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THE ROLE OF THE POLICE IN THE PHILIPPINES: A  
CASE STUDY FROM THE THIRD WORLD

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THE ROLE OF THE POLICE IN THE PHILIPPINES:  
A CASE STUDY FROM THE THIRD WORLD

By  
Cicero C. Campos

A DISSERTATION

Submitted to  
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## ABSTRACT

### THE ROLE OF THE POLICE IN THE PHILIPPINES: A CASE STUDY FROM THE THIRD WORLD

By

Cicero C. Campos

#### The Problem

There appears to be an absence of consensus regarding the role of the police and the nature of the organizational structure necessary to carry out its effective functioning. The primary purpose of this study was to analyze the changes in the structure, functions, roles, and other activities of the Philippine police from 1836 to 1975. Attempts were made to compare and contrast Philippine contemporary police structures and roles with those of police systems in six selected countries of the Third World: Indonesia, Malaysia, India, Nigeria, Algeria and Senegal.

#### The Methodology

This research involved the combination of three methodologies: the case study, the historical method, and the comparative method.

A historical analysis of the role played by the police of the Philippines during various stages of its historical development was conducted and a conceptual framework was developed to portray the interaction between the attributes of the police system with emphasis on its roles and functions, and the historical structural changes that have taken place in Philippine society. Potholm's Model on the roles and

functions of the police in developing countries was used in the evaluation of the roles and functions of the Philippine police.

David Bayley's comparative scheme on the structure of national police systems was replicated to analyze their elements: 1) roles and functions; 2) national structure; 3) nature of control; 4) internal organization; and 5) professional image.

Data were taken from general historical works, historiographic studies, archival materials, official reports, government publications, area studies, descriptive surveys, and newspaper and magazine articles.

### The Major Findings

1. The Philippine police has always been the principal agency for the maintenance of law and order.

2. There is a consistent militarization of the Philippine police throughout all the historical periods studied.

3. In the seven countries studied, the primary role of the police is the maintenance of law and order. The police perform a variety of paramilitary duties such as intelligence gathering, riot control, border security and containment and eradication of subversion and insurgency.

4. The police also perform regulatory activities, with the nature of these activities differing from country to country.

5. Social services activities are also assigned to the police forces of these countries. They also undertake the role of regime representation and linkage formation in varying degrees.

6. The structure of the national systems ranges from a partially decentralized organization based on local control but subjected to a

measure of national control, to marked centralization with total absence of local control.

7. Most of the countries maintain paramilitary forces, either as major division of the national police or as a separate force by itself.

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## TABLE OF CONTENTS

CHAPTER	Page
I. INTRODUCTION.....	1
Statement of the Problem.....	4
Definition of Terms.....	8
Significance of the Study.....	14
Limitations of the Study.....	18
II. POLICING IN DEVELOPING COUNTRIES: CONCEPTS AND MEASUREMENT.....	20
Concepts on Comparative Policing.....	20
Review of Related Literature.....	20
Summary of Propositions.....	38
Concepts on the Attributes of the Police System.....	42
Roles and Functions.....	42
Conclusion.....	49
Police Accountability.....	50
Conclusion.....	56
Organizational Structure.....	57
Centralization/Decentralization.....	60
Conclusion.....	67
Militarization of the Police.....	69
Summary.....	73
Professional Image.....	73
Recruitment.....	76
Training.....	78
Conclusion.....	81
Research Methodology.....	82
III. THE ROLE OF THE PHILIPPINE POLICE OVER THE YEARS.....	89
The Philippine Setting: An Overview.....	89
The Land.....	89
The People.....	91
Traits and Customs of the People.....	93
A Brief Political History.....	94
Sociological Characteristics and Cultural Values.....	101
The Spanish Regime: 1836-1896.....	107
The Cuadrilleros.....	114
Carabineros de Seguridad Publica.....	116



## CHAPTER

Page

The Guardia Civil.....	117
The Guardia Civil Veterana.....	124
The Revolutionary Period and the First Republic: 1896-1901.....	125
The American Regime: 1901-1941; 1945-1946.....	130
The Creation of the Philippine Constabulary.....	132
The Roles and Functions of the Constabulary.....	142
Maintenance of Law and Order.....	142
Paramilitary Operations.....	143
Regulatory Activities.....	145
Social Services Activities.....	146
Regime Representation.....	147
Police Structure.....	149
The Relationship of the Constabulary with Other Military and Civilian Forces.....	151
Professional Image of the Constabulary.....	154
The Establishment of the Municipal Police.....	159
The Short-lived State Police Force.....	166
The Philippine Constabulary During the Second World War.....	169
The Japanese Regime: 1942-1945.....	173
Post-Independence Period: 1946-1975.....	178
Roles and Functions of the Constabulary.....	183
Maintenance of Law and Order.....	185
Paramilitary Operations.....	187
Regulatory Activities.....	191
Social Service Activities.....	193
Regime Representation.....	195
Police Accountability.....	196
Organizational Structure.....	201
Professional Image.....	203
The Local Police Force.....	206
The National Police Commission.....	211
The Prelude to Police Integration.....	215
The Integrated National Police.....	218
Organizational Set-up of the Integrated National Police.....	224
IV. COMPARATIVE ANALYSIS OF CONTEMPORARY ROLES AND STRUC- TURE OF THE POLICE IN SOME SELECTED THIRD WORLD COUNTRIES.....	229
Roles and Functions of the Police.....	238
Maintenance of Law and Order: Some Comparisons..	241
Paramilitary Operations.....	244
Regulatory Activities.....	248

