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# Restoring Democratic Civilian Control over the Philippine Military: Challenges and Prospects

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## Introduction

In the process of democratization in developing countries, an important issue whose successful resolution is critical to the institutionalization of democracy is the establishment of democratic civilian control over armed forces. Former colonial powers in many of these countries failed to establish and develop institutions of political governance together with the requisite human resources for their effective operation. During the colonial era, the most organized and modernized sector was often the armed forces. They were used to impose control over the colony or to "pacify" indigenous opposition against colonial rule. When colonial rule ended, the successor government ran by largely inexperienced local leaders failed to govern and was replaced by military rule either through a coup d'etat or through invitation by inept civilian politicians. Consequently, during most of the two decades of the immediate post-colonial period, military control of politics characterized almost two thirds of the developing states in Africa, Asia, and Latin America.<sup>1</sup>

In the late 1970s through the following decade and into the mid-1990s, the phenomenon of "third wave" democratization<sup>2</sup> swept countries used to be under direct or indirect military control. Democratization took place and with it, efforts to restore or establish civilian control as a component of the process. However, this is a daunting task, even for those that have had previous experience in democratic civilian control. The Philippines is no exception as it grapples with this challenge to the restoration of democracy. This article seeks to chronicle and analyze the measures undertaken by the Philippine government since 1986, the

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challenges it must face, and the prospects for the restoration of democratic civilian control over the military in the country.

Civilian control means the subordination of a country's military officer corps to the civilian government. It is achieved through constitutional arrangements where civilian political institutions such as the chief executive (a president or a prime minister), the legislature, and the judiciary are given powers to oversee military activities and restrict them to the military's legitimate mission or areas of responsibility. It is sometimes referred to as civilian supremacy over the military. Civilian control can be found in both democratic and authoritarian/totalitarian political systems such as in the advanced democratic countries in the West and in socialist countries such as China and the former Soviet Union. In a democracy, the presence of a multiparty system and a free press helps promote civilian control beyond the constitutional grant of oversight functions to civilian political institutions. In socialist systems, the party exercises civilian control over the army through a parallel hierarchy of political commissars within the military.

Military involvement in politics can take many forms. Welch<sup>3</sup> identified four such forms: military **influence** which he considers a normal kind of military involvement; military **participation** where the military becomes a partner of the civilian government; military **control with partners** where the military rules, but does so behind a facade of civilian politicians to gain legitimacy; and military **control without partners** where the military no longer makes any pretense of having civilian partners in government and takes direct control of politics. Welch further argues that civilian control is strongest under military influence and non-existent under military control without partners. Military involvement in Philippine politics moved from military influence (1946-September 1972) to military participation (September 1972-February 1986). It has since been in the process of being returned to military influence under democratic civilian control.

### A Brief Background to the Issue

Until the imposition of martial law by Ferdinand Marcos in September 1972, the Philippines had been an exception in the general trend of military control

over politics in the developing world. Historical and other factors served to instill the ethos of civilian control or civilian supremacy over the military both among the civilian political and military leaders.<sup>4</sup> Philippine experience with men in uniform, from the Spanish colonization in the 16<sup>th</sup> through the 19<sup>th</sup> centuries and into the Japanese occupation of the islands during World War II did not leave a positive impression in the collective mind of Filipinos. Even their experiences with the Philippine Scouts and the Philippine Constabulary during the American colonization of the country and the Philippine military's suppression of the Huk<sup>5</sup> insurgency in the late 1940s and early 1950s did not improve the image of the men in uniform among Filipinos. The fact that independence from the United States (U.S.) was won not by the army, but by civilian politicians denied the military an important basis of political legitimacy, unlike in nearby Indonesia whose military fought the Dutch, consequently winning for itself a legitimate share in political governance as an army of independence.

Moreover, the U.S. left a legacy of training in self-government to Filipino political leaders, including a set of democratic institutions largely patterned after its own. This provided a framework for governance in the post-independence period, much unlike in other former colonies elsewhere that looked up to the military to take over the task of political governance. The Philippine economy was also the second most progressive in Asia, next to Japan's until the mid-1960s. This obviated another justification for military intervention in politics in which the military in other developing countries justified taking power to reverse severe economic downturns that civilian leaders could not arrest. Finally, U.S. military presence precluded political collapse and anarchy of the scale seen in other developing states that became an excuse for a military take over soon after independence was achieved.

However, this exceptional experience of the Philippines came to an end with the imposition of martial law in September 1972. Although the military had previously undertaken non-military activities in the course of the suppression of communist insurgency, this took place in the presence of functioning civilian political institutions that exercised oversight functions over the military, such as the Presidency in its capacity as commander-in-chief of the armed forces, the

Congress through its budgetary, appointment, and investigative powers, an independent judiciary, and full civil and political freedoms including a free press. In 1972, these institutions with oversight functions over the military were dismantled, suspended, or weakened, leaving the Presidency as the only remaining civilian political institution to exercise these oversight functions.

