was tasked to oversee the implementation of the NAP. The inter-agency body was mandated to inform the whole bureaucracy, both national and local governments, on priority directions to be undertaken in terms of policies and programs on women, peace and security.

During the Aquino Administration (2010-2016), the NAP was modified into a version that is relevant to the targets of participating agencies. The goal was to get the national agencies and local government units on board, and ensure that it is embedded in their plans, with clear operational guides and implementation mechanisms. In 2016, a two-volume report was published on the initiatives to implement the NAP, including data on the indicators of each outcome, and progress of each action point.

Under the Duterte administration, the National Action Plan for the period 2017-2022 was developed, incorporating some key recommendations made in the 2015 Global Study on the Implementation of UNSCR 1325. This includes the prioritization of conflict prevention, framing women peace and security from a human rights perspective, participation and leadership of women in all levels of the peace project, transitional justice, inclusive and participatory localization efforts, combating extremism by supporting women peacebuilders, multi-level and multi-stakeholder approach, and financing initiatives aimed at mainstreaming women, peace and security. The NAP 2017-2022 was very clear on the expansion of women's role in peace processes, specifically underlining strategies to apply gender approach in "all procedures and mechanisms of the peace processes to address gender inequalities in the politico-economic lives of women, as well as institutional reforms in the security sector." Action Point 5 of the document outlines recommendations to improve the role and status of women in security sector reform. The NAP WPS provided definitive strategies for women, focused not only on women's participation in the security sector but also on creating responsive environment to carve spaces for women in the security sector.

Despite laws and policies in place, including the gender and development (GAD) fund, there still remains many gaps which can be improved on. The lack of gender-responsive champions, not only women, but also men who believe in the advocacy, is required to ensure that programs are supported from the ground up.

There are also challenges of sustainability. Once a change in administration happens, a program, no matter how important, is at risk of being discontinued. With the change in administration that happened in June 2022, there is growing concern on whether the next government will sustain the gains of NAP WPS. Some concerns include the change of officials and staff who have previously received training on women, peace and security; and changes in national and local priorities which may put gender equality and the peace agenda in the sidelines.

Connecting Security Sector Reform and Gender Equality: Mainstreaming through People, Policies, Programs and Mechanisms

Since the adoption of CEDAW in 1979³ and its ratification by the Philippines in 1981, efforts have been exerted to ensure the realization of its purpose of eliminating discrimination against women and achieving gender equality. Primary to these efforts is the inclusion of a gender equality provision in the 1987 Constitution, which served as the basis of numerous gender-responsive laws and policies that have been passed and programs that have been developed and implemented.

Gender equality is a cross-cutting agenda and there must be a way to ensure that it is included in the different development agenda. What then is the strategy to be adopted to connect or integrate the objectives of gender equality to other strategic agenda such as security sector reform?

Gender mainstreaming is a term coined to refer to the main strategy used to pursue gender equality. Pursuant to Republic Act 9710, or the Magna Carta of Women (2009), gender mainstreaming "refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality

is not perpetuated.” Stated otherwise, gender mainstreaming is a strategy that ensures that gender issues are recognized and included in the legislations, policies and programming of governments and institutions. This means that a gender perspective is included in the analysis, planning and implementation of targets and goals. It also means changing mindsets, so that cultures of institutions on how gender issues are perceived may also change. In the end, gender equality will be one of the fundamental values that institutions will carry as they define their goals.

Operationally, gender mainstreaming requires interventions not only in the planning cycle that institutions undertake, but in strategic key entry points such as adopting policies, identifying key people that will push and champion mainstreaming, establishing mechanisms and systems, developing programs and allocating budgets. This effectively means, and as pointed out by Arostegui (2015), that political reform in the security sector includes ensuring that budgets and implemented legislation that shape national dialogues are gender-responsive. Reform includes initiatives to prevent, respond and to sanction human rights violations and gender-based violations.

Strong gender budget initiatives are necessary, as well as creating mechanisms that monitor and collect sex-disaggregated data. Institutional reform involves physical and technical transformation of security entities. Measures must include the recruitment of more women in military and police forces, as well as their retention and advancement. Economic reforms involve ensuring public financial management of the security sector and gender-sensitive budgeting. Gender budgeting for the defense and security forces must take into account how these are spent for women’s inclusion and how men and women benefit. Societal reform includes changing social stereotypes and attitudes and collaborating with civil society to develop, implement, and monitor security policies and programs (Arostegui, 2015). Taking into consideration these dimensions, we can look at the number and percentage of women in the security forces, as well as the judiciary and court systems, the status of women in security forces, the number of advisors who are well-versed on gender issues in focal points, the number of cases of sexual abuse by security personnel that are investigated and acted upon, mechanisms for oversight, budget allocations, presence of more women in combat positions, and the presence of women in demobilization, disarmament, and reintegration processes.

Security sector reform is not immune to gender mainstreaming. In the process of ensuring that the security sector becomes a responsible, accountable and ruled-based institution, it should ensure that non-discrimination against gender or gender equality is one of its core values.

In discussing security sector reform in the lens of gender, this chapter looks at the various transformations and improvements within the security sector as a result of its efforts to institutionalize gender equality. The following areas that will be explored are called entry points in gender mainstreaming: policies, people, programs and projects, and mechanisms.

Laws and Policies. The following are some relevant laws for the security sector in the area of gender equality. These laws address participation of women in the different security sector institutions and the development and implementation of programs and services aimed to respond to the different gender-related issues within these institutions. Along with other laws and guidelines as may be necessary, these are referred to by the different security institutions in crafting their gender-responsive policies, programs and activities.

One of the groundbreaking laws that concretely influenced the participation of women in the military is Republic Act 7192, or the Women in Nation Building Act. Section 7 of the law reads, “Admission to Military Schools. Any provision of the law to the contrary notwithstanding, consistent with the needs of the services, women shall be accorded equal opportunities for appointment, admission, training, graduation, and commissioning in all military or similar schools

of the Armed Forces of the Philippines and the Philippine National Police not later than the fourth academic year following the approval of this Act in accordance with the standards required for men except for those minimum essential adjustments required by physiological differences between sexes” (Women in Nation Building Act, 1991). This was the basis for the integration of the first female cadets to the Philippine Military Academy (PMA) in 1993. Prior to the passage of RA 7192, women were allowed to be part of the Women’s Auxiliary Corps in the Armed Forces of the Philippines only to perform non-combat and administrative duties, as well as other duties prescribed by the Department of Defense.

