

Political Neutrality in the Philippine Civil Service

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Historically, the Philippine bureaucracy has exhibited varying degrees of partisanship. The proclamation of martial law in 1972 aggravated the partisan character of the civil service. In particular, the experience during the May 1984 parliamentary elections illustrate the systematic use of the civil service to mobilize government resources to promote the interests of the ruling party. Any attempt at civil service reform should therefore include strengthening bureaucratic accountability to the people rather than to the hierarchic superiors.

Introduction

This paper seeks to analyze the principle of political neutrality in the Philippine bureaucracy from both conceptual and empirical levels. Since the notions of civil service neutrality and democracy were introduced by the Americans in this country at the beginning of the century, this paper takes as its starting point the meaning of political neutrality in the American context. The concept and its operationalization in distinct historical periods is examined to discern patterns of continuities as well as discontinuities in the process of adaptation in the Philippine setting. Emphasis, however, is given to the contemporary role of the civil service in the May 1984 parliamentary elections in order to highlight the widening schism between the conceptual and the legal meaning of political neutrality and its actual practice in the Philippines in recent years.

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The Concept of Political Neutrality

Political neutrality is a generally held attribute of the bureaucracy along with the principle of merit and fitness. Political neutrality can be defined and operationalized in two key areas of governmental activities: leadership selection and decision-making process. This paper, however, limits itself to political neutrality in relation to the leadership selection process of political or elective officials and its influence on the administrative process. It is the task of this paper to find out how and in what way civil servants become party to the intrusion of partisan politics in administrative activities and routines, and to what extent do the political activities of civil servants preclude the holding of free and fair elections.

Three indicators are identified to operationalize the concept: 1) strict limitation of civil servants partisan activity to voting alone; 2) non-use of government resources and facilities for the promotion of the candidacy of a particular candidate; and 3) non-use of government programs as election propaganda. The civil service can thus be politically neutral in one very crucial sense, that is, as a guarantor of political equality for the political parties competing for power.

Historical Evolution of Political Neutrality in the Civil Service

The historical perspective is adopted in this paper to afford comparability in terms of degree and/or substance of the partisan character of the Philippine civil service before, during and after martial law.

The Spanish Period

Political neutrality during the Spanish regime was non-existent inasmuch as there were no clear distinctions between political and administrative, even spiritual, functions. Holders of public offices and members of the ecclesiastical orders constituted the Spanish colonial administration and shared in the exercise of power and control over the colonial subjects. Public office was treated as a favor from a personal sovereign like the King of Spain where its practice became a private perquisite.¹

The American Period

Upon the cession of the Philippines to the United States towards the end of the 19th century, the export of the American politico-administrative system to the country was effected. The passage of Act No. 5 which established the Philippine Civil Service provided the legal groundwork for the adoption of the principles of merit and political neutrality as cardinal rules in the institutionalization of a new civil service system. The introduction of these principles as primary features of the American colonial bureaucracy may be regarded as direct manifestation of American ethnocentrism. The belief in the superiority of the American system, the traumatic political

struggles in the 1880s and the triumphant spirit of the early American civil service reformers in their homeland provided concrete bases to the adoption of the principles in the Philippines, instead of local realities and indigenous culture conditioning the nature and structures of the new civil-service. Thus, the introduction of the concept of political neutrality was premised upon the American desire to replicate its experience in the Philippines rather than upon a reasoned assessment of the socio-economic needs and political aspirations of the Filipino people. To enforce the principle of political neutrality, the Bureau of Civil Service initiated the circularization of a memorandum to all bureau and office heads during election years instructing them to remind their employees about legal prohibitions against partisan political activities.²

From 1900 to 1913, the spoils system was non-existent in the colonial bureaucracy, but it was observed that this was due to the fact that the Filipino political parties exerted no influence at all in the selection process of personnel in the civil service.³ Neither did the American bureaucrats make appointments solely on the basis of political considerations. The American pioneers were credited for their exemplary performance and missionary zeal in fashioning a civil service that was meant to be the embodiment of American ideals. With pride, they even claimed that the colonial bureaucracy turned out to be more forward looking than that of the mother country. Actually, it was the absence of local conditions to warrant emphasis on the merit system that led one author to say that the primacy given to the merit system and political neutrality could even be construed as an immodest reflection of American reality in the Philippines.⁴

The Harrison administration (1913-1921) hastened the process of Filipinization of the civil service. Filipino political leaders began to assume significant roles in personnel management and budgeting suggestive of the effective sharing of legislative and executive powers and functions between the Filipino leaders and the American officials.⁵ For the first time, it was noted that occasionally, Sergio Osmeña, as head of the ruling Nacionalista Party, accounted for some political appointments. Corpuz notes the harmonious relationship of the legislature dominated by the Nacionalista Party and the American executive. The experience during the period thus belied the usual antagonism that characterizes the legislative-executive relation and reduced the politics-administration dichotomy doctrine into a big myth. Due to the healthy balance between politicians and administrators, competence as well as responsiveness were found to be complementary.