However, Marcos needed the military to maintain his position and had, therefore, no great motivation or intention to curb military power. In fact, he allowed for its expansion from 1965 as the government's partner in national development and revised the military career development pattern by requiring for the purpose of promotion, graduate degrees in civilian educational institutions in various non-military fields such as economics, political science, public administration, and business management. This equipped military officers with managerial skills to run economic and social organizations that are more complex than the military. Military organizations steeped in a managerial style of leadership tend to be more interventionist than those of the heroic style variety.<sup>6</sup> This helps explain the transformation of the Philippine military from an institution subordinated to civilian political authority to one that became prone to coup attempts against the government during the democratic transition. Moreover, Marcos also adopted the doctrine of the military as a partner in national development, one that enabled the military in other developing countries to take over politics. In the Philippine case, partnership in national development contributed to the politicization of the military<sup>7</sup>, particularly among the young idealistic officers that were to become principals in the various coup attempts against the Aquino government.

With martial law and authoritarian government in place, the only civilian leader that remained to control the military was Marcos. Soon, institutional control over the military previously vested in the institution of the Presidency gave way to personal control by Marcos. In the meantime, the military became a partner of Marcos in governance in which military officers ran industries confiscated by the government, managed development projects in behalf of government, assumed judicial functions, became governors of provinces and mayors of towns and cities, and replaced civilian politicians as dispensers of

political patronage.<sup>8</sup>

When a popular uprising - triggered by the government's attempt to steal the results of the snap presidential elections combined with the breakaway of Marcos' defense minister and young military officers - succeeded in ousting Marcos in February 1986, the transition to democracy and its institutionalization faced many challenges. One of the most dangerous was the series of coup attempts to unseat the government under Corazon Aquino. Military officers loyal to Marcos launched the earlier coup attempts. This is understandable, considering that they stood to lose their share of political power and the promise of a successful career without Marcos. They were also at risk of being prosecuted for alleged human rights violations in the course of enforcing martial law and suppressing a new communist insurgency under the Chinese-inspired Communist Party of the Philippines (CPP) and Muslim secessionism by the Moro National Liberation Front (MNLF).

However, the same military officers that broke away from the Marcos regime in 1986, with the exception of the Vice Chief of Staff, General Fidel Ramos and his close followers, launched the most dangerous of these coup attempts in August 1987 and December 1989.<sup>9</sup> The 1987 coup nearly made the Philippines lose its opportunity to host the third summit of heads of state/government of the Association of Southeast Asian Nations (ASEAN) on its 20<sup>th</sup> year of founding. But for the timely exercise of regional leadership by Indonesian President Soeharto, none of the ASEAN leaders would have come for fear of another coup attempt while they would be in Manila. This regional event was a critical international endorsement for the new government in Manila and contributed to the legitimization of President Aquino in the eyes of the international community.

The 1989 coup, on the other hand, foreclosed the prospects for economic recovery that until then was a real possibility. It drove away foreign investments whose estimated scale was never reached even during the more stable Ramos presidency. After intense fighting between the rebel military and the so-called constitutionalist soldiers and the return to the barracks by elite scout rangers that occupied the country's financial district of Makati, a degree of normalcy was

restored. Aquino adopted the principle of "reconciliation with justice" in dealing with the rebel military, consequently failing to entice them to seek amnesty from the government. Many of the principals in the various coup attempts against the government remained underground for the duration of her term, although their capacity to launch another coup attempt had been severely constrained. Public opinion against the coup was so strong<sup>10</sup> that it became patently clear that even if the military seized power successfully, it would not be able to govern except through the use of force. Moreover, their civilian supporters decided to invest their resources in trying to gain political power through elections that were scheduled to take place in 1992.

### **The Challenges of Democratizing Civilian Control**

As part of the larger democratization process, democratizing civilian control is faced by many challenges. Because democratization entails a redistribution of power among and between various social, economic, and political sectors it must necessarily involve the redistribution of power between the civilian government and the military that under authoritarian rule served either as the government or was a major support for the regime in power. During martial law and the succeeding authoritarian rule, the military was a partner of the Marcos government in the implementation of martial law and in governance, generally.<sup>11</sup> With democracy, the military needed to have its share of political power drastically reduced. However, while this can be accomplished with a new constitution that enshrines civilian control, the institutional mechanisms for making this situation a reality needed to be established, and once established needed to function effectively. These tasks take time and the right kind of political leaders to be accomplished. In the case of the Philippines, the 1987 constitution took a year to be put in effect and only then could legislative elections be held. The organization of the legislature also took time as new rules and regulations to govern legislative proceedings had to be agreed on and put together. Even the reorganization of the judiciary to weed out incompetent and corrupt judges of the lower courts and justices of the higher courts took many months to accomplish.