Republic Act No. 8551 or the National Police Commission and Philippine National Police Reorganization Act of 1998 provides for the establishment of women’s desks in all police stations throughout the country to administer and attend to cases involving crimes against chastity, sexual harassment, abuses committed against women and children and other similar offenses (National Police Commission and Philippine National Police Reorganization Act, 1998). To ensure there are personnel for the women’s desks, it also provided that the PNP shall prioritize the recruitment and training of women and shall reserve 10% of its annual recruitment, training, and education quota for women; it also provides for a gender sensitivity program to include but not limited to the establishment of equal opportunities for women in the PNP, the prevention of sexual harassment in the workplace, and the prohibition of discrimination on the basis of gender or sexual orientation. This quota should be synchronized with the requirement provided in the Magna Carta of Women which required for an incremental increase in the recruitment and training of women in the police force, until 15% of the personnel thereof shall be women (Chapter IV, Section 9).

Republic Act 6975 (1990) or “Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government”, and Republic Act 7898 (1995), “An Act Providing for the Modernization of the Armed Forces of The Philippines”, frames the security sector reform agenda. While it did not directly mention gender equality, it provided for the establishment of a human resource that will support the institutions, where strengthening the participation of women and development of programs may be created.

The Magna Carta of Women or Republic Act 9710 (2009) is the translation of CEDAW into national law. It contains the rights of women enunciated in CEDAW. In acknowledging and including the current realities of Filipino women into the law, the Magna Carta of Women expanded CEDAW. Among these realities are women in the military, police and similar services, as provided in Section 15 which mandates non-discrimination in opportunities, privileges and benefits (The Magna Carta of Women, 2009). The law aims to strengthen the presence of women by mandating a quota of twenty percent (20%) for female admission in schools in the military, police and similar services (Rule IV, Sec 18 of the Implementing Rules and Regulations).

In January 2022, the Philippine Coast Guard approved the inclusion of hijab⁴ in the official uniform for female Coast Guard personnel. This policy hopes to encourage more Muslim women to join the Coast Guard workforce (Philippine Coast Guard, 2022). In so doing, the policy highlights the agenda of increasing the participation of women in the security sector and contributes to the implementation of the National Action Plan on Women, Peace and Security. This shows how international policies, when translated to localized commitments, reflect better policies that support and encourage women’s participation in the security forces. Not only does this show support to women’s gendered needs, but it supports women with intersecting cultural identities.

Policies such as inclusion of the hijab in uniform contributes to a more positive view of the sector. As Lysychkina (2017) pointed out, the presence of more women in the military contributes to a more positive view of the security sector adding to a more effective strategic communication direction.

The community perceives the organization as more grounded, and their values more aligned to “winning hearts and minds” with more women present.

Internal policies within the security sector actually contribute to allowing more women to meaningfully participate. Among these include policies on prevention of harassment, participation, and recruitment. Some examples of these policies include:

- (a) **People.** There is percentage increase of females in recruitment. From 10% of slots for females, the proportion continuously increases and is now close to 20%. While there is steady increase in recruitment, agencies recognize that there remains other challenges which must be addressed. An all-female troop has been initiated. The Marawi Hijab Troops were deployed after the Marawi Siege as part of the psychosocial program of the military. These female troopers are deployed in Muslim areas in recognition of cultural and gendered needs of female survivors. The troops assist in the programs for internally displaced people traumatized by their experience in the siege. Female personnel are also appointed to key positions (as of this writing, there are five female generals in the AFP) to ensure that there is no discrimination against women to any key positions.⁵
- (b) **Policy.** Long term GAD agenda alongside a periodic review and assessment of policies and their gender-responsiveness are in place. This includes the AFP Gender and Development Agenda 2022-2028, and the PNP GAD Agenda, guided by the Philippine Commission on Women Memorandum Circular No. 2018-04 (Revised Guidelines for the Preparation of GAD Agenda). Policies to ensure equal consideration is given to men and women in the area or field of assignment such as rotation policies and alternate deployment of military couples.
- (c) **Programs and Projects.** Community-support programs that involve various members of the community including women, lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI), faith-based sectors, etc. These programs are conducted by civil military units as part of initiatives to engage the community and gain public confidence. Women personnel are invited to be part of these civil military units recognizing their participation and contribution in peacebuilding, especially in areas with high communist threats as part of the initiatives of the National Task Force to End Local Communist Armed Conflict. Committees on Decorum and Investigation are instituted as independent internal mechanisms which address and investigates complaints of sexual harassment. This shows that gender-based violence are not tolerated within these institutions.

Trainings and advocacy campaigns are in place to ensure that personnel are informed of gender-issues such as gender-sensitivity trainings, lectures on new laws, and internal information campaigns. Moreover, facilities, restrooms, and infrastructure are made responsive to the needs of women such as safety (e.g., separate facilities for males, establishment of 1,905 Women and Children Protection Desks nationwide), and care work (e.g., child-minding rooms in different units, breastfeeding rooms).

The PNP Operational Procedures were also revised to strengthen VAW desks. The role of officers as GAD advocates was elaborated in their operational guidelines. Also stressed was the need to properly train and empower females before any deployment to ensure their readiness to handle sensitive roles.

- (d) **Enabling Mechanisms.** The GAD Focal Point Systems were instituted in various security sector agencies. All agencies have their respective GAD focal points as a response to the Magna Carta of Women, as well as years of gender mainstreaming. Members of the GAD

Focal Point System are encouraged to actively participate. Planning, budget and finance officers are also encouraged to be members of the focal point system to ensure the plans, programs, and activities are included in the agency plans and budgets. The PNP Memorandum Circular Number 2013-60 (2013) provides the Guidelines for the Creation and Institutionalization of the Gender and Development Focal Point System.

To ensure that programs, policies, and projects are informed by data on female and male presence in institutions, sex-disaggregated database is generated. Integrating the meaningful participation of women in the security sector requires support through legal and policy frameworks, as well as ensuring that good practices are institutionalized and integrated across various agencies. Enabling mechanisms must all be created to ensure that gender rights are promoted in the police and the military.

Women in the Philippine Security Sector

Notwithstanding the passage of laws meant to increase women's participation in the military, the security sector has remained dominated by men both in membership and leadership with women comprising only 16.57% of the armed forces. In 2018, the AFP had a total of 140,000 military personnel with 1,718 (14%) female officers compared to 10,369 male officers, with the following breakdown: Philippine Army (PA), women comprise 8% or 551 of the total 6,208 military officers; Philippine Navy (PN), 14% out of the 2,530 officers are women; Philippine Air Force (PAF), women occupy 20% of the 2,123 officers; Technical and Administrative Services (TAS), 71% of its 1,256 officers are women. In 2019, the women soldiers in the Philippine Army include 829 officers, 3,438 enlisted personnel, seven provisional 2nd Lieutenant, and 12 CS, which is 4.38 percent of the entire Army soldiers (Orillo, 2019). 2019 data show that female officers are outnumbered with only 1,718 as compared to 10,369 male officers in the AFP. However, administrative and technical services within the armed forces are largely composed of women (71%). The police force is composed of 17.94% women (37,157 women in comparison to 169,955 men).⁶ Engrained gendered power relations and inequalities, including toxic masculinities, are key factors in the difficulty faced by women in breaking the glass ceiling in the security sector.