CHAPTER	Page
Social Services Activities.....	252
Regime Representation.....	255
Summary.....	261
Structure of the National System.....	265
Centralization/Decentralization.....	265
Summary.....	269
Militarization of the Police.....	272
Conclusion.....	277
Nature of Accountability.....	280
Conclusion.....	284
Internal Organization.....	285
Professional Image.....	291
Recruitment and Training.....	296
Summary.....	303
V. SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS...	314
Summary of the Study.....	314
Summary of Findings.....	316
Conclusions.....	334
General.....	335
Philippine Policing.....	337
Comparative Policing.....	339
Implications and Recommendations.....	340
General.....	341
Philippine Policing.....	342
Comparative Policing.....	348
BIBLIOGRAPHY.....	351

## LIST OF TABLES

TABLE	Page
1. Descriptive Information about the Selected Third World Countries.....	231
2. Examination of Potholm's Model in Selected Third World Countries.....	263
3. Geographic and Demographic Information.....	271
4. Military and Paramilitary Forces Demographics.....	276
5. Roles and Functions of the Philippine Police Over the Years.....	317
6. Structure of the National Police System.....	324
7. Relation of Police Structure with the Scales of Jurisdiction and the Character of Government.....	330

## LIST OF FIGURES

FIGURE	Page
1. The Developing Nations: A Comparative Perspective.....	10
2. The Philippines in Their Southeast Asia Setting.....	90
3. Growth of Philippine Population: 1799 to 1975.....	92
4. Map of the Philippines.....	102
5. The Organization of the Philippine Constabulary Over the Years During the American Regime.....	153
6. Organizational set-up of the National Police showing the general structure of the force, the geographical department, the provincial units, and the staff; also the organizational set-up showing how Executive control over local police forces is exercised through the national police.....	155
7. Schematic diagram showing how the President reaches the Provincial Guard, the City and Municipal Forces, through the Department Secretary.....	161
8. Schematic diagram of the city police organization; also Schematic diagram of the town police organization.....	162
9. The Philippine Police System: 1946-1975.....	198
10. The Regular Philippine Constabulary Zones and Metropolitan Command.....	202
11. The Philippine National Police System.....	214
12. The National Police System of the Philippines (National, Regional, and Provincial).....	226
13. PC INP Regional Commands.....	228
14. The Police in Africa: The Colonial Ties.....	235

## CHAPTER I

### INTRODUCTION

There appears to be an absence of universal agreement as to what the police officer's role should be. Differences of opinion are rife among the police, the community and the authorities regarding the exact operational role of the police as an agency within society. History provides little assistance since there has been a great variety of often contradictory roles played by the police over time:

Are the police to be concerned with peacekeeping or crime fighting? The blind enforcers of the law or the discretionary agents of a benevolent government? Social workers with guns or gunmen in social work? Facilitators of social change or defenders of the 'faith'? The enforcers of the law or society's legal trash bin? A social agency of last resort after 5:00 PM or mere watchmen for business or industry?<sup>1</sup>

In a similar vein, the report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1976, cited the lack of international consensus as to what the police officer's role should be:

It was generally agreed that there was no consensus of opinion on the role of the police. The maintenance of order, the prevention and detection of crime, the protection of life and property, the provision of social services, the performance

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<sup>1</sup> Bernard T. Garmire, "The Police Role in an Urban Society", in Police and the Community, edited by Robert F. Steadman, Baltimore, Maryland: Johns Hopkins University Press, 1972, p. 2.

of a wide variety of administrative duties, the inculcation of civic discipline, services as border and prison guards--those and other functions were variously performed by the police forces of the world. Political, social and economic changes in the present century were reflected in the multifarious structures and operations of police organizations, many of which were still in the process of rapid evolution.<sup>2</sup>

It has been argued that not only does the police role vary from country to country but that within a country, the police role changes as the country passes through the different stages of development.

"The police", Critchley says,

. . . are used for different purposes from one generation to another. In the nineteenth century, the main problem was poaching, vagrancy, and petty crimes; during the first three decades of the twentieth century, public order constituted a major problem; now the challenge is from crimes of all kinds and road traffic.<sup>3</sup>

In most developing countries, the police have moved far from the original "law-and-order" functions associated with crime control; they now have contacts with citizens in various new roles. Because of technological changes and government policy, they have taken on new regulatory functions. For instance, because of the centralized organization of African countries and the availability of adequate manpower, the police are often assigned tasks that, in the United States and Western Europe, are handled by specialized agencies and portions of the bureaucracy. Some tasks like "licensing of commercial enterprises,

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<sup>2</sup>Working Paper prepared by the Secretariat. "The Emerging Role of the Police and Other Law Enforcement Agencies", Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders (Geneva, Switzerland, 1-12 September 1975).