Key to civilian control is the removal of the military from non-military responsibilities. Its function being essentially external defense, rather than the maintenance of peace and order, it is necessary to make a clear definition of this function, followed by the appropriate structural or institutional reform. However, in many developing countries including the Philippines, internal threats to security continue in the form of communist insurgency or ethnic or religious separatism. In such cases, it would be difficult to remove the military immediately from the task of countering internal threats to security particularly because insurgents happen to have sophisticated weaponry provided by their external allies, including the Al-Qaeda, in the case of the Moro Islamic Liberation Front (MILF) and the Abu Sayyaf in Mindanao. Most police establishments in the developing world do not have the capability to meet these kinds of security threats. Consequently, the task of providing both external and internal defense often falls on the military. This remains the case in the Philippines even after the separation of the police from the military in 1990 and the restriction of the military's role to external defense as intended by the Philippine National Police (PNP) Law or Republic Act 6975.<sup>12</sup>

Moreover, civilian control is also challenged by the difficulty of dealing with the issue of human rights violations by the military during the authoritarian period. Argentina, one of the countries in Latin America that rode on the "third wave" of democratization, had to back track on President Alfonsín's attempt to prosecute military officers for alleged human rights violations when threatened by a military coup. Yet, supporters of democracy and human rights expect and demand that these officers are prosecuted. Hence, we find democratizing leaders gripped in the horn of a dilemma that for pragmatic reasons would eventually see the military gaining the upper hand over the pro-democracy elements. Political leaders needed to ensure stability in the early period of democratic transition for which military support is a key element in the achievement of this goal.

Effective political governance also facilitates civilian control in the sense that the military does not usually challenge an effective leader that enjoys popular support. Effective political leadership also neutralizes the military's tendency,



fueled by the military image or mandate as the savior of the people to save them from profligate and incompetent civilian leaders. However, transition leaders tend to be overwhelmed by the scope and enormity of the tasks they have to undertake not only in building political institutions, but also in rebuilding the economy. Democratization also raises the hopes and expectations of the citizens for a better life for them. Often transition leaders are unable to fulfill these expectations and their popular support declines. Opportunistic or altruistic elements in the military would then take advantage of this kind of situation to try to grab power as seen in the experience of the Philippines during the Aquino presidency. Rumors of a coup continue to circulate profusely even as President Gloria Macapagal-Arroyo grapples with the multidimensional problems left by her predecessors, particularly those by the ousted Joseph Ejercito Estrada.<sup>13</sup>

When civilian leaders continue to look up to the military for political support, civilian control is likely to be at risk. These leaders will find themselves overly dependent on the military for their political survival and will continue to pay the military off either with institutional rewards such as increases in pay and other benefits, arms acquisition, and accommodation of the military's inputs to or participation in policy making, or with personal rewards in the form of appointment to plum positions in the military hierarchy or the civilian bureaucracy, including diplomatic posts abroad. This situation continues to be a challenge to the restoration of democratic civilian control in the Philippines as will be further discussed below.

There are also abusive and corrupt practices of civilian politicians that are inimical to civilian control. Among the ones military officers complain about is the abuse of the legislative power of confirmation of appointments and promotions, competition over the use of military vehicles and aircraft by politicians when they go on visits to their constituencies or to the countryside, and the use of military officers and personnel as security or personal aides by politicians. Coup plotters also complain about too much politicking, grandstanding, graft and corruption, unfair criticism and humiliation of military officers by politicians.<sup>14</sup> These are challenges to civilian control because military officers would find it difficult to subordinate themselves to politicians that do not deserve

their respect. Imbued either by altruistic considerations as the constitutionally designated "saviors of the people and the state" or by purely selfish reasons of wanting to take power, not a few of them would be willing to replace these politicians even through a coup.

Equally difficult is the challenge of restoring military professionalism that tended to suffer a decline during the authoritarian period when officers had to perform non-military functions, ensure career advancement by bowing to the wishes of authoritarian leaders even contrary to the military code of conduct, or carry out unlawful orders in the interest of regime security, including the commission of human rights violations. Huntington argues that a professional military officer is one that observes civilian control.<sup>15</sup> In this sense, the restoration of military professionalism is necessary for civilian control to take root. This task requires reform in the military career development pattern, military retraining including in human rights, and strict adherence to the code of conduct as well as effective sanctions for its violation. All of these tasks are challenging in themselves, particularly during the period of democratic transition where the redistribution of power is a hotly contested process and where simultaneous adjustments and reforms divide the transition government's attention and resources.

What has the Philippines done in order to meet the challenges of restoring democratic civilian control? To this issue we now turn.

### **Restoring Democratic Civilian Control**

Since the fall of Marcos in February 1986, many important measures had been undertaken to restore democratic civilian control in the Philippines. The most basic is the adoption of a democratic constitution in 1987. This constitution that was overwhelmingly supported by the electorate in a plebiscite<sup>16</sup> that was held for this purpose provided both principles and institutions of governance meant to restore civilian control over the military. It upheld the supremacy of civilian authority over the military and created oversight bodies. The President was made commander-in-chief of the armed forces with Congress exercising the power over

appointments and promotion of military officers from the rank of army colonel and naval captain upwards, the power over the budget, including for the military, as well as wide-ranging powers of investigation including over military issues in aid of legislation. The judiciary was reorganized with Marcos appointees replaced by new ones, while freedom of the press and other civil liberties were restored.