As a result of RA 7192, female cadets were admitted into military schools. Of the 17 female cadets who reported in 1993 to the PMA, only seven graduated in 1997 along with their male classmates. They were Air Force Lieutenant Colonel Maria Consuelo Nunag-Castillo, Army Lieutenant Colonel Leah Lorenzo-Santiago, Navy Commander Marissa Arlene Andres-Martinez, Army Lieutenant Colonel Maria Victoria Blancaflor-Agoncillo, Sheryl Uy-Cabasan, Arlene Orejana-Trillanes, and Aileen Somera-Reyes.

The members of Kalasag-Lahi class of '97 went on to gain honors. Lt. Col. Blancaflor-Agoncillo became a Gold Cross medalist for helping overrun the Moro Islamic Liberation Front's Camp Rajamuda in Pikit, North Cotabato in 2000. She was a tank commander, the first female to take on that duty. Lt. Col. Nunag-Castillo, is the first female pilot of the 205th Tactical Helicopter Wing. In 2013, she was assigned to the 250th Presidential Airlift Wing, piloting a Bell 412 helicopter. Lt. Col. Lorenzo-Santiago said she was 18 years old when she entered the academy at a time when the concept of a female cadet was resisted by senior male cadets. She graduated as Summa Cum Laude. In 2020, Lt. Col. Santiago became the first woman to lead an Army Artillery Battalion as the Commanding Officer.

These women paved the way for the next generation of female PMA graduates. From 1997 to 2018, 451 female cadets have already graduated in PMA.

Several milestones on women's participation and leadership are also worth acknowledging. In 2020, for the first time in history, the Philippine Navy promoted a woman to the rank of commodore equivalent to the one-star rank of Brigadier General in the Army, Air Force, and the Marines.

Commodore Luzviminda Camacho is also the first woman to command a Navy ship, and the first female commander of Philippine peacekeepers deployed with the United Nations. In 2011, Brig. Gen. Ramona Go of the Philippine Army became its first female general in its 114-year history. In 2011, Air Force 1st Lt. Mary Grace P. Baloyo posthumously became the first female member of the Armed Forces of the Philippines to receive the Medal of Valor. In 2017, an all-women team called the “Hijab Troopers” program of the AFP was deployed during the Marawi siege.

The AFP wanted to demonstrate non-discrimination against members of the LGBT community who may want to apply. In 2018, Bataan 1st District Representative Geraldine Roman became the Philippines’ first transgender officer as a reservist officer of the Armed Forces of the Philippines.

As for the PNP, there is no woman holding the position Police Brigadier General as well as higher positions (Philippine Commission on Women, 2021).

Five percent (5%) of the annually allotted Candidate Soldier quota of the PA is allotted to female recruits. The PA reports that it has already complied with the Magna Carta for Women’s requirement to have 20 percent women soldiers in the ranks.⁷

On programs for gender and development, the AFP reports to have intensified its GAD programs to protect women during their recruitment, training, and service. Among their activities are Gender Sensitivity Training, Seminar-Workshops on Gender Analysis, GAD Executive Briefing to Senior Military Officials/Top Level Management, and lectures on GAD-related laws and mandates. The AFP also actively participates in national and international mandated GAD-related advocacies such as the annual Campaign to End Violence against Women.

Programs on GAD have been on-going since the AFP started accepting women in the military. Same privileges and opportunities in terms of pay increases, additional remunerations, and benefits and awards are being accorded to men and women in uniform. Equal considerations in terms of the area or field of assignment are given to both men and women in the AFP. The military also provides decent and separate billeting facilities and quartering for men and women regardless of location or type of assignment. The AFP is dedicated to enabling equal rights and opportunities in all aspects of its service, whether these are combat to non-combat operations (AFP, 2018).

Particularly, the Philippine Army incorporated GAD into its organization in 2007, and created a GAD section in 2009. The formation of the Philippine Army Gender and Development Focal Point System followed in 2011, and a year later GAD officers were designated and trained by each Philippine Army Major Unit and Office. The Office of the Army Gender and Development was established in 2014 (Quadra-Balibay, 2018).

The section on women in the military in the Magna Carta of Women was prompted by, among others, a policy that prohibits women from getting married within three years from entering the AFP. This policy has since been repealed.

There are policies on marriage, pregnancy, and maternity leave of female military personnel in the active service. Pregnant female military personnel whose duties include physically strenuous activities are exempted from performing such upon recommendation and certification by the attending physicians or military medical officer. Women are also afforded the same leave privileges as men because the Army promotes the need to have a balanced work and family life among its troops. There is a Child Care Facility that helps military and civilian employees. It ensures the quality and safety measures that are critical in protecting and promoting children’s development. In a research by Jacobson (2018), there is evidence showing that recruiting and retaining a workforce where a third of

the pool includes parents or potential parents of young children will require an incentive and benefit system that hinges, at least in part, on extending usable family leave benefits to the security sector workforce. Addressing the issue of maternity leaves requires a change in management and operational culture, especially in the security field. There is a recognition that those in the security sector have a pressing need to “be ahead” in order to support their office and “better” their portfolios (for promotion). It is important to address this in terms of anticipating gaps in the workforce, and as providing greater flexibility in their roles within the agencies.

Violence against women cases are treated with utmost confidentiality under the Office of the Ethical Standard and Public Accountability. The Philippine Army adheres to the AFP policy in the disposition of domestic-related offenses of personnel. Women soldiers are also encouraged to report violence against to the Gender-Based Violence Referral System established in 2015 where units and offices under the GBVRS network are mandated to establish a gender-based violence desk equipped with an interview room, database of cases, and other equipment.

The assignments on key positions in the PA are based on the same qualification applied to male officers, i.e., based on skills, training and physical abilities needed for the position. The female line personnel are accorded with equal opportunities for appointment, admission, training, and promotion in accordance with the standards required for such activities except those minimum essential adjustments, consistent with the needs and demand of the military profession.

On the other hand and in compliance with RA 8551, the PNP Women and Children’s Protection Desk (WCPD) has developed guidelines and procedures in the investigation of cases involving gender-based violence, training programs of police officers on handling cases on violence against women and children, trafficking, gender-responsive approaches to crisis intervention, medical literacy, and laws on violence against women. The WCPD is open 24 hours to receive complaints and provide rescue-assistance. It has issued tool guides in addressing violence against women (Philippine National Police, 2008). Other mechanisms, such as the gender point focal system are operational in the National Police Commission. This mechanism enables the agency to coordinate agency-wide gender planning, budgeting and implementation of plans, including recruitment and training for uniformed personnel, promotions and the creation of internal responses to violence against women like the Committee on Decorum and Investigation for sexual harassment cases.

Challenges to Mainstreaming Gender: Gender Stereotypes in a Male-Dominated Sector

Despite the achievements of a few outstanding women in the service, the question to be asked is how have these influenced the views on women and their roles in the security sector.