General Leonard Wood's administration (1921-1927), which succeeded Harrison's, witnessed major developments that brought into an acid test the principle of political neutrality. At the outset, Wood showed openly his disapproval of the considerable influence wielded by the leaders of the ruling Nacionalista Party (which advocated independence at the earliest possible time), especially on matters of personnel appointments.⁶ Subsequently, Wood sought to restore the rigid independence and efficiency of the civil service. Naturally, such posture invited conflicts with the Filipino-dominated legislative body. The antagonistic but polite skirmishes that went on for

more than a year culminated in the resignation of the entire Filipino Cabinet and Council of State.⁷ While the situation posed grave administrative difficulties, the Governor-General tapped the undersecretaries to take the place of the secretaries who resigned. Since the former were the real technical men in the bureaucracy, government operations were not disrupted. Members of the legislature passed the laws while the Governor-General, through the undersecretaries, continued to provide direction to the bureaucracy and uninterrupted delivery of public services. It was said that "the period is regarded as the coming of age of the Philippine civil service."⁸ The merit system received further boost and in the same breadth, provided the bureaucracy adequate protection from partisan politics. At this point, political neutrality meant asserting the independence of the civil service to spare it from the political struggles between the American executive and the Filipino legislators and Cabinet members.

In the context of pre-independence Philippines, political neutrality further meant in practice that civil servants were prohibited from actively supporting the Nacionalista Party whose monopoly of influence remained unchallenged up to the time independence was granted in 1946. Because of the prohibition against political activity, civil service personnel were required to either abdicate the campaign for independence or disqualified from taking an active role in it.⁹ Thus while the Nacionalista Party had effectively asserted its leadership and power in Philippine politics, the members of the civil service could not or should not share in that power. This delicate arrangement was carefully worked out and maintained by the Filipino political leaders and the American executive and top administrators.

Upon the establishment of a ten-year transition period known as the Commonwealth, a constitution was framed by the members of the 1934 Constitutional Convention. The 1935 Constitution devoted a whole article (Article XII) on the civil service to insure its independence and permanence:

Section 1. A Civil Service embracing all branches and subdivision of the Government shall be provided by Law. Appointments in the civil service, except those which are policy-determining, primarily confidential or highly technical in nature, shall be made only according to *merit and fitness, to be determined as far as practicable by competitive examination.*

Section 2. Officers and employees in the civil service, including members of the armed forces, shall *not* engage directly or indirectly in partisan political activities or take part in any election except to vote (underscoring supplied).

In 1936, the National Assembly passed Commonwealth Act No. 177 (Civil Service Act of 1936) which provided for the division of the civil service into the classified and unclassified categories. The provision was a compromise decision between the executive and the legislature in recognition of the need for these sharing of powers and responsibilities in public personnel management. Such a move somehow reflected a serious attempt at blend-

ing Filipino cultural traits and objective realities (which the Filipino leaders had to deal with eventually) with the American principles of merit and political neutrality.

The Japanese Period

The progressive development of the Philippine civil service in accordance with American principles and standards with a sprinkling of Filipino ingenuity was drastically reversed at the outbreak of the Second World War. As the bureaucracy was actively mobilized to be an instrument of the hated Japanese regime, the Philippine civil service was dismally dislocated. Prodded by a sense of nationalism, the civil servants resorted to sabotage, graft and corruption, deliberate inaction or obstruction of administrative matters. Under normal conditions, these acts would have been sanctioned severely, however, they were instead condoned and even considered moral and patriotic. To counteract this sentiment, the Japanese made "sympathetic collaboration" with the Japanese occupation forces as the dominant qualification for entry and advancement to the higher positions in the civil service.

The striking differences in the economic, political and social conditions during the war and the pre-independence period and the resultant diverse patterns of administrative behavior tended to confirm the view that the nature of the bureaucracy and the problems that afflicted it were intelligible only in the context of the larger society and the political process of which it is a part. In the midst of uncertainties, threat to survival, public resentment and hate, inefficiency and ineffectiveness of the civil service, the principles of merit and political neutrality could not thrive.

Pre-Martial Law Period

The challenge of independence in 1946 came at the most trying times. After the Philippines emerged as the second most devastated country during World War II post-war economic reconstruction was a herculean task. A larger chunk of such burden fell heavily on the Philippine bureaucracy. The perennial problem of scarce resources, low productivity, inefficiency, declining employee morale and public morality in and outside the Philippine bureaucracy on one hand, and the expectations of providing basic economic and social services including employment, on the other, converged together to exert tremendous pressures on the principles of merit and political neutrality. The limited number of positions in the government and supply of public services vis-a-vis the high demands for them caused the bureaucracy to assume welfare functions while it brought about an allocation process and a delivery system characterized by stiff competition and tedious bargaining. In the end, political affiliation and other political considerations in addition to personal relations and other extra-bureaucratic considerations became the primary determinants in public decision-making. These conditions partly explain the persistence of personal and partisan patronage, often, although not always, at the expense of the merit system and the notion of political

neutrality in the American tradition of liberal democracy that had been formally installed in the Philippine civil service by 1946.