<sup>3</sup>T. A. Critchley, A History of Police in England and Wales, London: Constable, 1967, pp. 202 & 320.

supervision of trade, management of prisons, protection of currency, enforcement of exchange controls as well as immigration and passport inspection, border patrol, and refugee settlement"<sup>4</sup> are generally handled directly by the police forces of many African countries.

The Philippines, being a developing country, does not deviate from this observation. This could be gleaned from the annals of the Philippine Constabulary, the national police forces:

Although primarily discharging police and public safety functions, there were times in its formative history when the constabularyman performed the duties of teacher, sanitary inspector, midwife, doctor, forester, prosecutor, judge, or other related activities in the service of a growing nation. ... Since then, the organization has been structured to meet the multifarious and ever-increasing challenges of contemporary and anticipated events. The tasks and duties of the present Constabulary far transcend the generally accepted concepts of law enforcer's job, and with the magnitude of its present responsibilities, the organization finds itself thrust to the forefront of the country's march towards full national development.<sup>5</sup>

Since policing is a major component of most government organizational structure, it is imperative that attributes of the police system be specified and articulated. Statements of these attributes with a certain level of specificity may tend to minimize confusion and anomalies associated with the very maintenance of peace and order in any societal setting. The Philippines is not exempt from this need. The primary focus of the current government is the maintenance of internal order since

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<sup>4</sup>Marshall Clinard and Daniel Abbott, Crime in Developing Countries: A Comparative Perspective. (New York: John Wiley & Sons, 1973), p. 218.

<sup>5</sup>Philippine Constabulary Diamond Jubilee Yearbook, Camp Crame, Quezon City, Philippines, August 8, 1976, p. 9.

without this, attempts to enhance economic and social development may very well be exercises in extreme futility. It is anticipated that this study's review of historical precedence across cultures may result in the development of a paradigm of police attributes that will serve as a comparative base against which the current attributes of the Philippine police will be analyzed.

### Statement of the Problem

The development of policing in the Third World countries is shrouded with a historical mist. In the early stages of social and political development, society tended to rely on Draconian punishments rather than on effective police organizations for its maintenance of order and defense against crime. The smallest societies lacked written laws; their customs and traditions prescribed the bounds of social conduct. Later, as states developed, the rulers recruited agents to enforce their decisions. Germann, Day and Gallati surmised the origin of policing as follows:

In early tribal and clan life, the people were the police and the chief of the clan or tribe exercised judicial, legislative and executive powers. Often, he would appoint members of the tribe to special duties ... enforcing his edicts, or acting as his bodyguards ... but they were still primarily members of the community rather than a selected police body.<sup>6</sup>

Usually, communities with the highest level of social control are the small, homogeneous tribal societies. In these societies, social

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<sup>6</sup>A. C. Germann, Frank D. Day and Robert R. Gallati, Introduction to Law Enforcement. Springfield, Illinois: Charles C. Thomas, Publisher, 1962, p. 28.



order is maintained largely by informal controls that do not necessitate formally organized police forces since their groups are small enough to impose control on themselves. The complexity brought about by population density in larger societies requires the organization of full-time officials who are appointed with special responsibilities regulated by law. In his analysis of the development of police systems in Europe, David Bayley succinctly concluded:

Policing is ubiquitous in human society. One would be hard pressed to find a society where interpersonal relations were regulated either wholly privately or without recourse to physical force. In modern Europe, police agencies antedate most other institutions.<sup>7</sup>

The Philippine experience in policing is no exception to this observation for its police system has evolved out of a long history of usage, cultural traditions, and practices carried on over the years. Though its recorded history has fairly accounted for most of the primary milestones of the country's development, no accurate chronicle of the evolution of its police system has so far been recorded. However, it can be stated with certitude that its police system dates back to the early years of its recorded history. The earliest police system revolved around the headman of the political unit called the barangay. The barangay was the basis of government and the headman was the government. He enacted laws, levied taxes, and meted out punishment on any deviant in the community. To enforce these laws and maintain peace and order, the headman appointed from among the able-bodied males of the barangay a

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<sup>7</sup>David H. Bayley, "The Police and Political Development in Europe" in Formation of National States in Western Europe. Charles Tilly (ed.) Princeton, New Jersey: Princeton University Press, 1975, p. 329.

chief warrior who, together with some subordinates, were charged with the duty to enforce his decrees and the customs, traditions, practices, and usage of the barangay. The chief warrior was in effect the chief of police.<sup>8</sup> This was the situation when the Spaniards came to the Philippines in the early 16th century. The Spanish conquistadores integrated the numerous, autonomous small barangays into one centralized political system and introduced their own concept of policing in the country.

This started the development of the modern state with its complicated political structure and multifarious social problems, all of which contributed to the evolution of the roles and functions of the police in the Philippines. As a consequence of historical antecedents that saw the country go through the four and a quarter centuries of Spanish, American and Japanese rule with intermittent phases of independence, Philippine policing experienced corresponding changes in its internal structure and multifaceted roles. Primarily, this study will attempt to analyze the historical development of the Philippine police system and in the process, scrutinize the role it has played in Philippine society through the years.