In the months immediately after the ouster of Marcos, the military even resorted to the use of the term "New Armed Forces of the Philippines" or NAFP to distinguish itself from the old armed forces under Marcos. The government established the Office of Ethical Standards and Public Accountability (OESPA) with exclusive jurisdiction over active military personnel involved in major cases of graft and corruption. Part of its mission is to enhance military professionalism. In line with this mission, OESPA formulated after wide consultation within the military, a new code of ethics to govern military behavior in general and instill professional standards among its personnel in particular.<sup>17</sup>

It was also thought that bridging the gap between the military and civil society groups would contribute to the restoration of civilian control over military officers as better understanding between them would allay mutual suspicion. Senior cadets at the elite Philippine Military Academy (PMA) were brought to the campuses of civilian educational institutions to meet their counterparts as part of the effort. The *Kabisig*<sup>18</sup> Movement was also launched by President Aquino to promote better relations between the military and other social sectors in which they collaborated in community development and livelihood projects in the countryside and urban poor areas. Non-governmental organizations (NGOs) were invited to work with the military and other government agencies in undertaking these projects to help local communities. At first there was a lot of suspicion from members of NGOs about the motives behind the movement and initial difficulties between the two sides to relate to each other also surfaced. After all, during martial law and the authoritarian period under Marcos, the NGOs and the military often found themselves on opposite sides of the barricades set up by the military and the police to protect government offices and officials that were the objects of mass protests and

demonstrations. Later on as they began to know each other and work together, some degree of understanding and mutual confidence developed. It was in this movement that President Ramos came to know many NGO leaders and enabled him to establish his credibility among many of them.

Even members of media that used to be critical if not altogether against the military began to hold meetings with military officers in an effort to bridge the gap between them. Such meetings also served as important learning experience for media that gained better understanding of the so-called "military mind".<sup>19</sup> But some of their writings also tended to be too partisan or painted military officers, particularly those that were principal players in the breakaway against Marcos as larger-than-life heroes, perhaps contributing in no small measure to the creation of a mythology and a mystic around them<sup>20</sup> that in turn fed their political ambition, leading to the coup attempts against the government in the face of perceived wrongs it committed against them or the people.

Nevertheless, the interface between the military and civilian groups was a useful mechanism in the redefinition of the core values of the military that resulted in the adoption of the Military Values Education (MILVED) program. It aimed to reform and professionalize the Armed Forces of the Philippines (AFP) through the development, assimilation, and institutionalization of essential moral principles that would produce a Filipino soldier that was God-centered, Nation-centered, and People-centered.<sup>21</sup> Due to its thrust in reforming military values, the program was institutionally tied to the OESPA. MILVED was credited as having had a positive impact in strengthening the moral values of a majority of the AFP personnel,<sup>22</sup> a trait that helped in restoring military professionalism among them.

Another measure to help restore civilian control was the establishment of an autonomous and constitutional body for the protection and promotion of human rights, the most usual violator of which was the military and the police in the course of the discharge of their functions. With respect to these two agencies, the Philippine Human Rights Commission (PHRC) was tasked with the training and education in human rights and humanitarian law of military and police officers and personnel. Moreover, the PHRC was given oversight functions in the

military promotions process by requiring a certification from the commission that military and police officers that were being considered for promotion had already undergone education and training in human rights and humanitarian law and had not been found guilty of any human rights violation.

Prior to martial law, the police was under the administrative supervision and control of the local chief executives (provincial governors, municipal and city mayors). The Philippine Constabulary (PC) served as the national police force, although it was operationally one of the major service commands of the AFP to enable the PC to access military assistance under the Mutual Assistance Treaty with the U.S. In 1978, Marcos centralized the control over all the police forces in the country under the Integrated National Police (INP) and placed it under the control of the Chief of the PC who was a military officer. Civilian control over the military would be difficult under this arrangement as the police that is intended as a civilian peace and order body operated within the AFP and under a military officer. Hence, the PNP Law was enacted in 1990 creating the Department of the Interior and Local Government (DILG), separating the PC and police from the AFP, and constituting them into the Philippine National Police (PNP), and removing the function of internal defense (against communist insurgents and Moro secessionists) and peace and order (against ordinary criminals) from the AFP. A two-year period was provided to transfer these functions to the PNP to enable it to achieve competence in dealing with communist insurgency and Moro secessionism.

This measure is good for civilian control because it removed the essentially civilian functions of internal defense and peace and order from the control of the military and put them under a civilian agency, the DILG. Theories of civil-military relations underscore the importance of clearly defined areas of responsibility, sometimes known as institutional boundaries, between the military and the civilian government in the achievement of civilian control.<sup>23</sup> However, the full implementation of the PNP law is yet to come on account of the persistence of the communist insurgency and Moro secessionism. The situation was made complicated by the September 11 event and its aftermath as will be discussed later.

The election of a regular legislature after the adoption of the 1987 Constitution was also an important step towards restoring civilian control in the Philippines. Through the bipartisan Commission on Appointments, the bicameral congress was empowered by the Constitution to grant or deny its confirmation of executive appointments and promotions of members of the cabinet, diplomats, and military officers from the rank of army/air force colonels and naval captains and above. Through the power of appropriation, Congress was also to approve the military budget and other military programs that needed financial support, such as the much-needed Military Modernization Program to improve the country's defense capability that was seen as weakened by the removal of U.S. military presence from the Philippine bases in 1993. And the legislative power to conduct investigations in aid of legislation also serves to curb the military's abuse of power, thereby subjecting it to civilian oversight or control.