Under the 1935 Constitution, which was in full force during this period, the legal definition of political neutrality under the character was explicit in that the prohibition on civil service and military personnel from directly or indirectly engaging in partisan political activities limited their participation in the electoral process to voting alone. Statutory laws issued for specific guidelines enumerated the following acts as constituting political activity: 1) candidacy for an elective officer; 2) being a delegate to any political convention or a member of any political committee or directorate or an officer of any political club or other similar political organization; 3) making speeches or publications to draw political support in behalf of any particular party or candidate for public office; and 4) canvassing or soliciting votes in the interests of any party or candidate.

On the applicability of the prohibition on partisan political activity among civil servants, Republic Act No. 180 (Revised Election Code) specifically provided that:

Section 26. Every person holding a public appointive office or position shall ipso facto cease in his office or position on the date he files his certificate of candidacy.

Section 83. In eligibility of public officers and employees... no person holding a public office or who is a candidate for elective office may be appointed a member or substitute of a member of a board of inspectors.

Clearly, the above provisions were intended to promote fairness in the electoral contest and this could be done by staying away from factional fights. In this sense, the principle of political neutrality encouraged the civil service to be a guarantor of equal opportunities to all aspirants of political office. To supplement this provision, Civil Service Rule VI contained the following:

Section 20. A government officer or employee who resigns within 3 months of any election, whether national or local for the purpose of launching his candidacy or of promoting the candidacy of another shall be ineligible for re-appointment or reinstatement in the government service for a period of 6 months after such election.

Statutory laws such as Republic Act No. 2260 (Civil Service Act of 1959), however, classified that the expression of views on current political problems or issues or mentioning of the names of candidates whom a civil servant wants to support could not be considered a partisan act. The 1970 elections for members of the Constitutional Convention afforded a legal opportunity to amplify the above provision. In a petition filed by the Commissioner of Civil Service with the Supreme Court, the High Tribunal held this extent of participation of government officials and employees in all elections including the election of delegates to the Constitutional Convention, specifically Article XII, Section 2, and implemented by R.A. 2260.

In view of the above, it could be surmised that it was partly because of fear of sanctions that civil servants exercised self-restraint in their partisan actions. It could also be possible that periodicity of elections and the uncertainties of the ruling party to stay in power in a presidential form of government, along with the diversity of loyalties among civil servants had effectively neutralized the civil service. It would be misleading to say that the Philippine bureaucracy at this point in time was politically neutral. However, self-restraint and a sense of propriety dictated by the values of fairness and impartiality were more or less internalized by key factors.

The Martial Law Period

The economic, political, and social problems of the early seventies pointed to the need for meaningful changes in almost all spheres of public life. The representative system of government at this time could be considered a failure because the structures and institutions, instead of alleviating the economic conditions of the greater mass of the Filipino people to live in poverty, tended to reinforce inequalities in wealth distribution.¹⁰ The crisis of the Philippine representative system of government and its failings could have laid down the ground for the new political experiment spearheaded by President Marcos.

On September 21, 1972, Marcos in his capacity as Chief Executive signed Presidential Decree No. 1081 which placed the whole country under martial law. This event ushered the establishment of an authoritarian form of government which gave Marcos full political, administrative and military powers for an indefinite period. Changes were immediately implemented. Congress was abolished. Elections were suspended temporarily while political parties were disbanded. Freedom of expression was curtailed and restrictions on the press and on public discussions/meetings were imposed. Marcos rationalized the issuance of PD 1081 as a fitting measure "to save the Republic and reform the Philippine society."

Decision-making during the martial law administration was remarkably different from the previous years. The heightened role of the technocrats ushered in a new direction and substance in the decision-making process as technical experts formulated and at the same time implemented policies and programs of government. Whereas policies and programs carried out prior to the martial law period were borne out of a process based on law and were circumscribed by both the bicameral legislature and the executive branch of the government, this time, the President exercised a monopoly of the decision-making powers and functions including personnel and fiscal management. In so doing, he relied primarily on the bureaucracy, both the civil and the military.

At the helm of the bureaucratic structure were the technocrats who looked up to the President for leadership and direction. With the President exercising a monopoly of the appointing and budgetary powers, loyalty to the First Couple became an important criterion for appointment and reten-

tion in office. Instead of a popular mandate, the technocrats relied on technical competence as means of legitimizing themselves in position of power. In this context, the relative power of the bureaucracy was reinforced. During the martial law period the bureaucracy, in addition to its role as the machinery for service delivery and law enforcement, became a vehicle for construction of consensus. The latter role was substituted to more popular means of clothing the government in power with legitimacy. Internally, the bureaucratic structure had to be continuously reorganized to effect control over the processes which influenced collective behavior of the mass of the population.