The primary concern of the research will be the changes in the structure, functions, roles and activities of the Philippine police from the period from 1836 to 1975. The analytical paradigm will focus attention to structural changes, specifically: 1) roles and functions;

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<sup>8</sup>Gregorio F. Zaide, Philippine Political and Cultural History. Revised Edition, Manila: Philippine Education Company, 1957, p. 53.

2) organization structure; 3) police accountability; and 4) professional image, as the system evolved into its present form.

Additionally, attempts will be made to compare and contrast Philippine contemporary police structure and roles with police systems in selected countries of the Third World. The fact that police in different countries have met analogous problems with different approaches has in itself offered great potentialities for comparative studies. In writing about one such institution, Seymour Lipset stressed that:

... it is necessary to know if (it) differs from the comparable institution in other cultures. Only when one knows what is unique on a comparable scale can one begin to ask significant questions about causal relationship within a country.<sup>9</sup>

When looking at the everyday aspects of police work in the United States for instance, as compared with other countries, one begins to develop a perspective that can be helpful in understanding and evaluating one's own way of organizing and doing things. Besides, collecting information from

... several systems also helps to reduce the possibility that the same intervening variable will continue to be present to mislead the researcher. Thus accumulating a number of studies on the same topic in various countries helps to substantiate theories by demonstrating that they are valid crossnationally.<sup>10</sup>

In the light of the foregoing observations, this study will specifically attempt to answer the following questions:

1. What are the aspects of policing as identified by a number of studies over time and across cultures?

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<sup>9</sup>Seymour Martin Lipset, The First Nation. New York: Basic Books, Inc., 1963. p. 348.

<sup>10</sup>Jorgen Rasmussen, The Process of Politics. New York: Atherton Press, Inc., 1969, p. 5.

2. Which of these aspects manifest similarities across selected countries? Which manifest differences?

3. What historical antecedents bear on the similarities and differences of police systems in the Third World countries selected for this study?

4. How does the Philippine police system compare with policing aspects of selected Third World countries?

Responses to these questions are anticipated to generate specific role and function definition that will facilitate the comparison of policing between the Philippines and the selected Third World countries.

#### Definition of Terms

Before studying the variations in emphasis given to the roles of the police, it is imperative that certain terminologies be clearly defined, particularly those that relate to the context of the study. An adequate definition of "police" should be sufficiently specific to allow observers to recognize most instances of it without dispute. In this study, police will refer to

... the function of regulating social conduct within a community through the use of physical force authorized in the name of the community. The formulation distinguishes the police function from those of an army, a private person acting in self defense, or noncoercive agencies of social regulation.<sup>11</sup>

This definition ties the police to government because it has a territorial mandate; it excludes armies because they normally do not use force

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<sup>11</sup>David H. Bayley, "The Police and Political Change in Comparative Perspective", Law and Society Review, August 1971, p. 92.

domestically; it excludes private security agencies because they are not authorized in the name of the community; and finally, it excludes persons whose enforcement responsibilities are only specified to certain special laws.<sup>12</sup>

Since a portion of the study is devoted to a comparative analysis of policing in the Philippines with those of some selected Third World or developing countries, a definition of these terms is in order.

A developing country, compared to North American and Western countries, has the following salient characteristics: 1) it has a larger population engaged in agriculture; 2) it has a higher rate of population growth; 3) it has a lower literacy rate; 4) there is a keen observance of traditional customs; 5) there is a relative lack of capital investments; 6) it has a relatively low per capita income; and 7) there is an absence of a large middle class.<sup>13</sup> The developing countries are specifically those in Latin America, the South Pacific Islands, Southeast Asia (excluding Australia and New Zealand), South Asia, the Middle East (excluding Israel), and Africa (see Figure 1). The Philippines belong to the category of developing countries. The latest World Development Indicators further divides developing countries into low-income economies (countries with 1980 gross national product (GNP) per person of \$410 and

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<sup>12</sup>David H. Bayley, "Police Function, Structure, and Control in Western Europe and North America: Comparative and Historical Studies", in Crime and Justice: An Annual Review of Research, ed. by Norval Morris and Michael Tonry. (Chicago: The University of Chicago Press, 1979), p. 113.

<sup>13</sup>The New Encyclopedia Britannica, Vol. X, 15th Edition, (Chicago: Helen Hemingway Benton, Publisher, 1979), p. 225.