Research show that women in traditionally male-dominated institutions, such as the security sector, behave with an awareness that they will be judged by others based on their gender, thus are socialized into behaving in ways traditionally associated with femininity — being more sensitive with communicating with others and empathizing with their clients or civilians outside the force (Rabe-Hemp, et.al., 2020).

Modern security forces were initially formed with a male-only workforce. The initial absence of women in the security sector was partly due to gender norms which limited women’s participation in the arena. Despite numerous laws and policies in place to ensure that security sector reform recognizes women’s participation, the occupational identity of security and police work leans heavily on the masculine side (UN Women, et al., 2020). While there are policies that ensure women’s participation in the security forces, gendered stereotypes towards women’s work and roles still limit the recruitment and participation of women in the force.

In 2018, then PNP Chief Director Albayalde made a pronouncement that it will “continue limiting the recruitment of female police officers to 10 percent”,⁸ the number mandated by law (Tan, 2018). Albayalde cited maternity as one of the limitations for women in the police force, citing their unavailability to perform their jobs during their maternity leaves as a reason to limit women’s recruitment to the PNP. In Section 58 of Republic Act 8551, the PNP was mandated to recruit and train female officers to make up 10 percent of PNP’s annual recruitment who will support the operations of the women’s desk.

Gender stereotypes limit women’s participation, thus creating a disincentive for the women to get pregnant, and for the institutions to recruit more women. The Expanded Maternity Leave Act (RA 11210) was created to ensure that mothers are able to take care of their infants especially during the post-partum period. However, gender stereotypes and perceptions show that the unintended impact of such laws is to reinforce subtle biases on women resulting to lack of ambition, drive and dedication to their jobs when they become pregnant.

Challenges to the National Action Plan on Women, Peace and Security

One major focus of the NAPWPS is to influence the bureaucracy to mainstream the different pillars of gender and security. The implementation must involve as many agencies that have impact on human development, economy, justice, peace and security. In addition, the role of civil society organizations, those involved in peace, human rights and gender should be part of the monitoring and to the extent possible, implementation as well. A Joint Memorandum Circular between the Philippine Commission on Women and the Office of the Presidential Adviser on the Peace Process was issued to guide the integration of women, peace and security in gender budget (Philippine Commission on Women - Office of the Presidential Adviser on the Peace Process, 2014).

Participation of women in the peace process is one of the pillars of women, peace and security. In the Aquino administration, particularly in the peace negotiations with the Moro Islamic Liberation Front, the highlight was having a woman as lead negotiator (Miriam Coronel-Ferrer) and another woman-member of the panel representing the Philippine government. The head of the Philippine panel Secretariat was also a woman. There were also substantial women representation in the different technical working groups, some of which were even headed by women.

This, however, was not sustained during the Duterte administration, where the peace process actors were again dominated by men, particularly retired officers from the military. WeAct 1325, a civil society organization dedicated on the implementation of UNSCR 1325, raised concern that fewer women are occupying key positions in the peace process implementation mechanisms. There are no women leaders in the normalization committee as well as in the Joint Peace and Security Teams.

While acting as a non-combat group to the MILF-Bangsamoro Islamic Armed Forces, the Bangsamoro Islamic Women Auxiliary Brigade (BIWAB) served in the frontlines as medics and support for their male counterparts. The non-representation of BIWAB in the normalization mechanism seemingly signifies neglect of the specific and distinct experiences of women in peace and conflict.

Conclusions and Recommendations

Security sector reform is a holistic process involving uniformed personnel and their respective institutions, public and private stakeholders, including civil society who must work together to realize a security sector that operates within the principles of human rights, good governance, rule of law and democratic norms.

Embedding gender inclusivity and equality in security sector reform will result in meaningful recognition of the unique and complementary roles of women and men in the security sector. One of the immediate acts that need to be done is to have periodic review of gender equity mechanisms, including affirmative actions like setting quotas, to determine its impact and whether it has achieved its objectives.

It is always prudent to have a well-developed program for gender equality. This can be made possible by conducting a comprehensive gender analysis of the security sector to determine the status of policies, mechanisms, programs and budget. The annual GAD plans prepared and submitted by agencies can serve as initial baseline data for this purpose.

The National Action Plan on Women, Peace and Security has yet to be fully utilized, implemented and mainstreamed in the security sector. Collaboration between the security sector and the civilian agencies is necessary in this regard.

There are sufficient laws and policies that support gender equality in the security sector. The military and the police have had various efforts, including the use of gender budget. It is useful to scrutinize the effectiveness of these efforts to be able to provide guidance towards mainstreaming the gender agenda. A Congressional oversight action on the status of laws and policies may be called to ascertain not only the compliance but the viability of such laws, as well as on how gender mainstreaming should be calibrated to address the changing realities of the security and peace context.

Lastly, but equally relevant, leaders and policymakers must listen to the voices of its constituents. Below are specific recommendations from a 2021 conference on security sector reform and gender (Security Sector Reform and Governance, 2021):

1. On use of gender fair language: Institutionalize gender-fair language in all processes and documents to reduce gender-stereotyping, harassment and discrimination. Institutionalizing gender-fair language also decreases gender-stereotypical perception of leadership.
2. On recruitment, training and promotion: Inclusion of GAD topics in the program of instruction of the entry programs for applicants and new personnel to raise consciousness on gender equality, and remind recruits that violence against women and children and sexual harassment are penalized by the institution.

Encourage diverse recruitment to ensure women, and members of minority groups such as indigenous and religious minorities become members of the security forces. This includes removal of height waivers, targeting to include the underrepresented groups, vetting out human rights violators, and ensuring facilities are responsive to the needs of both men and women. Retention policies and merit-based career advancement programs that include mentoring, ensuring equal pay, benefits and pensions must be improved. A specialized training on gender and development (GAD Training Ladders and Programs in the Career Development Plan) must be created. Maternity and paternity programs must also be improved.

Collection of disaggregated data (including but not limited to gender, diversity, cultural, and linguistic minorities) to understand the trends for recruitment must be expanded. This brings strategic value to the security sector as it allows the organization to tap into a broader and deeper talent pool of personnel. An institutionalized sex-disaggregated data in all levels of reporting can inform more gender-specific analysis and program recommendations.

Finally, promote positive reflections of the police and the armed forces in quad media (i.e., print, broadcast, support, and social media) to include females to strengthen the portrayal of women in the force to encourage women to apply.

3. On assignments: Review and revise policies that allow for shared care work, as well as childcare and paternity leaves. These strategies include recruitment initiatives in areas of choice for the first posting, initiatives to recruit when ready, reduced initial minimum period of service for some employment categories, among others to ensure shared care work and the performance of parental and childcare roles. Gender targets must also be done to include better representation (more women leaders in committees) of women in oversight bodies at the national and local levels.
4. On gender sensitivity in the security sector: Normalize males performing care work through the use of quad media to normalize care work among men. This influences how males think and can ensure that care work and caregiving is shared by both men and women.