The 1973 Constitution, which was in effect during this period, retained the provision on political neutrality contained in the old 1935 charter. Thus, officers or employees in the civil service, including members of the armed forces, were prohibited from engaging directly or indirectly in any partisan political activity or take part in any election except to vote. However, Presidential Decree No. 807 (Civil Service Decree of 1978) allowed those holding political offices to take part in political and electoral activities although it shall be unlawful for them to solicit contributions from their subordinates or subject them to any of the acts involving subordinates prohibited in the Election Code.¹¹

In the initial years of martial law, a great majority of the Filipino people accepted this technocracy (more than the barangays, citizens' assemblies, referenda and plebiscites) as a source of legitimation of Marcos' authoritarian rule largely because of the weaknesses of the representative system of government. People seemed to display their willingness to trade-off political freedom for economic prosperity. Thus, it appeared that the Filipinos took the risks with President Marcos' one-man rule only to find out later the falsity of this equation. The contradictions between political representativeness and technical competence only deepened after a transitory period of stabilization following the assassination of Marcos' political rival, Benigno S. Aquino.

From the above legal definitions of political neutrality and the extent of its varying applicability to civil servants occupying various levels in the governmental structure, it can be seen that erosion of political neutrality is total among top and key career service officers.

The 1984 Parliamentary Elections: Bureaucracy as Partisan Tool of the Ruling Party

In 1984, the first elections for the members of the regular Batasang Pambansa were held. Majority of the incumbent members of the Cabinet decided to run as candidates to retain their respective positions. This was in consonance with Section I, Article IX of the 1973 Constitution which required "at least a majority of the Members of the Cabinet who are heads of ministries [to] come from the Regional Representation of the Batasang Pambansa." In this connection, Section 29 of the 1978 Election Code allowed members of the Cabinet to continue in the offices they presently hold, not-

withstanding the filing of certificates of candidacy, subject to the pleasure of the President of the Philippines. The 1985 Omnibus Election Code was more explicit in exempting heads of executive departments from the prohibition of engaging in partisan activities. Apparently, this provision signified a marked departure from Section 26 of RA 180 (otherwise known as Revised Election Code) which stated that a person holding a public appointive office or position shall ipso facto cease in his office or position on the date he files his certificate of candidacy.

Mobilization of the Civil Service for Partisan Purposes

Prior to the May 1984 elections, then Civil Service Commissioner Albina Manalo Dans issued a memorandum dated March 29, 1984 which directed all ministry heads, bureaus and agencies of national as well as local government, including government employees, soldiers, policemen and public school teachers to observe strict neutrality in the May 14 elections.¹² Subsequent verification from personnel officers of various government agencies, however, the memorandum seemed to have been filed at the CSC but was not disseminated for one reason or another.

The May 1984 elections showcased an alarming development observed during the last decade — the increasing visibility of civil servants engaged in partisan politics. Mobilization of government employees for purposes of political campaigns and other related activities along with indiscriminate use of government resources, programs and facilities during the last elections may be considered as a departure from the low-keyed role of civil servants in elections during pre-martial law years.

From the interviews conducted by our research team it was gathered that some civil servants were instructed to conduct opinion surveys to gauge the popularity and vote-getting capabilities of potential KBL candidates, to determine the best campaign strategy especially for Metro Manila which is an opposition bailiwick, and who will carry this out. It was further learned that a group of planners were tasked to speed up the preparation of certain reports, data, and other relevant briefs on the economy so that the Office of Media Affairs could process them into campaign materials a few months before the start of the campaign period.

During the registration period some employees were asked to register as voters in places other than their own especially where the head of offices were running as candidates. For instance, some of the employees of the Ministry of Natural Resources were sent to Palawan (where then Minister Teodoro Peña was a candidate) on official business during the registration. Similarly situated were Ministry of Foreign Affairs personnel who reportedly registered in Batangas,¹³ the province of then Deputy Minister Collantes of MFA was one of the KBL candidates in this province. There were others who allowed the use of their residences as registration centers.

From a random survey of government agencies represented during the proclamation rally of KBL candidates in Metro Manila held at the Luneta on March 27, 1984, at least 21 government agencies were represented. It appeared that attendance of government employees was part of the organized effort to showcase an overwhelming popular support for the candidates fielded by the Kilusang Bagong Lipunan party, the administration party. Based on newspaper reports, government agencies were actively involved in the planning, funding and "audience-packing" of the whole exercise. People were enticed to attend in exchange for free food, T-shirts and transportation allowances. Indeed this granting of "enticements" to ensure a full audience for these rallies was a direct violation of the provision contained in Section 14 of the 1978 Election Code which prohibited any candidate or political group to give transportation, food, or other things of value during a public meeting in favor or against any candidate.