However, despite these measures, civilian control could not be successfully enforced during the Aquino presidency. The eight coup attempts against her government, including the God Save the Queen Plot of 22 November 1986 that was not launched, but for which a thorough investigation would be likely to implicate the leading personalities in the February 1986 military breakaway from Marcos (except for Ramos), are an indication of the challenges facing the government in restoring democratic civilian control that was seriously eroded during the Marcos era. We will now attempt to explore and explain the challenges that remain towards the achievement of this goal.

### **Persisting Challenges to Democratic Civilian Control**

Civilian leaders that do not have the confidence of the military hierarchy are not likely to succeed in effecting civilian control. The experiences of countries that moved from military to civilian government seem to indicate that even the military junta's decision to give up power and to disengage from politics tended to be influenced by the acceptability of its civilian successor whom it trusts.<sup>24</sup> In the case of Mrs. Aquino, it must have been difficult for the military to trust her as she symbolizes the widowed woman in yellow leading the masses of protestors on the other side of the military barricades from the assassination of her

husband under military custody in August 1983 through the end of the Marcos era in February 1986. Moreover, during the snap election campaigns, Marcos portrayed Aquino as no more than "an ordinary housewife" very much unknowledgeable about politics. And a woman commander-in-chief of the armed forces was a novelty that must have taken a bit of adjustment even for the most pro-constitutionalist of the AFP officers. After all, the military is still a male-oriented institution. Aquino's close advisers also held the military in contempt and were distrusted by the military in return. Their dismissal from her cabinet was one of the concessions she had to make to the military after the 1987 coup attempt. Finally, the replacement of civilian control through institutions by civilian control in the person of Marcos throughout the martial law and authoritarian periods also made the transition under Aquino more challenging since the removal of Marcos also removed his personal control over the military for which an alternative control mechanism needed to be put in place. Mrs. Aquino's personal circumstances discussed above could not have made her the immediate civilian controller of the military.<sup>25</sup>

A civilian government that remains dependent on the military either for its survival or for combating armed threats to the security of the nation is likely to remain somewhat of a hostage by the military. Having failed to forge a peace agreement with both the communist insurgents and the Moro secessionists, Aquino "unsheathed the sword of war" by launching an all-out war against them. For this effort she depended on both the military and the police. She also owed the survival of the democratic government to the pro-constitutionalist soldiers, led by her Defense Secretary General Fidel V. Ramos. Hence, effective civilian control over the military from the office of the commander-in-chief of the armed forces could not be readily instituted.

This dependence on the military continued beyond her term of office. Although a retired military officer, Ramos did not start his term as a popular leader among military personnel. In fact, his electoral performance in the various military camps throughout the country left much to be desired for a former AFP Chief of Staff. His main opponent in the 1992 presidential elections, Mirriam Defensor-Santiago earned more votes in the camps. However, the Ramos term

saw an increase in the number of retired military officers in strategic civilian government positions that raised public outcry among political observers and analysts.<sup>26</sup> While it is understandable that leaders tend to recruit their advisers from among their trusted circle, the fact that the Ramos circle was a military one posed a problem in civil-military relations, particularly in enhancing civilian control over the military. And while as a retired officer Ramos was legally a civilian, in practice professional training leaves a lasting imprint on individuals such that if there is indeed a "military mind" as Huntington argues,<sup>27</sup> then retired military officers would be likely to continue looking at specific issues and the world in general from a military professional's perspective.

Aquino and Ramos also had different approaches to the problem of amnesty for military officers and men that were implicated in the various coup attempts against the government. Aquino sought reconciliation with them, but only with justice. This meant that coup plotters needed to be punished according to the law before they could be given amnesty. Consequently, there were no takers on her offer of reconciliation with justice. However, Ramos adopted a policy of unconditional amnesty for military officers and men who would avail of it with the promise that they would be restored to the official roster. Ramos was probably motivated by his desire to bring about domestic peace and stability, convinced that it is the only viable foundation for economic growth as his neighbors in East Asia had shown. But he needed to do this under a democratic framework.

Undertaken under a democratic setting, his policy of unconditional amnesty worked. Coup plotters, including the principals walked free, with two of them even winning seats in the Philippine Senate. Now that they had a stake in the political system, they did not shake it up anymore by plotting to overthrow the Ramos government. Unfortunately, while this policy bought the domestic peace and stability that underpinned economic restructuring and recovery during the Ramos period, the consequences for future military discipline, especially for the younger officers can be dire. The amnesty program seems to teach younger officers that one may violate the soldier's oath to defend the Constitution, violate the laws of the land, cause the death of people and the destruction of property,



and get away with it without penalty. This situation can create serious problems in civil-military relations in the future.