Endnotes

- ¹ This essay benefited from the research work of Ms. Diana Kathrina L. Fontamillas
- ² The Security Council has adopted nine more resolutions on Women, Peace and Security (WPS) after Resolution 1325: Security Council Resolutions 1820 (2008), 1888 (2008), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015), 2467 (2019), and 2493 (2019).
- ³ CEDAW was adopted in 18 December 1979 by the United Nations General Assembly. It is described as an international bill of rights of women. The Philippines signed the CEDAW on 15 July 1980 and ratified it on 5 August 1981.
- ⁴ Hijab is an Arabic word that means 'being covered'. Islam requires Muslim women to cover themselves in public and in the presence of people who are not 'mahram' which refers to family members or persons who are allowed to see Muslim women without cover.
- ⁵ [http://35.229.131.69/index.php/2020/03/15/afps-five-lady-generals/March 15, 2020](http://35.229.131.69/index.php/2020/03/15/afps-five-lady-generals/March%2015%2C%202020)
- ⁶ <https://pnp.gov.ph/pcw-pnp-boost-ties-to-strengthen-gender-mainstreaming-in-police-force>, posted Oct.1, 2021.
- ⁷ Orillo, M. (2019, July 25). Gender equality in the military. Fame Leaders Academy. Retrieved August 12, 2022, from <https://fameleadersacademy.ph/2019/07/25/gender-equality-in-the-military/>
- ⁸ The assertion that they will stick to this limit was based on Albayalde's apprehension of female officers getting pregnant, "Remember there are restrictions kapag minsan babae lalo na kapag nag-asawa 'yan, nabuntis 'yan lalo ngayon 'yung maternity leave napakahaba... Inextend pa yata 'yan 'yung maternity leave, so you could just imagine hindi mo magamit 'yung pulis for that span of time," Albayalde said. (Tan, 2018)

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Chapter 6

Security Sector Reform and Governance in a Transitioning Society: *The Philippines Case*

Jennifer S. Oreta, Ph.D and Mario J. Aguja, Ph.D

Abstract

There is long history of security sector reform process in the Philippines. The desire to professionalize the ranks has always been the aspiration of security institutions. Politics, however, meddle with this agenda. Security institutions are often used by political leaders to advance their political and self-serving agenda, compromising the integrity of the security organizations. However, the desire to professionalize and modernize the institutions is like a clarion call that guides the security sector back on track.

This chapter provides the summary and conclusion of the book. It highlights major concerns and challenges that need to be hurdled, and offers recommendations to strengthen the reform and good governance agenda of the security sector.

Keywords: *security sector governance and reform, security sector reform, society in transition, Philippines, military, police, peace process, sustainable development goal 16*

Security sector reform (SSR)¹ is a long and arduous process. It requires a strong commitment and determination from political leaders to carry out the reform. The process must be sustained, and this can be done by ensuring that reforms are translated to policies, programs, and procedures, and embedded as part of the norms, values, and rewards of the institutions. Ideally, the path has to be unbroken and be able to withstand the transfer of powers of elected leaders. The reality, however, offers a different picture. Oftentimes, the process would progress steadily if the political leaders remain committed, but would stagnate or even regress when succeeding political leaders are lukewarm with the process.

SSR in the Philippines entered the formal lexicon under the administration of President Benigno Aquino III (2010-2016), when he included SSR as part of his campaign promise and social contract with the people. To claim, however, that SSR started only then is inaccurate. There had been several efforts to reform security institutions since the independence period. Chapters 2 and 3 of this book presented the progress and regression of the reform process in the institution.

The on-and-off reform process in the security sector reflects the broader democratization movement the state threads, as illustrated in the Philippines – a society in transition.

A ‘society in transition’ has any or all of the following characteristics.

1. There is shift in the political system, usually from a dictatorial-authoritarian system to a more open or democratic system. The democratic system is in place, but democratic norms/values are not yet fully imbibed by the people. Good governance institutions are present in form but the decision-making channels remain dominated by elite interest, rendering institutions weak and/or fragile. Given that ‘democratic governance’ is appreciated in form but not necessarily embraced as a norm, the infrastructures of democracy are always under threat of being undermined by vested interest. People are not moved to fight for their rights; they also lack the imagination on how to push the boundaries of power within the legal framework. The democratic system, thus, is in constant flux of consolidation to regression and erosion of rights.
2. Wealth distribution remains skewed and the quality of life of the majority remains poor. Social services provided by the state is inadequate and needed to be supplemented by non-government/non-state organizations.

3. Armed conflicts are present in whole or in parts of the country, and there is problem on security stability. There remains the proliferation of armed groups like state militia, private armed groups, criminal syndicates, rebel groups, and these groups exercise authority in their areas of operation; they likewise perform the functions of peace and order and conflict management in communities. There is also widespread proliferation of unregulated firearms in the hands of civilians.

This is the context of the discussion on the Sustainable Development Goals (SDG) mainstreaming, and the security sector governance and reform (SSGR) agenda particularly in the Philippines.

The sustainable development goal most relevant to Security Sector Governance and Reform (SSGR) is Goal 16. “SDG 16 stresses the need for strong institutions that are built on respect for human rights, effective rule of law, and good governance at all levels. It is arguably one of the most ambitious goals in the 2030 Agenda because it is not simply a goal by itself but also an enabler for the achievement of other goals” (DCAF SSR Backgrounder, 2021). “Good SSG demands that the security sector has the structures, personnel, equipment, and resources necessary to fulfil the legitimate security needs both of the state and of individuals and communities” (Ibid).

SSGR in the Philippines targets two main groups: (a) first is the core security forces, i.e., the military and police,² to ensure that they are accountable to the democratic civilian authority, are respectful of human rights (HR) and international humanitarian law (IHL), and are bound by the rule of law; (b) SSGR is also concerned with the civilian institutions involved in the management and supervision of the core security forces, giving particular focus on their oversight function over the core security actors.

The goals of SSGR in the Philippines can be summarized into the following points:

1. Develop a professional, accountable and modern security force that is capable of addressing the broad *security demands* of state and people;
2. Ensure that core security forces will not be instruments of atrocities or abuse of rights;
3. Establish an effective, critical and constructive civilian oversight mechanisms over the core security forces.

The military and police have gone through a meticulous process of reforming their respective institutions. While still incomplete, the reform process has made significant progress, but it has not been easy.

Since the military has the monopoly of the legitimate use of violence, it is not supposed to engage in politics and must remain as instruments of policy (Weber, 1919). Given its organizational cohesion and unity of command, the military has full capacity to meddle or even take over the government if it wants to. This is the logic why it should be shielded and prevented from partisan political engagement. Tasking the military with internal security operations requires their stay in civilian communities, necessitating the engagement with local politicians and parochial concerns, and thereby politicizing the ranks.