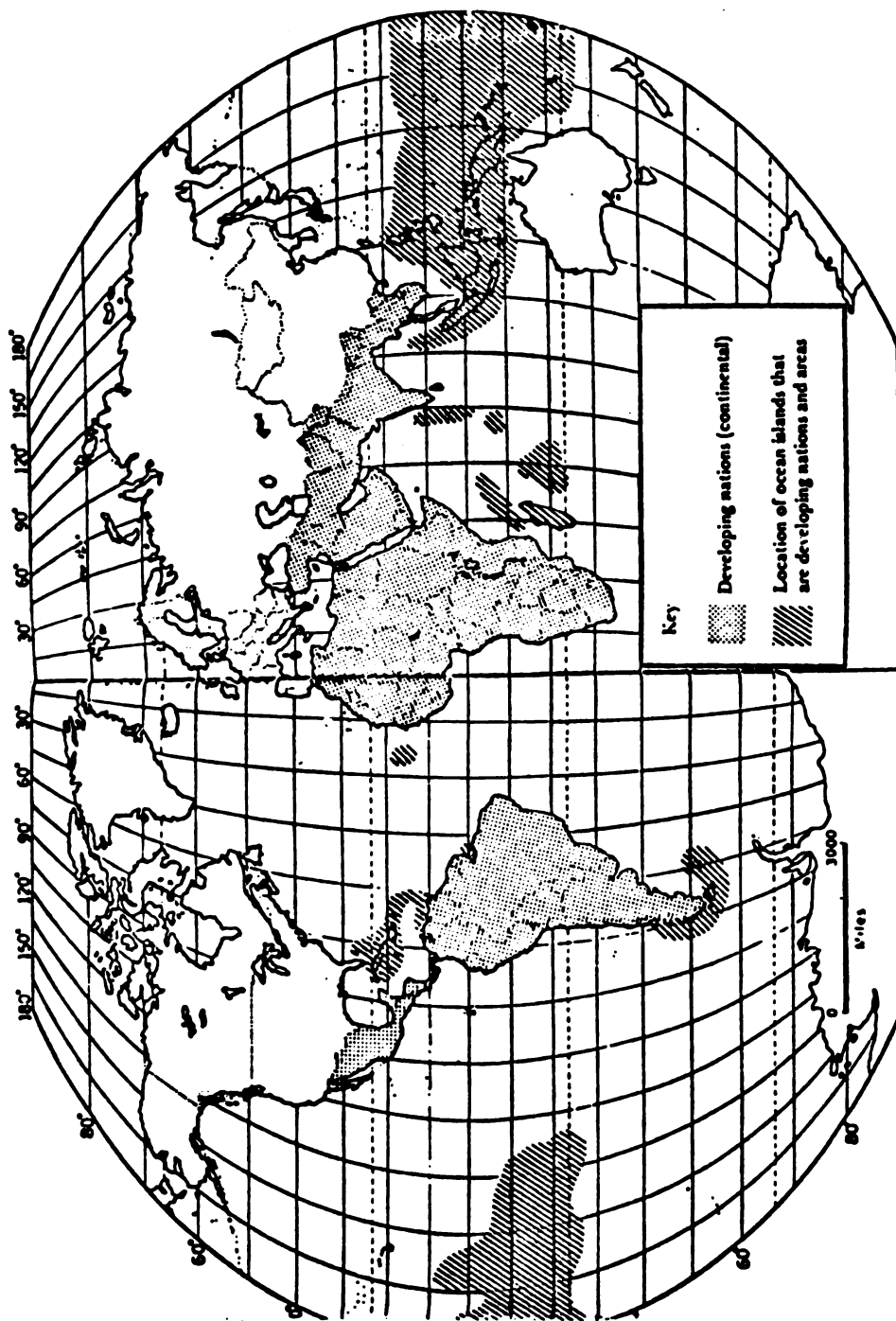


Figure 1. The Developing Nations: A Comparative Perspective.

Source: Robert E. Gamer, The Developing Nations: A Comparative Perspective, Boston: Allyn and Bacon, Inc., 1970.

below) and middle-income economies (countries with 1980 GNP per person above \$410). For instance, the Peoples Republic of China is classified as a developing country with a low-income economy (1980 GNP per person of \$290) while the Republic of Korea is a developing country with a middle-income economy (1980 GNP per person of \$1,520).<sup>14</sup>

The phrase, the Third World, was first coined in the middle 1950's to connote collectively the decolonized areas at a time when it required some efforts on the part of the newly independent states to avoid conscription into the American and Soviet blocs. The Third World generally consists of the new and poor countries and perhaps, more accurately, it connotes "a large and loose community of sentiments, of shared emotions and aversions."<sup>15</sup>

Since the primary thrust of this study is the analysis of the roles and functions of the police in the Philippines and those of the other selected Third World countries, it is imperative that the terms, "role" and "function" be clearly defined. As an aspect of social structure, a role is defined as "a named social position characterized by a set of personal qualities and activities."<sup>16</sup> The set is normally evaluated by those in the situation and others. For instance, the role of the police in the United States is often defined by the police agency itself and by other external influences like private citizens, legislative bodies, and courts and executive agencies.

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<sup>14</sup>World Development Report 1982 published for the World Bank, New York: Oxford University Press, 1978, pp. vii & 110.

<sup>15</sup>Peter Lyon. "Europe and the Third World", The Annals of the American Academy of Political and Social Sciences, Vol. 386, November 1969, p.140.

<sup>16</sup>Julius Gould and William Kolb (eds.), A Dictionary of the Social Sciences, compiled under the auspices of the UNESCO. New York: The Free Press, 1964, p. 609.

The police function embraces the following tasks: 1) the maintenance of law and order; 2) the preservation of public peace; 3) the protection of life, liberty and property; 4) the prevention of crime; 5) the apprehension of the offender; and 6) the investigation of crimes.<sup>17</sup>

Order maintenance is defined as "the handling of disputes, or behavior which threatens to produce disputes, among persons over what ought to be right or seemly conduct or over the assignment of blame for what is agreed to be wrong."<sup>18</sup> Take the example of the boisterous drunk, a street brawl or a family quarrel--all these are cases in which citizens disagree as to the correct manner of police intervention. Though a law is violated, as with the assault inflicted by the husband on his wife, the police may perceive this incident not simply as a particular form of behavior against a clear legal standard but may hesitate in effecting an arrest. In this particular case, the parties involved usually wish the officer to do something to pacify the situation but not to effect a settlement with an arrest.