The role that the military played in toppling Marcos in February 1986 (people power 1) and in removing President Estrada from office in January 2001 (people power 2), following an impeachment trial that was aborted by another people power movement somewhat similar to the original people power movement of 1986, has given the military new political leverage against the civilian government. The military's role in people power 1 remained contested to this day, between the military and defense participants and those from civil society. The Honasan-Enrile group continues to claim that they initiated people power 1. In fact, one of their principal grievances against the Aquino government was their displacement from power soon after the new government was installed, an act that they think unjust because of what they consider their pivotal role in people power 1. This view ignores the fact that people power was already going on in protest over the attempt by the government to manipulate the outcome of the snap presidential elections at the time of the military breakaway. Had the civilians not come to EDSA to protect them from the troops loyal to Marcos led by Chief of Staff Fabian Ver, Enrile, Honasan, Ramos, and their less than 300 troops inside Camp Aguinaldo would have been killed.<sup>28</sup> It was people power that saved them from certain death.

While this debate has not emerged regarding the role of the military and the police in people power 2, the events surrounding that episode in the country's march to democracy can trigger a similar debate in the future. The withdrawal of support by the military and police hierarchy took place in the afternoon of the last day of people power 2, on 20 January due, according to the AFP Chief of Staff (now Defense Secretary under Macapagal-Arroyo), to the "persuasive powers" of the retired generals and his own conclusion that the ouster of Estrada was "irreversible" and would take place "in the next 24 or 48 hours".<sup>29</sup> In short, it came under the heels of an anticipated victory of people power 2 and the military and police hierarchy probably decided to support the winning side rather than risk being sidelined by the event. What is troubling is the revelation of Macapagal-Arroyo that she had been in contact with at least five groups of

military officers, both active and retired even before she decided to break with Estrada by resigning her post in his cabinet. Civilian politicians encourage military intervention in politics when they call on them for political support in their bid for power.<sup>30</sup> As a consequence of these groups' role in the removal of Estrada, Macapagal-Arroyo has been going out of her way to please them with pay increases and other benefits, appointments to civilian positions,<sup>31</sup> and significant participation in decision making, particularly in the fight against international terrorism.

Despite the PNP Law that separated the military and the police and that also redefined their functions, the government continued to use the military against the communist insurgents, Moro secessionists, and the terrorist Abu Sayyaf Group (ASG). The latter is linked to the Al-Qaeda international terrorist network led by Osama Bin Laden and gained international notoriety through its daring kidnap-for-ransom of foreign and local tourists in as far away places as the Sipadan Island off Sabah that is controlled by Malaysia. This international link has made the Philippines a major arena of anti-terrorism under the leadership of the U.S. President Macapagal-Arroyo is the most vocal of Southeast Asian leaders in her support for President George W. Bush's global campaign against international terrorism. This foreign policy initiative, although popularly supported throughout the country,<sup>32</sup> has also raised the profile of the military in decision-making. A cabinet crisis almost erupted in February 2002 when Vice President and Foreign Affairs Secretary Teofista Guingona alleged that he was bypassed by the Defense Secretary and the Presidential Adviser on International Competitiveness when the two negotiated an agreement with the U.S. regarding the deployment of U.S. troops in Basilan, the ASG's headquarters of sorts, as part of the joint military exercises between Filipino and American soldiers and by way of training Filipino troops in counter-terrorism. It appeared that the defense establishment, headed by a retired military officer, gained an upper hand over the foreign affairs office in what is clearly a political, rather than a strictly military policy. As the notorious activities of the ASG have contributed to the loss of investor confidence in the Philippines, the desire of Macapagal-Arroyo to wipe them out is understandable. The success of the effort could be the litmus

test not only for her continuing popularity, but also for her bid to run for election as president in 2004 in her own stead. In these goals, she has recruited the military as her partner, with serious implications for civilian control in the future.

That politicians, civilian officials and bureaucrats, and members of the judiciary remained corrupt does not help civilian control. It simply adds to military dissatisfaction with civilian government and its performance, continuing to fuel the messianic fire to save the country and the people from the venality and mismanagement by the civilian government. A recent survey of business corporations operating in Southeast Asia cited increased corruption in the Philippines as bad for business. When duly motivated, the military can invoke the 1987 Constitution to justify the removal of inept government as it states that: "The military is the savior of the people and the state."<sup>33</sup> Military officers determined to take power are not likely to take into account the higher constitutional principle that it is the duly constituted authority (the duly elected civilian government), or in its absence, the people who are the final source of political legitimacy, and not the military that should determine when the people and the state needed to be saved. This was the main problem that fuelled the debate on the legitimate political role of the military in the country in the aftermath of the coups against the Aquino government. It could be the framework of future debates unless democratic civilian control becomes institutionalized in the Philippines.

Moreover, the members of congressional committees that exercise oversight functions over the military are not usually conversant about the importance and real nature of these functions. To be effective, they must have a reasonably good understanding of military, defense, and security issues in order that they can properly assess them and thereby provide a healthy balancing role vis-a-vis the armed forces in military, defense, and security policy making. They must be cognizant of the delicate nature of civil-military relations during the period of democratization and avoid unnecessarily intruding into the military's legitimate sphere. They must be able to gain the respect of the military hierarchy by providing good governance to the people. They must remain independent and

insulated from sectors acting upon the behest of the military. Unfortunately, these requirements for effective civilian oversight do not obtain among most of the present crop of Philippine legislators and politicians.