RA 6975, enacted on December 13, 1990, established the Philippine National Police (PNP) under the Department of Interior and Local Government (DILG), and by 1992, internal security operations has been transferred to the police as part of its counter insurgency operations. But in 1998, this law was amended by RA 8551 (“Philippine National Police Reform and Reorganization Act of 1998”). The amendment includes transferring the responsibility of suppressing insurgency or internal security, from the police and the DILG back to the military.

Given the preponderance of counter insurgency responsibility of the military, discussion on SSGR is naturally focused on internal security. This creates an awkward and oftentimes, misaligned framing of agenda versus actual operations. As a territorial defense force, the training of the military, both in ethos and skills, are directed against an external enemy from which it must defeat to secure its people. But when the military trains its eyes on the very people it is supposed to defend and protect as part of its internal security function, it create institutional confusion and dilemma. “The very nature of military operations done within the confines of one’s territory, using tactics and maneuvers against one’s own people, create delicate situations where the military traverses a tight rope, and violation of rights was more the expectation than the exception” (Oreta, 2012).³

The Military During Post-Independence Era (1946 – 1971)

The Philippine military was formally created under the American colonial period, and copied a significant portion of its doctrine, rules of engagements, training, and ethos from the Americans. The Philippine Scout was organized in 1901 to handle the armed rebellion, and the Constabulary to handle peace and order. The 1935 National Defense Act had the United States in charge of external defense. Hence, the Scout and the Constabulary, forerunners of the Philippine military, were expected to deal with internal security, while external defense is tied with the geopolitical interests of the Americans.

The complication arise from the fact that while the Philippine military’s primary function is internal defense, the Philippine Military Academy (PMA), and the entire design of the military institution in general, was fashioned after the US West Point and the USA armed forces, respectively, whose focus is on inter-state or external-territorial defense. There is obviously a misalignment of training, doctrines, and tasks. This is the heart of the institutional challenge of the military.

In the post-independence era, the role of the military was expanded to include defense of the country from external aggression, internal defense, and promotion of peace and order. Still, the bigger responsibility is internal in nature. The main concentration was quelling the rebellion led by the communist insurgency, the Hukbong Mapagpalaya ng Bayan (HMB) or the People’s Liberation Army. The strength of the HMB group steadily increased until President Magsaysay initiated the counter-insurgency operation (COIN) under the guidance of the Americans. “(T)he role of the AFP was expanded from purely armed combat to active participation in socio-economic interventions aimed at winning the hearts and minds of the local population... The COIN Program also included the Economic Development Corps project which sought to resettle and provide land for the Communist rebel returnees in different parts of the country” (Hernandez, 1999 as cited in Pablo, 2022).

President Magsaysay successfully negotiated with the HMB that allowed the succeeding administrations of Presidents Garcia and Macapagal to push the military ‘back to the barracks’ and focus on strengthening its external defense role.

Martial Law Period (1972-1981)

Using the issue of communist insurgency and Muslim secessionism, President Ferdinand Marcos imposed martial law under Proclamation 1081. Hernandez (1985) used the term Constitutional Authoritarianism to describe the move. President Marcos abolished all institutions of democracy and established himself as dictator to extend his stay in power.

The 1935 Constitution was replaced by the 1973 Constitution, largely fashioned to justify the martial law declaration. The police and the military were used by President Marcos to keep himself in power, silence the opposition, and trump the democratic processes. Upon the imposition of martial law, the military and police suddenly found themselves in the frontline, not just in battle, but also in institutions of governance since military and police units were tasked by the Commander-in-Chief to manage government units that should have been under civilian control. The performance of local government units in conflict affected areas was placed under the scrutiny and supervision of the military's Brigade and Battalion commanders. Overnight, the power and authority of these core security actors quadrupled, but so did the scope of the work they were expected to do.

Considering that the core competency of the military and police is the management of violence, security and safety, the expanded role given to them, without the proper orientation and training, became their boon and bane. Saddled with too much power not yet experienced by the institution since its establishment, abuses became a common occurrence to the dismay of professional soldiers and police who have worked hard to professionalize the security institutions and shepherd them from the vestiges of its colonial past.

"Under President Marcos, some civic functions were not only delegated to the AFP but made them integral components of his economic development program... (T)he involvement of the AFP in government's service delivery is not a novel idea but it is only during the time of Marcos that the AFP's participation in non-military roles are institutionalized. Before Marcos, military role expansion took place within a political environment where the political institutions were relatively strong, the rules of the political game were observed, and the supremacy of civilian authority over the military was intact" (Fact Finding Commission, 1990). Under President Marcos Sr., the AFP became a major instrument of the President to enforce its dictatorial rule. "The core security actors' participation and direct involvement in the implementation of the martial rule had profound and debilitating effects on its institutions and actors. Beyond the human rights abuse and entrenchment of a culture of impunity, it also politicized the core security forces that resulted in multiple coup d'état attempts during the presidency of Cory Aquino." (Tolibas, 2022). The administration of President Corazon Aquino in fact faced the most number of coup d'état attempts in the post-Marcos period.

Post-Martial Law

The 1987 Constitution has many provisions that are meant to prevent the emergence of another dictatorial rule (Tolibas, 2022). The principle of civilian authority over the military is enshrined in the Constitution, and the duty of the military is clearly spelled out, i.e., to be the protector of the people and the State (Art 2. Sec 3). It also contains a set of provisions focused on the professionalization of the military.

Administrative Order No. 146 was issued by President Aquino in 1989, which created the Davide Fact Finding Commission and was tasked to investigate the coup d'état attempts particularly the 1989 armed rebellion by members of the Reform the Armed Forces Movement. The Fact-Finding Commission stated three factors that were contributory in the politicization of the military: (a) the involvement of the AFP in non-traditional, civilian roles in the government; (b) erosion of democratic institutions, and (c) loss of professionalism in the AFP (Tolibas, 2022). The recommendations of the Davide Commission largely informed the SSR process especially that of the military.

On July 27, 2003, the Oakwood mutiny took place, led by about three hundred middle ranking officers and soldiers from the "Magdalo" group. Among its demands include the resignation

of President Gloria Macapagal Arroyo, Defense Secretary Angelo Reyes, PNP Police Director Gen. Hermogenes Ebdane, and AFP Chief of Intelligence Service Victor Corpus. The Oakwood mutiny was quelled, but the incident exposed the slow progress of reforms in the security sector.

The Feliciano Commission was created by President Macapagal-Arroyo on July 30, 2003 to investigate the 2003 Oakwood incident. It was also tasked to assess the extent of the implementation of the recommendations stated by the Davide Commission. The recommendations of the Feliciano Commission, together with that of the Davide Commission, form the major components of the security sector reform agenda today.

Current Efforts at Security Sector Governance and Reform

The AFP and PNP have steadily moved forward in the reform process. Republic Act 7898 or The AFP Modernization Act was passed in 1995, under the leadership of President Ramos. With a budget of P330 billion, the goal was to modernize the military within a 15 year period. By 2010, however, only 10% of the modernization funds were given to the AFP. A new law was enacted in 2012 to continue the modernization for another 15 years, with a PHP75 billion budget allotted for the first 5 years⁴ (Oreta, 2021).