Law enforcement connotes "the application of legal sanctions, usually by means of an arrest, to persons who injure or deprive innocent victims."<sup>19</sup> Take for instance the case of bag snatching or auto theft where usually the crime is committed by strangers on persons who do not provoke the attack. The police officer investigating the case is expected to effect an arrest or act to prevent the violation to occur in

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<sup>17</sup> The Role of the Police in the Protection of Human Rights (A Report). New York: The United Nations, 1963, p. 14.

<sup>18</sup> James Q. Wilson, "Dilemmas of Police Administration", Public Administration, September/October 1968, p. 407.

<sup>19</sup> Ibid.



the first place. The police officer's task is a technical act of either apprehending or deterring the criminal.

Police integration, in the context of a national police force, means the establishment of a single police command with national jurisdiction, involving the consolidation of manpower resources, physical facilities, equipment, material, records and other related functions into a common pool for maximum efficiency and effectiveness; the standardization of systems and procedures; and the creation of an overreaching organizational structure, linking together previously discrete and separate units.<sup>20</sup>

The term "paramilitary" connotes "organized militarily but not part of or in cooperation with the official armed forces of a country; having to do with a military force so organized in its tactics."<sup>21</sup> A paramilitary force generally exists where there are no military services or alongside military services. It is professionally non-military but forms an underlying military pattern as a potential auxiliary or diversionary military organization. For worldwide comparability, paramilitary forces essentially include the different types of national police forces and militia personnel who have internal security functions in addition to their statutory police tasks.<sup>22</sup>

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<sup>20</sup>The National Police System of the Philippines, Headquarters Philippine Constabulary/Integrated National Police, Camp Crame, Quezon City, Philippines, 1980, p. 10.

<sup>21</sup>James H. Auten, "The Paramilitary Model of Police and Police Professionalism" in Police Studies: The International Review of Police Development, Vol. 4, No. 2, Summer 1981, p. 68.

<sup>22</sup>Morris Janowitz, Military Institutions and Coercion in the Developing Nations, Chicago: The University of Chicago Press, 1977, pp. 28-30.

### Significance of the Study

The rampant incidence of violence, crime and disorder all over the world has underscored the role of the police in society, so much so that it has become the subject of close scrutiny and immediate concern especially to many developing countries. The Philippines is no different from most countries undergoing metamorphoses. It appears that of all the new nations, the Philippines seems to have had the smoothest transition to independence and to have suffered the lightest colonial hangover, politically. In fact, Dov Weintraub, a noted sociologist, had this observation about the Philippines in the late 1960s:

All in all, the Philippine political center had been endowed by legitimacy, stability and strength; and it provided national integration and forged a sense of national identity ... in a situation of extreme geographical dispersion, great linguistic diversity, considerable social and cultural heterogeneity and the presence of religious and ethnic religious minorities.<sup>23</sup>

However, in early 1970, when the so-called "confrontation in the streets" first erupted upon the Manila scene, one of the slogans of the demonstrators called for new directions that the country should take, i.e., less political stability and more socio-economic development. This demand stressed the basic problem of nation building in the Philippines during this period--a marked gap between achievement in political institution-building and development in the social and economic sphere. It indicted the strong political center for its failure in meeting the challenge of sustained development and transformative change.<sup>24</sup>

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<sup>23</sup>D. Weintraub, Development and Modernization in the Philippines, Beverly Hills, California: Sage Publications, 1973, p. 9.

<sup>24</sup>*Ibid.*, p. 8.

The violent postures adopted then by some segments of the populace advocating for change and the consequent elevation of expediency, crime and insurgency as articles of faith by some quarters of society have brought to sharp focus the role of the police in the Philippines as keepers of the peace and preservers of public order. Speaking in a similar vein, Sixto Roxas, former chairman of the National Economic Council, emphasized the vital role of the police in the socio-economic development of the country, when he said:

One factor left out of the analysis in the discussions is the role of law enforcement in socio-economic growth. Yet internal peace and order are as strategic to development as the other factors.... The successful promotion of a socio-economic program ... demands as a necessary element the enhancement of the organized capabilities of our law enforcing agencies; namely, all those that are engaged in the prevention of crimes, in the apprehension of criminals and in the detection and investigation of criminal acts and tendencies....<sup>25</sup>

The importance of studying the impact of police on the growth of nations is emerging in some developed countries. Years of neglect seemed to be giving way to informed inquiry, although the trend has not been encouraging in developing countries. In Great Britain, the Royal Commission in 1962 was the first official body to undertake a careful appraisal of the police. It saw a need not only to examine the traditional problems of administrative structure, recruitment, accountability, and conditions of service, but also the need to examine the public perception of police activity and the police officers' perception of themselves and their relations to the community. In the United States,

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<sup>25</sup> Frank E. Walton et al. Survey of Philippine Law Enforcement. Office of Public Safety, Agency for International Development, Department of State, Washington D.C., 1966, p. 95.