Other civilian positions that are concerned with military, defense, and security policy such as the Secretary of National Defense, the National Security Council, and the National Intelligence Coordinating Agency remain in the hands of retired military officers. Effective civilian control is enhanced when these positions are occupied by individuals without a previous military career as the socialization of military officers tend to create lasting fraternal ties that make it difficult for them to fight against their own brothers or have a critical attitude towards the military as an organization.<sup>34</sup> Recruitment from the ranks of retired military officers into the civilian bureaucracy, including diplomatic posts abroad has also not abated even under the Macapagal-Arroyo government. Part of the underlying reasons is the apparent debt of gratitude she holds for the military in the ouster of Estrada and her own ascendance to the Presidency. While the commander-in-chief remains beholden to the military, civilian control over this institution is likely to remain elusive.

### **Future Prospects**

In view of the above, it appears that the full restoration of democratic civilian control over the Philippine military continues to be challenged by the fragility of and lack of proper understanding about the requirements of democratic civilian control over the military by civilian political institutions to which the 1987 Constitution has given oversight functions over the military, particularly the President and Congress; by the continuing armed challenges to the government and the society in the form of communist insurgency, Moro secessionism, and local terrorism by the Abu Sayyaf Group with known links to the Al-Qaeda international terrorist movement; by the continuing factionalism among the retired and active military officers that manifests itself in factionalism within the military; by a tendency among politicians ambitious for power to obtain support from factions within the military; by a continuing lack of good and effective governance; and by increasingly poor economic conditions among a

majority of Filipinos that can cause withdrawal of popular support from government that in turn can trigger military adventurism in the future.

However, the presence of a strong civil society organized as non-governmental and people's organizations, a vibrant and free press, two successful people power movements that removed venal presidents from office in a peaceful way, and a long legacy of democratic civilian rule no matter how ineffective at times make for a cautiously optimistic scenario for the restoration of democratic civilian control in the long run. This is helped by the strong aversion to military rule among an overwhelming majority of Filipinos and the realization by the military that taking power from the civilian government is not only unpopular domestically, but will not gain external support particularly from advanced countries whose cooperation is crucial to economic development and from multilateral financial institutions that have put democracy and good governance in their agenda.

The future of democratic civilian control, therefore, lies very much in the hands of civilian political leaders that must learn how to harness the vast oversight powers vested in them by the 1987 Constitution. They must learn how to sustain the present popular opposition to military rule through good governance and pre-empt the motives and conditions that drive the military to intervene in politics. The Philippine military having gone through a difficult transformation process that saw it subordinated to civilian control only to become a partner of civilian government in implementing martial law and authoritarian rule, and then once more put under civilian control, and having learned important lessons from that difficult process is likely to respond accordingly.

## Notes

- <sup>1</sup> S. E. Finer, *The Man on Horseback: The Role of the Military in Politics*, second enlarged edition, London and New York, Penguin Books, 1976, pp. 1-4.
- <sup>2</sup> Samuel P. Huntington, *The Third Wave: Democratization in the Late 20<sup>th</sup> Century*, Norman, Oklahoma University Press, 1990.
- <sup>3</sup> Claude E. Welch, Jr., *Civilian Control of the Military: Theory and Cases from Developing Countries*, Albany, State University of New York Press, 1976.