The modernization indeed has received considerable boost during the administrations of Benigno Aquino III and Rodrigo Duterte. From 2010-2016, the government spent P41.2 billion (\$1.7 billion) for the AFP modernization. The approved budget for the second phase of the modernization, from 2016-2022, is P300 billion (\$5.6 billion). The PNP, likewise received ample support from the government: P9 billion was used for police modernization under the Aquino administration; and under the Duterte administration, P1.2 billion for vehicles, communication equipment, and rifles, and P569 million worth of equipment and mobility assets in 2020; and an additional P128-billion Revitalization and Capability Enhancement Program for the PNP, to be implemented for 10 years beginning in 2022 (Oreta, 2021). Indeed, the modernization programs of both the police and the military received ample support, especially from the administrations of President Aquino and President Duterte.

“But while material modernization is a major feature of the SSR agenda, it is equally important that the norms and values of the institutions, its organizational doctrines, and the standard operating procedures or rules of engagement are also reformed. As policy instruments of a democratic state, these institutions must fully embrace the principles of democratic governance, respect for human rights, and civilian authority over the military and the police” (Oreta, 2021).

The notable innovation done beginning with the Benigno Aquino III administration was the formulation of the AFP Internal Peace and Security Plan (IPSP), the PNP Samahan Campaign plan, and the Transformation Roadmaps of both agencies.

The IPSP-Bayanihan (2010-2016) and DSSP-Kapayapaan (2016-2022) campaign plans underscore the human security or a people-centric and multi-stakeholder approach to peace and security, as well as the necessity to protect human rights and civil liberties, with the desired end of reducing the capabilities of internal armed threat groups “to a level that they can no longer threaten the stability of the state, and civil authorities can ensure the safety and well-being of the Filipino people” (AFP-IPSP, 2011).

The AFP Transformation Roadmap (AFPTR) “aims to bridge organizational gaps in its systems and processes, capability, and personnel; the end goal of which is to have a military organization ... that seamlessly joins the service units of army, navy and marines, and air force, and... is fully mission capable with professional, disciplined and competent soldiers. Key to success in achieving the desired

change is alignment within and beyond the organization” (Rombaoa, 2022). It adopted the Performance Governance System (PGS), and created a multistakeholder governance council composed of public and private sector leaders with recognized credentials to provide strategic advice and recommendations to ensure the continuity of the AFPTR, and assist in improving transparency and accountability of the AFP.

The PNP Transformation Roadmap like the AFP, adopted the Performance Governance System. Under the Duterte administration, the PGS seemingly took a hiatus. In 2021, the PNP again took the cudgels of the reform process and published the Revised PNP Operational Procedures, highlighting the PNP’s commitment on the key principles of professionalism, transparency, accountability, human rights legal framework, and rights-based approaches (Directorate for Operations PNP, 2021).

With regard to gender mainstreaming, the National Action Plan on Women, Peace and Security was initiated and formalized during the administration of President Arroyo and continued on until the present administration. Together with relevant legislations, like the Gender and Development (GAD), Magna Carta of Women, and Women in National Building Act, policies and practices have been put in place in both the police and military institutions. The most notable of which was the opening of officer training institutions like the PMA and Philippine National Police Academy to women, the creation of mechanisms to penalize sexual harassment in institutions, and opening of equal opportunities in training, education, and assignments for all genders. “Despite laws and policies in place, including the GAD fund, there still remains many gaps which can be improved on. The lack of gender-responsive champions, not only women but also men who believe in the advocacy, is required to ensure that programs are supported from the ground up” (Sandoval, 2022).

The Peace Process and SSGR

The Philippine government has pursued peace with rebel groups since 1976 under President Ferdinand Marcos, and revived again in 1986, under the administration of President Corazon Aquino; the peace process continues on until the present administration. For the past thirty six years since 1986, the negotiations with the communist armed group, the Communist Party of the Philippines-New People’s Army-National Democratic Front has been on-and-off, while the negotiations with the Bangsamoro groups have moved steadily forward. A Final Peace Agreement (FPA) was signed between the Government of the Philippines and the Moro National Liberation Front in 1996. The FPA serves as the basis of Republic Act 9054 that amended RA 6734, with the aim of strengthening and expanding the authority and scope of the Autonomous Region in Muslim Mindanao. The Comprehensive Agreement for the Bangsamoro was signed between the Government of the Philippines and the Moro Islamic Liberation Front in 2014, and its translation into law replaced the ARMM with the current Bangsamoro Autonomous Region of Muslim Mindanao.

The success of the peace process, however, is hinged on a successful security sector governance and reform process to ensure that the fuels and triggers of rebellion and armed struggle are addressed. Absence of a strategic approach to SSGR creates the danger of reproducing a persistent militaristic mindset and practices due to prolonged armed violence.

It is therefore necessary to bridge the essential components of the peace building that have direct effects on SSGR. Some of these issues are the highlighted here.

1. Once a peace agreement with the government is forged, it is important to anticipate possible new threats to public security. The demobilization of arms of rebel groups might result to a security vacuum, where the demobilized forces may fall victim to adversarial groups in the community. In other words, the peace agreement may settle the vertical

conflict between the state and the non-state armed group, but it does not automatically mitigate the horizontal conflicts between and among groups in communities.

Following the cessation of armed conflict, new groups may emerge to take-over control of areas that used to be under the domination of the rebel group. The emergence of new players can create security instability which may result to rise in criminality. Communities faced with new security threats might create an increased demand for security provision, and may even support a hard line stance on crime like surveillance and profiling of persons/groups of interests. If the trust level between groups involved in the peace process is still fragile, this hard line response on criminality can be misunderstood by rebel-turned-peace-partner groups; it can also be used and abused by over-eager state forces.

2. Paramilitaries and commercial security providers may emerge as significant actors, particularly in response to the inability of the state to grapple with the deteriorating public security situation. In a context where the legal framework and oversight functions of civilian agencies over the security sector are weak, this can create more problems than solutions. Enclaves and exclaves of secured communities may emerge where security provisions are privately managed; this can become a concern if conflict of interests emerged. For example, when government forces are prevented by private security detail to enter an enclave, it can result to a stand-off, or worst, an actual armed hostility.
3. Demobilized armed groups must be provided with alternative means of livelihood. Likewise, they should be given space in the political arena. The challenge is how to organize them into legitimate political parties or civil society organization (CSOs) and help channel their grievance and demands to peaceful political competition and nurture them to become part of democratic opposition.