President Lyndon Johnson in 1965, activated by the growing concern about crime and civil disorder, appointed a presidential commission to conduct a comprehensive study of America's law enforcement machinery and the problems it faced. The urgency of the Commission's work had been underscored by serious riots in major cities, by the restiveness among the nation's youths, and by the confrontations between the reformers and the police.

In 1966, it was the lamentable observation among responsible government officials of the Philippines that lawlessness, violence and venality in both public and private offices have grown to such proportions that they were impeding the social and economic development of the country. There were even those who contended that the situation was hopeless, that the state of corruption, hoodlumism and gansterism was such that it had infected every aspect and element of Philippine social, political and governmental structure to a point that effective remedies were simply impossible. It was against this foreboding backdrop that the Philippine Congress was jolted into action. The following excerpt from one of the speeches delivered in Congress manifested the mood of the legislators at that time:

Crime which law enforcement organizations are designed to prevent, detect and encounter, reflects the need for effective organization of our law enforcement agencies. It is imperative to recognize the need because the existing set-up has proved ineffective and the need for the national enforcement infrastructure is paramount.... Little can be expected when the police, with few exceptions, are dismally trained and poorly organized, operationally limited in knowledge and budget, and too often so strongly influenced by political loyalties.<sup>26</sup>

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<sup>26</sup> Teodulo Natividad, "Introductions to House Bill No. 509", delivered during the Seventh Congress of the Republic of the Philippines, 1970.

In view of the apparent urgency for police reforms, the Philippine Congress passed the Police Act of 1966. This Act created the Police Commission which was charged to make the local police forces more efficient in their organization, administration and operation, with the end in view of maintaining peace and order more effectively and the laws enforced with more impartiality.

It is evident that through anxiety and now through study, people are beginning to be aware and sensitized to the critical role the police play in a community. What has been a fitful concern of a few scholars and officials has become a preoccupation of the public and the community. The foregoing discussions stress the need to know and understand the role of the police in society. A study of variances in roles and organizational structures may synthesize a structural profile or a set of variables upon which can be based an analytic comparison of police structures from a number of countries. This overriding concern on what the role of the police should be in developing countries such as the Philippines highlights the importance of this study.

Although it is not the intention of this study to evaluate or assess the effectiveness of Philippine policing over a period of time, a comparison with those of similarly situated comparable countries may result in the identification of potential areas that need improvement or expansion. At no time in Philippine history is this more crucial than now that the country is in the midst of such an overwhelming metamorphosis that all forms of assistance to maintain its stability have to come to the fore.

### Limitations of the Study

The prime concern of this study is to analyze the historical development of the Philippine police and in the process, to scrutinize the role it has played in Philippine society through the years, specifically from 1836 to 1975. As such, it was necessary to obtain data about the police organization and its environment over a long period of time to determine whether role changes were associated with changes in its corresponding social contexts.

The study also purports to compare the structure and role of the Philippine police with other police systems of some selected Third World countries. A certain degree of difficulty may cast doubt on the validity of such comparison because of the dearth of data about the police from Third World countries and the presence of intercultural differences. It may likewise be that processes of interaction between the police and its social environment may be qualitatively different across cultures and among nations. Furthermore, skill in foreign languages is required when conducting a comparative study among countries. It is more demanding to compare several countries' police at any one time than to study the development of one country's police. And as one shifts from one country to another, the amount of background materials that must be reviewed become oppressively tremendous.

Specifically, the study will be confined to cover the period from 1836 (the Spanish rural police, the Cuadrilleros, was created by a Royal Decree issued by the Crown in 1836) to 1975 (the Integrated National Police of the Philippines was created by Presidential Decree in 1975).

The writer expected that most data available for the present study would present only a snapshot of the contemporary situation. Efforts were made to gather information to illustrate relationships between the police and the public at the beginning of the twentieth century particularly when the Philippines was under American rule. Prior to this period, data were mostly derived from historical documents and commentaries (a great number of which were originally written in Spanish and later translated in English) gleaned from libraries and archives in the Philippines.

It should be noted that most of the primary data utilized in the literature review tend to concentrate on what the police have done and present only occasional insights into how the public, or any other component of the social environment, interacted. This constraint limited the writer's ability to conclusively demonstrate the influence of the police on the social environment. The study only presents presumptive evidence from which tentative hypothesis of mutual effect may be formulated.

## CHAPTER II

### POLICING IN DEVELOPING COUNTRIES: CONCEPTS AND MEASUREMENT

#### Concepts on Comparative Policing

##### Review of Related Literature

A review of studies that deal with the role of the police presents the state of the art with regards to comparative and historical research. It appears that Western historians have been more productive than comparativists; and that there are more longitudinal than cross-sectional studies. However, while specialized histories of the police are finally being compiled, general histories still indicate a dearth of attention. Comparative work on the police is still very scarce. Moreover, the bulk of comparative material on the police is in the form of reference books and surveys of features of contemporary systems. Even if the importance of such works cannot be negated for they provide useful insights on foreign police systems, there still exists the need to review these in light of analytical research.