The compulsory attendance of civil servants in the campaign activities of the KBL gave support to the observations that the political machinery of the ruling party involved the entire governmental machinery. Civil servants were harnessed to stage-manage support for KBL candidates. They admitted to having been required to clap, cheer and chant "We want the First Lady, we want the First Lady." As our interviews revealed, civil servants were encouraged to campaign actively for the ruling party and to vote for them at the polls. A head of office was even quoted saying, "If you campaign for the KBL candidates, forget the principle of political neutrality. Prohibition against electioneering among civil servants will be applied only if you campaign for the opposition."

For others, travel orders were issued to civil servants who were mobilized to campaign for their ministries who were running for the Batasan. In Leyte, for instance, government employees were reportedly issued travel orders to attend rallies and campaigns for KBL candidates.¹⁴

In the acknowledged opposition bailiwick of Batangas, where two cabinet ministers were running, the staff of their respective government agencies (the Ministry of Foreign Affairs and Ministry of Agriculture) were reportedly seen working for the candidates of the KBL bets using government resources.¹⁵

Four bureaus of the Ministry of Natural Resources allegedly campaigned in Palawan when the Minister of that agency was the KBL official bet. The highly organized campaign strategy was handled by MNR personnel as early as November of 1983. Positions of barangay coordinators were even created by the Bureau of Fisheries and Aquatic Resources to handle information drives as part of the KBL's campaign activities. Also utilized were personnel of the Bureau of Forest Development, Bureau of Mines and Bureau of Lands.¹⁶

Civil servants accused of partisanship not only during the campaign but, worse, during the crucial post-election stage. UNIDO exposed an election

fraud where the opposition allegedly caught Commission on Audit (COA) people working on election returns in Leyte.¹⁷ Copies of these election returns, mostly the copy intended for the declared Dominant Opposition Party, NP-Roy faction, were taken. For such exposition to the media, a libel case was filed by COA Chairman Francisco Tantuico against the opposition candidates. Until now, the case is still pending in court.

The mobilization of civil servants to attend government-sponsored rallies of any type justified the use of the talents and time of people to set up the stage facilities, install campaign posters, prepare food for participants, and act as ward leaders. In several instances, some chosen government employees acted as campaign managers of specific candidates or as personnel in campaign operations. Aware of the legal impediments against the holding of any political rally involving government employees, political rallies organized by the KBL which rounded up employees of several government agencies were held under the guise of seminars on Filipino ideology, barangay assemblies to discuss outreach programs, anniversary celebrations as well as prayer rallies. A particular example, the "prayer rally" held May 5, 1984 was, in actuality, a political rally sponsored by the Metropolitan Manila Commission (MMC) for its Vice-Governor, Ismael Mathay. Most of the issues brought up were concerns of Metro Manila aides and other employees of the MMC. The announcement of the approval of the reorganization plan was greeted with a lot of "supervised commotion" — a series of claps, hurras and generally satisfied forms of appreciation manifested even more so when the speaker made public the 10% increase in salaries for Metro Aides, retroactive to January 1, 1984, with the promise of granting the differential a week before the May 14 elections. It should be noted, however, that the Election Code summarily prohibited giving or promise of money or employment to any person or group, and during an election, to expect patronage, which in reality constitutes vote-buying (Section 178).

Use of Government Programs and Resources in the Campaign

The KBL's great advantage over the fragmented opposition parties was clearly observed in their (the KBL's) ability to capitalize on the appeal of government programs. To promote fairness in the electoral contest, legal impediments were incorporated to prevent possible abuses in the use of government programs and resources for electoral purposes. Specifically, provisions like Section 64 (c) & (d) of BP No. 697 prohibited the release, disbursement or expenditure of public funds 45 days before the election day for the support of any and all kinds of public works.¹⁸

Banking on its record of performance, the incumbent party maximized the exposure of government programs during the entire campaign period to favor KBL candidates and to impress upon the people its capability to be the sole dispenser of favors and services. Based on our content analysis of news accounts, the programs ranged from livelihood grants such as the Kilusang Kabuhayan at Kaunlaran (KKK), Technology Resource Center (TRC) and Ministry of Social Services and Development (MSSD) loans, rewarding of

land titles, construction of roads, bridges and other infrastructure and public utilities, conduct of training and vocational seminars and a host of outreach programs directed at the grassroots — all aimed to uplift the plight of residents of Metro Manila. Assistance programs for housing were also provided in the form of increased support fund for housing, suspension of the relocation of squatters, and a grant of amnesty on delinquent payments to the National Housing Authority.

Public utilities figured conspicuously among the government programs that were supposed to be undertaken during or after the campaign period. The setting up of artesian wells/deep wells were a common sight as well as the provision for electricity in certain areas and the marked relative efficiency of garbage collection especially in Metro Manila. These government programs were meant to serve as KBL propaganda materials consonant to the KBL's campaign theme of performance during the post-martial law period.