Another issue here is that the phasing and speed of the demobilization of arms must coincide with the organization of rebel-turned-peace-partner into civilian groups. If the rebel-group-turned-peace-partner has successfully re-organized itself into a CSO or a political party, but its demobilization of arms lag behind, the result is having an armed civilian organization akin to a private armed group. The uncomfortable situation is that the government has little choice but to tacitly sanction this arrangement. This obviously runs contrary to the entire logic and spirit of having a peace agreement to reduce the number of armed groups and remove the use of arms in politics.

4. The National Security Policy (NSP) and National Security Strategy (NSS) of the country must reflect the provisions of the peace agreements. The NSP and NSS should promote coherence and coordination across national government departments that are involved in SSGR and peace agreements/demobilization of arms and forces. These policy documents must have clarity about which organizations, agencies, institution will lead the effort. They must clearly spell out the transition plan needed to facilitate the return to civilian life of rebel groups, the return to normalcy of community life, jumpstart the development of geographically isolated and conflict affected (GICA) communities, plan to manage community security especially those affected by decades of armed violence, and nuance the response in dealing with criminal groups and terrorist groups. The transition plan must also spell out the roles, expectations, and responsibilities of national agencies and local government units in making all these things happen.

5. The security sector governance and reform must be sustained. The fears and aspirations of the (former) combatants must be addressed, and the economic base of peace spoilers (i.e., their illicit activities) must be destroyed through economic and institutional reforms. There should be local ownership or 'buy-in' of the peace process by local communities by ensuring that the process is inclusive; and there should be financial and fiscal sustainability of the reforms. The communities affected by conflict must understand that the support provided to former rebel organizations are investments on peace and not a reward for the violence they have committed against civilian populations. The business sector must also be deeply engaged in the process to ensure that they invest in areas 'cleared' of conflict. Availability of employment and vibrant economic activities in these areas are necessary to ensure that reforms are sustainable.

SSGR and SDG 16

The country remains committed to achieving the SDGs, but more is expected to attain its various targets by 2030. There is a strong indication that the current Marcos administration will incorporate the SDGs in its medium-term development plan. But just like its predecessor, it faces similar challenges in attaining the SDGs. For instance, SDG 5, the need to increase the recruitment of female staff in the police, the judiciary, and the military remains a challenge. The country has legislated several laws as affirmative action to increase women in the bureaucracy, especially in the security sector (e.g., Gender and Development Act), but more still needs to be done. "Embedding gender inclusivity and equality in security sector reform will result in meaningful recognition of the unique and complementary roles of women and men in the security sector. One of the immediate acts that needs to be done is to have periodic review of gender equity mechanisms, including affirmative actions like setting quotas, to determine its impact and whether it has achieved its objectives" (Sandoval, 2022).

Likewise, SDG 17 calls for multi-stakeholder approaches at both the national and international levels. While stressing the importance of respect for national political decisions, it highlights the need for enhanced policy coherence, international capacity building, and commitment to official development aid to achieve the SDGs. Whole of government and whole of society approach have been in the lexicon of the government bureaucracy for some time, but actual convergence of efforts require a transformation of processes, practices, protocols, and mindsets. In other words, more than the rhetoric, convergence requires a transformation of the entire bureaucracy, both in systems and structures. To do this, an overhaul has to happen if the desire is to have it done swiftly; otherwise, it will take generations to achieve this desire for "whole of government", much more, "whole of society" approach. The country has much to learn from the experiences of other countries in attaining the SDGs. It also has valuable lessons and practices to share with the global community. Likewise, the country needs technical and financial assistance from donor countries to finance the pursuit of various SDG targets, given its current economic constraint.

Aside from the need to develop concrete national indicators and awareness-raising regarding the relevance of SDGs to ensure that these targets are achieved, there is also the urgency of coordinated policy works among government agencies, from the executive to legislative branches, to address interrelated SDG targets. Financing the SDGs is also a big challenge for the country. This becomes more problematic given the current demands to pump prime the economy after COVID-19.

Accomplishing the targets for SDG 16 remains a challenge for the security sector. After carefully analyzing the Goal 16 targets, one can safely conclude that the Philippines is lagging in its accomplishments. As earlier noted, SDG 16 has two major interrelated targets. These are the security

targets (e.g., significantly reducing violence-related death rates everywhere) and governance targets (e.g., strengthening public institutions to combat terrorism and crime). The accomplishments of these depend on the security sector's reform initiatives that ensure that it continues to be effective and efficient to contribute to attaining SDG 16 targets. Likewise, policy reforms are needed to achieve SDG 16 goals, such as promoting and enforcing non-discriminatory laws and policies for sustainable development, freedom of information, and promoting the rule of law.

There is a need to strengthen oversight over the security sector. Oversight institutions (e.g., Congress, Ombudsman, etc.) must be regularly assessed and strengthened in terms of the Triple-A test – Authority, Ability, and Attitude. Oversight institutions must be provided with authority or mandate to oversee state and non-state security actors effectively. It must enhance the ability of personnel of oversight institutions to enable them to carry the mandate. Finally, oversight institutions must have the needed attitude to fulfill their mandate dutifully without favoritism and reservations. Oversight institutions must also be adherent to the principles of good governance and rule of law.

It is a welcome development that there are committees in the Philippine Congress dedicated to the SDGs that keep the different goals mainstreamed on the legislative agenda. However, as these committees are designed to oversee various efforts and processes to achieve the SDGs, they have faced challenges in shepherding other committees (of which there are many) toward contributing to this objective. Yet, even with dedicated congressional committees to legislate, provide budget and oversight, the Philippines has only met a few SDG targets. It seems that in attaining SDG 16 in the Philippines, the contribution of Congress has seemingly been more accidental than purposeful. The link between SSGR and SDG 16 must be strengthened so that its realization can functionally and dramatically influence the evolution of a more effective and efficient security sector.

The Philippines must engage in international cooperation to achieve SDG 16, as security is not only a domestic concern but also with clear international ramifications.. With seven more years on the horizon, the country must double its efforts to achieve the SDGs in general, and Goal 16 in particular. Doing so will surely bring benefit to the Filipino people. A professional security sector can better contribute to the promotion of a peaceful and inclusive society.

As a final note, the authors wish to reiterate that “(s)ecurity sector reform is always anchored on the overall security policy and strategy of the state. SSR is a political and policy decision - its success requires the commitment and dedication of the policy makers, as well as the resilience of institutions to the reform process. In all these, consistency and clarity are key consistency in pursuing modernization, and clarity in promoting the democratic values and ideals in all endeavors” (Oreta, 2021).

Endnotes

- ¹ Of late, the term SSR is expanded to SSGR or Security Sector Governance and Reform. See 2009. DCAF Security Sector Integrity. <https://securitysectorintegrity.com/about/dcaf/>
- ² In certain situations, it also includes deputized bodies authorized to bear and use arms/weapons to perform security/peace and order related work.
- ³ SSR Lecture for CSOs, 2012.
- ⁴ <https://www.bworldonline.com/opinion/2021/07/12/381859/security-sector-reform-under-pnoy-and-duterte-administrations/>

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