- <sup>4</sup> Carolina G. Hernandez, "The Extent of Civilian Control of the Military in the Philippines: 1946-1976", a doctoral dissertation, State University of New York at Buffalo, 1979 (published by University Microfilms, Michigan, 1980).
- <sup>5</sup> The Huk insurgency was a peasant-based, Soviet-inspired communist insurgency that was the country's first national security problem after independence in 1946. It was suppressed in the early 1950s under the leadership of Ramon Magsaysay, first as defense secretary and later as President of the Philippines.
- <sup>6</sup> Morris Janowitz, *The Military in the Political Development of New Nations: An Essay in Comparative Analysis*, Chicago, University of Chicago Press, 1964.
- <sup>7</sup> Hernandez, "The Extent of Civilian Control of the Military in the Philippines", and Viberto Selochan, "Professionalization and Politicization of the Armed Forces of the Philippines", a doctoral dissertation, Canberra, Australian National University, 1990.
- <sup>8</sup> Hernandez, "The Extent of Civilian Control of the Military in the Philippines".
- <sup>9</sup> See Hilario G. Davide, Jr., Carolina G. Hernandez, Delfin L. Lazaro, Christian S. Monsod, and Ricardo J. Romulo, *The Final Report of the Fact-Finding Commission* (pursuant to R. A. No. 6832), Makati, Bookmark, 1990 for a comprehensive documentation and analysis of the coups against the Aquino government with special focus on the December 1989 coup. Henceforth, Davide et al, *The Final Report*.
- <sup>10</sup> Social Weather Stations, "Survey of Public Opinion on the December 1, 1989 Coup Attempt", Quezon City.
- <sup>11</sup> Carolina G. Hernandez, "The Role of the Military in Contemporary Philippine Society", *Diliman Review* (January-February 1984), lead article.
- <sup>12</sup> Carolina G. Hernandez and Maria Cecilia T. Ubarra, "Restoring and Strengthening Civilian Control: Best Practices in Civil-Military Relations in the Philippines", Institute for Strategic and Development Studies, Inc. (31 December 1999), pp.11-13.
- <sup>13</sup> Amando Doronila, "No favorable grounds for coup rumors", *Philippine Daily Inquirer* (October 26, 2001).
- <sup>14</sup> Davide et al, *The Final Report*, pp.470-472.
- <sup>15</sup> Samuel P. Huntington, *The Soldier and the State: Theory and Politics of Civil-Military Relations*, New York, Vintage Books, 1957.
- <sup>16</sup> About 90% of the registered voters participated in the plebiscite in which 76.30% voted to approve the new constitution. This was also widely seen as a legitimization of the Aquino government.
- <sup>17</sup> Hernandez and Ubarra, "Restoring and Strengthening Civilian Control", pp.32-37.
- <sup>18</sup> *Kabisig* is a Filipino term that literally means "linked arms", referring to the need to have both civilian groups and the military linking their arms to move the country forward by undertaking joint social development projects.
- <sup>19</sup> On the "military mind", see "The Military Mind: Conservative Realism of the Professional Military Ethic", in Huntington, *The Soldier and the State*, pp.59-79.
- <sup>20</sup> Some examples are Cecilio T. Arillo, *Breakaway: The Inside Story of the Four-Day Revolution in the*

*Philippines, February 22 - 25, 1986* (Mandaluyong: CTA and Associates, May 1986). Cris Yabes, *The Boys from the Barracks*, Manila, Anvil Publishing, Inc., 1991).

<sup>21</sup> Hernandez and Ubarra, "Restoring and Strengthening Civilian Control", p.30.

<sup>22</sup> Fidel B. Dacalos, "The AFP Military Values Education: An Analysis", *Philippine Military Digest*, Vol.2, No.4 (October-December 1995), p.67.

<sup>23</sup> See Huntington, *The Soldier and the State*; Welch, Jr., *Civilian Control of the Military*, and Claude E. Welch, Jr. and Arthur K. Smith, *Military Role and Rule: Perspectives on Civil-Military Relations*, North Scituate, Massachusetts, Duxbury Press, 1974 for these theories.

<sup>24</sup> Claude E. Welch, Jr., *No Farewell to Arms? Military Disengagement from Politics in Africa and Latin America*, Boulder, Colorado, Westview Press, 1987. Also on political transitions, see the multi-volume work of Guillermo O'Donnell, Philippe Schmitter, and Laurence Whitehead, eds., *Transitions from Authoritarian Rule*, Baltimore, Johns Hopkins University Press, 1986.

<sup>25</sup> Carolina G. Hernandez, "Towards Understanding Coups and Civil-Military Relations", *Kasarinlan*, Philippine Quarterly of the Third World Studies Center, Vol.3, No.2 (4<sup>th</sup> Quarter 1987), pp.19-22.

<sup>26</sup> See Amando Doronila, "Military: a new political elite", *Philippine Daily Inquirer* (April 20, 1997), p.5 and Carolina G. Hernandez, "The Military and Constitutional Change: Problems and Prospects in a Redemocratized Philippines", *Public Policy*, Vol.1, No.1 (October-December 1997), pp.42-61.

<sup>27</sup> Huntington, *The Soldier and the State*, pp.59-79.

<sup>28</sup> Carolina G. Hernandez, "Increased political leverage for the military", in Thelma Sioson San Juan, ed., *People Power 2: Lessons and Hopes*, Mandaluyong City, ABS-CBN Publishing, Inc., 2001, pp.220-223.

<sup>29</sup> Deidre Sheehan, "Duty-Bound: Interview with General Angelo Reyes", *Far Eastern Economic Review* (February 15, 2001), as cited in *ibid.*, p.222.

<sup>30</sup> This lesson dots the literature on civil-military relations, such as those by Finer, *The Man on Horseback*, Huntington, *The Soldier and the State*, Welch, Jr., *Civilian Control of the Military* and *Farewell to Arms?*, as well as Welch, Jr. and Smith, *Military Role and Rule*, cited above.

<sup>31</sup> Hernandez, "Increased political leverage for the military".

<sup>32</sup> Carlito Pablo, "Poll backs GMA stance: Sentiment 'strong' for US support", *Philippine Daily Inquirer* (February 11, 2002), reporting the results of a Pulse Asia public opinion survey conducted in December 2001 on the issue.

<sup>33</sup> The 1987 Constitution of the Republic of the Philippines.

<sup>34</sup> Davide et al, *The Final Report*, pp.68-75.

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15. S. P. Huntington, *The Third Wave: Democratization in the Late 20<sup>th</sup> Century*, Norman, Oklahoma, Oklahoma University Press, 1990.
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