Other government programs came in the form of loan or land grants. In Pasay City, for example, where the Deputy Minister of Human Settlements was running for the Batasan, KKK loans were implemented in full scale at the expense of other areas. Most of the loans were given to people in the depressed localities who were more vulnerable or amenable to persuasions to support the KBL ticket. In other key electoral districts, an extraordinary increase in loan grants for local officials, unfreezing of loans and the sudden availability of funds were also noted in varying scales. Taking into consideration the timing of the release of these loans, the "impact" generated as an end-result of such projects could have yielded a possible advantage to the ruling party.

Similarly, in many cities and municipalities, Mrs. Marcos, as Minister of Human Settlements distributed during several electoral campaigns leaseholds of parcels of lands and award certificates of occupancy to the residents. Such a maneuver would have directly won the votes of these people who after waiting for so many years were able to realize their dream of owning parcels of land.

The public works that were inaugurated, carried out or otherwise promised were translated into very convenient campaign materials for the use by KBL candidates in their campaign activities. For instance, the Quezon City KBL bets rounded up the blueprints of proposed public works, and implemented several infrastructure projects in violation of Article XV Section 64 (c.1). Billboards were found in a street in Quezon City which announced that it was the KBL line-up that recommended the improvement of the roads as part of their "commitment" to the public.¹⁹ With the exception of Quiambao, the names of the KBL candidates Mathay, Alinea and Puno were printed side by side with the First Lady's name and that of mayor of Quezon City, Adelina Rodriguez. Claiming credit for implementing public works in specific areas may be seen as a ploy to boost one's credibility as a political representative fit to serve in the Batasan.

Public works carried out in varying degrees included the construction of local recreational center, chapels, classrooms and extension of school buildings. In Valenzuela, Bulacan, the cost an infrastructure development package with the aforementioned features for residents of Marulas was estimated at ₱4.2 M. The announcement of the infrastructure package in a KBL rally coincided with the promise by a top official of a food agency running for a seat in the Batasan to construct a food terminal in Malanday in Valenzuela. Upgrading of slum areas were ordered by the First Lady, affecting the blighted areas of Quezon City as part of the Zone Improvement Program (ZIP) which has been given additional funds by President Marcos.²⁰ Forty-three depressed areas in Metro Manila were also made beneficiaries of funds for slum improvement as the First Lady urged an active campaign and vote for KBL-Metro Manila candidates.²¹

In areas where no cabinet ministers were running, the KBL candidates were more or less satisfied in citing the roads and bridges, schools, markets or other infrastructure built in their respective areas. It was enough for them to either harp on the KBL performance in general or just promise to set more projects once they get elected.

KBL candidates resorted to giving out rice and T-shirts and other giveaways especially to people in depressed areas to beef up their campaign. The goods coming from the Food Terminal Inc., as well as from Kadiwa centers found its way into squatter areas as campaign gifts.

Although there were also reports that certain well-to-do candidates from the opposition have also done these things, the scale would paled in comparison to that of KBL candidates. This is understandable because opposition candidates dug from their own pockets while candidates of the party in power were in a position to use public funds.

Training seminars held in various parts of the country sponsored by different government agencies that fall under the campaign period became fora of the campaigns of KBL candidates in general with specific reference to candidates of the locality. These training seminars became venues for articulating the Marcos — KBL issue of performance,²² and for enumerating the strengths of achievements "initiated" by the KBL party from 1972 up to the present such as agrarian reform, rice self-sufficiency, major housing programs, etc.²³

For the party in power, the public treasury could be one lucrative source of campaign funds considering their access to government funds. The strong influence exerted by, and stemming from, the administrative as well as political hold of KBL bigwigs as government officials allowed their accessibility to public funds which might have been used for campaign purposes. Legal impediments against this probable eventuality were contained in Section 178 (j), 1978 Election Code, which prohibited the use of public funds, money deposited in trust, equipment, facilities, etc., owned or controlled by the government for an election campaign. Their access to

public funds and facilities, even personnel, could have been the basis for saying that KBL's resources were almost unlimited.

A few days before the KBL rally at the Luneta, MMC Vice-Governor Mathay made a series of withdrawals from the agency's PNB account totaling ₱40 M. The sum was allegedly for "intelligence/confidential expenses" and for the special projects for the barangays. The opposition claimed that the amount was possibly diverted to the political campaign of the KBL particularly the Luneta rally. The expose by *Malaya* caught the attention of the Social Democratic Party (SDP), one of the opposition parties, who filed charges against Mathay for malversation of public funds. Raul M. Gonzales, President of the National Bar Association, joined the SDP in asking the COMELEC to look into the diversion of MMC funds.²⁴

The opposition led by the UNIDO further accused the Marcos government of having overprinted money for electoral campaign purposes, particularly for dole-outs to local government officials including barangay leaders. Some of these were purportedly distributed as cash dole-outs in Malacañang.²⁵ These findings were validated by interviews with barangay officials that they were recipients of worn-out notes.

Perception of Civil Servants

Insights of public servants on the degree of the bureaucracy's subordination to the ruling party during the 1984 parliamentary elections revealed that they were mostly the unwilling victims of manipulations. It cannot be denied, however, that some were also willing tools of manipulations in the bureaucracy.

The popular sentiment among government employees who were directed to campaign actively for (or not to be critical of) the KBL, were not willing or voluntary participants. Many did it not out of their own liking but to comply with the instructions, directives, and persuasions of their superiors for fear of getting demoted or transferred, losing their jobs, or being harassed by the military.

The common reaction of the rank-and-file public servants, however, was more of silent dissention than open resistance. For example, one employee revealed that in their office, while they openly advocated the KBL's cause, their sentiments were for the opposition. However, in some instances fear of adverse consequence has driven civil servants to become politically apathetic "although aware of the real things within."

On the other hand, those who chose to desist from supporting or actively campaigning for the KBL were caught in a dilemma as their superior construed this as ingratitude. A public servant even asked: "to whom should one demonstrate our loyalty, to the administration which created this office or the general public who supports the office through taxes?"

There are however others who rationalized the partisanship of the bureaucracy especially those at the top. Some senior public administrators stated that they are at the same time influential political actors, they are also a personal extension of the ruler. Another blamed the spoils system (where employees enter the government service not through merit but through political connection) for the bureaucracy partisan. During elections, "the politician gets the payment for the favor with interest." Another government employee regarded the partisanship of the Philippine bureaucracy as nothing new since the "bureaucracy will always be an instrument of the party in power except that some uses it more than others."

Since the civil servants in general believed in some of the norms derived from the principle of political neutrality, it seemed that the pressures to disregard them came from the top echelon of the bureaucracy, that is, from the President and the First Lady and then to the Cabinet Ministers. President Marcos and the First Lady played pivotal roles in leading the KBL's victory in the May 1984 parliamentary elections. President Marcos as KBL supreme head and the First Lady as party campaign manager in Metro Manila, gave direction and provided material and moral support to the ruling party candidates, especially to the cabinet ministers.

For the 1984 elections, it can be said that the partisan behavior of civil servants could be traced mainly to the expectation of the country's top leadership and the example they set to follow. The top leadership sets the tone for the quality of politics as well as of administration.

Summary and Conclusion

The notion of political neutrality implemented in the Philippine political system at the turn of the century was essentially American in origin and orientation. It was enshrined in the fundamental law and in various legislations as an ideal goal based on the American concept of politics administration dichotomy, despite its marked departure from Philippine realities. Indeed, political neutrality as it developed in the Philippines defined the relationship between the administrative and political realms in a manner that the law did not formally recognize or the theory did not take full cognizance.

In the pre-martial law years the periodicity of elections as a mechanism for leadership selection, the relatively high credibility accorded to the electoral process to ascertain the popular will of the people, the existence of equally strong competing political parties, the institutionalization of checks and balances within the tripartite structure of government, and at least a medium level of public morality were basic conditions in the open political system that checked the monopoly of abuses by any single political party. They imposed effective constraints on the arbitrary exercise of power by the party in power. The same conditions in turn contributed to the low degree of partisanship of the bureaucracy, in effect, neutralizing the latter. By promoting fairness in the electoral contest the bureaucracy, in the end,

contributed to a kind of legitimacy attained through active consent. Political neutrality thus existed in the pre-martial law years to a degree that civil servants were not duly influenced by a single dominant group in society to engage in partisan political activities.

The crisis of representative government in the seventies paved the way for the imposition of martial law, and consequently, the establishment of authoritarian rule. When it became obvious that the Filipino people had lost faith in the representative institutions of government the dictatorship developed and depended upon both the civil and military bureaucracies for its service of legitimacy. The bureaucracy came to be closely associated with the executive as the basis of regime support and the primary instrument for both policy-making and service delivery.

Within the bureaucracy emerged the technocracy that symbolized efficiency, effectiveness, and rationality in government, particularly in the delivery of public goods and services. The technical aspects of the bureaucracy had to be developed under the Marcos regime if bureaucracy and the type of decision-making process associated with it were to serve as substitutes to what was then perceived as the time-consuming and energy-wasting tendencies of the pre-martial law democratic government. The control-oriented characteristics of the bureaucracy, in turn, contributed to the stability of the dictatorship following conservative formulation of technocratic ideology that the building of order and authority had to precede the granting of political representation to the masses who were willing to trade-off some political freedoms in exchange for promises of economic progress.

Given an authoritarian political system characterized by the predominance of a single political party and the corresponding monolithic structure of political organization in a non-competitive party system, the degree of partisanship of the civil service became remarkably high. Political neutrality remained a mere formality under an authoritarianism that exerted strong pressure on the civil service or the bureaucracy to violate the rules that the political leaders themselves have prescribed. The 1984 parliamentary and elections clearly showed how civil servants were mobilized to man well-planned campaign strategies on official time, how government resources were wantonly misused to underwrite political campaigns of the ruling party's candidates, and how instant government programs could well qualify as selection propaganda.

The open partisanship of the civil service in the 1984 elections prevailed largely due to the destruction of the multiplicity and counter-balancing of political forces, the attitude of leaders and candidates of the ruling party who considered themselves either as above the rule of law or legitimate manipulator of the law, and the dismally low state of public and political morality. Elections under the Marcos regime, apparently, were intended merely to maintain a facade of legitimacy for the winning count at the polls could never correspond to the majority's sentiment.

As shown in the study, once the civil service accedes to be a tool of electoral manipulation (as it did, particularly in the 1984 elections), it can corrupt itself, and indeed, the whole system. The bureaucrats or civil servants who become pawns in this power destroy the whole system of public accountability, and ultimately, lose their own independence to power-hungry politicians. The breakdown of the accountability system not only leads to destruction and suppression of information from the people to whom bureaucrats are supposed to be responsible but further results in government inefficiency, waste, and plunder of the most methodical type. It is in this context that the bureaucracy under the Marcos regime may be said to have been utilized as an instrument for oppressing the people rather than as a protector of public interest and a viable institution for the delivery of public goods and services.

The immense pressures put on the Filipino civil servants to engage in partisan political activities during the Marcos regime underline the theoretical and political urgency of reflecting on the notion of political neutrality of the civil service. The use of government resources and the mobilization of civil servants for political campaigns are indices of the concept of political partisanship from where the civil service must be freed.

The expertise civil servants provide and the inputs they make to the planning and designing of public service as well as the administration of political exercises like elections, in particular, are crucial. If at the implementation stage, they recognize that the laws, policies, and regulations are inimical to public interest, civil servants find themselves in a quandary. Are they bound to carry them out in the most efficient way to the extent that the oppressive character of the policies hurt the people more acutely or even subvert their collective political will? In case of conflicts of judgment as to what constitutes public interest or what is the collective will, what are the grounds for the lawful expression of dissent on the part of the civil servants? In this regard, Leemans advocacy is for the civil servants to speak out fearlessly about their disagreements with the politicians as long as they are premised on the furtherance of public interest or on a desire to uphold the people's sovereign will.²⁶ In the case of pressures to violate the law, Sethe's suggestions sound practical. Civil servants should insist on a written order and make available or accessible basic information to public which are vital in the making of their choices.²⁷

In the face of a democratizing state of affairs in the civil service, it is crucial to discuss seriously what form of bureaucratic structure could be introduced to strengthen bureaucratic accountability to the Filipino people more than to their hierarchic superiors. What would be a desirable power and responsibility sharing scheme that could guarantee administrative autonomy to serve best the public interest? What standards a norm of behavior should be imbibed to support an accountable and responsive civil service? In quest for answers to the issues raised, the position taken in this paper is clear. Any civil service reform, to be meaningful, should be geared toward finding a proper blending of popular control and bureaucratic power to promote

democratic values and practices in the art of governance. We need not be evasive of the political and ethical questions pertinent to civil service reforms. Riggs' reminder that administration can only be improved by improving politics is most propitious to reiterate.

Endnotes

- ¹ Onofre D. Corpuz, *Bureaucracy in the Philippines*, 1957, p.166.
- ² *Ibid.*, p. 247
- ³ *Ibid.*
- ⁴ *Ibid.*
- ⁵ Jean Grossholtz, *Politics in the Philippines* (Toronto: Little Brown and Co., 1964), p. 132.
- ⁶ *Ibid.*
- ⁷ Corpuz, *op. cit.*, p. 205.
- ⁸ *Ibid.*, pp. 204-206.
- ⁹ *Ibid.*
- ¹⁰ Raul P. de Guzman *et al.*, "Citizen Participation in Decision-Making Under Martial Law," *Philippine Journal of Public Administration* Vol. XXI, No. 1 (January 1977), p. 15.
- ¹¹ Article X, Section 45.
- ¹² *Bulletin Today*, April 10, 1984.
- ¹³ *Ang Pahayagang Malaya*, April 4, 1984.
- ¹⁴ *Ibid.*
- ¹⁵ *Ibid.*
- ¹⁶ *Ibid.*
- ¹⁷ *Ibid.*, May 21, 1984.
- ¹⁸ With certain exemptions as in emergency or maintenance of existing public works.
- ¹⁹ *Bulletin Today*, May 3, 1984.
- ²⁰ *Philippine Daily Express*, May 10, 1984.
- ²¹ *Ibid.*, May 8, 1984.
- ²² *Ang Pahayagang Malaya*, April 27-29, 1984.
- ²³ *Times Journal*, May 13, 1984.

²⁴*Bulletin Today*, April 17, 1984.

²⁵*Ang Pahayagang Malaya*, May 14, 1984.

²⁶Lemmans, 1979.

²⁷Sethe, in R.B. Jain, ed., *Public Services in Democratic Context* (New Delhi: Swatantra Bharet Press, 1963).