The following review highlights a number of characteristics of police systems. Apparent systemic differences and similarities are analyzed to evolve a synthesized profile which can be used as the comparative base with the Philippine system. It should be noted that the review primarily presents five specific characteristics of police systems in a number of societies.



Charles Reith, in 1952, took up the documentation of police organization in his historical account of the police in the Blind Eye of History. Together with the other English police historians, W. Melville Lee, T. A. Critchley and Leon Radzinowicz, their writings were principally concerned with the founding of the centralized English police in 1829. A comparative study of their works reveals common doctrines found in their writings. The four themes conceptualized by these authors are:

- (1) that the need for police arises out of the division of society into good or evil;
- (2) that one result of the growth of police power is to protect the weak from the powerful;
- (3) that the police is dependent for its effectiveness on public support; and
- (4) that historically, the business of policing has been confided to the people themselves.<sup>1</sup>

This work has contemporary significance because present police-community relations of English and American police are substantially similar to what these writers have developed regarding the relations between the English police and the public. However, the same cannot be said of the police of developing countries, for as Clinard and Abbott assert, "the police in developing countries are generally more isolated from the public than the police of the United States and Britain."<sup>2</sup>

In 1964, Michael Banton did a cross-cultural survey of police systems in his book, The Policeman in the Community. His main focus was the

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<sup>1</sup>Cyril D. Robinson, "Ideology as History: A Look at the Police Historian Look at the Police", Police Studies: the International Review of Police Development, Vol. 2, No. 2, Summer 1979, pp. 35-49.

<sup>2</sup>Marshall Clinard and Daniel Abbott, Crime in Developing Countries: A Comparative Perspective. New York: John Wiley & Sons, p. 222.

policeman, and he only indirectly dealt with the organization. He found a basic inconsistency in the policeman's role as both the master and the servant of the public. He observed that it has become natural to speak of policemen as peace officers as opposed to law officers, emphasizing the non-enforcement aspects of police work. Nonetheless, policemen themselves frequently show considerable dislike for the role of peace officers, cynically objecting to being called "social workers". He concluded that any analysis of the policeman's role must also be concerned with the likely impact upon it by future social changes because the ideal of a policeman as a peace officer is based on conditions that are becoming less prevalent.<sup>3</sup>

In 1972, Harold K. Becker, in his intercultural comparative study entitled Police Systems in Europe, sought to develop empirical basic theories that interrelate functions, structures and behavior of the police with one another. He observed that regardless of cultural differences, problems such as the following are similar among police organizations: working conditions, pay, types of crimes, deployment of personnel, and employee job satisfaction. On the other hand, techniques to resolve these problems vary from one police organization to another. He concluded that it is within the phenomena of different techniques in resolving similar problems that the value of comparative police systems can be found.<sup>4</sup>

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<sup>3</sup>Michael Banton, The Policeman in the Community. London: Tavistock Publications, 1964, pp. 88-100.

<sup>4</sup>Harold K. Becker, Police Systems in Europe: A Survey of Selected Police Organizations. Springfield, Illinois: Charles E. Thomas Publications, 1973.

In 1980, Paul G. Shane, in his Police and People: A Comparison of Five Countries, concluded that although there are major differences in the historical development and organization of police forces in the five countries he examined: Britain, India, Israel, the Netherlands, and the United States, the functions of the police in all of them are quite similar. For instance, in all five countries the primary legal charge is the maintenance of law and order. In addition, the police provide requested help to the public, a duty generally subsumed under the category of keeping the peace. The primary emphasis in all countries is on the maintenance of law and order, crime investigation and prevention, and traffic control with a major unstated duty of patrolling assigned sectors or beats. Furthermore, the police in all countries are involved in a range of activities not directly related to law enforcement but often covered by regulations.<sup>5</sup>

The problems of the police vary from country to country. However, there are three main problem areas that stand out most prominently: general organizational relationship of police to governmental bodies, maintenance of an adequately staffed police force in terms of quantity and quality of recruitment, and the relationship of police with the public.<sup>6</sup>

Shane observed that although the forces examined are responsible to different levels of government and are coordinated in different ways, the basic structure of all is similar in that there is the pyramidal,

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<sup>5</sup> Paul G. Shane, Police and People. St. Louis, Missouri: The C. V. Mosby Company, 1980.

<sup>6</sup> Ibid.

quasi-military bureaucracy under civil control.<sup>7</sup>

With the exception of India, all the countries examined by Shane belong to the developed world. Nevertheless, his findings with regards to the functions, problems and structure of the police forces examined could well provide the bases for comparison of the roles and structure of the police systems in the Third World countries.

The main theme of George Berkley's The Democratic Policeman is the critical problem that faces the police today: How to improve their efficiency and at the same time maintain democratic norms and values. Berkley asserted that the goals of police efficiency and police democracy are not inconsistent but actually reinforcing, since the police can only advance in one, by advancing in the other. He argued that democratization measures offer obvious advantages to police efficiency and cited centralization as one of these measures. With centralization, larger units of police organization foster a degree of cooperation and coordination which is rarely achieved by scattered small units. Additionally, centralization also facilitates a pooling of resources, which, in this age of specialization, is becoming a necessity. Since centralization and decentralization are among the central issues of this study, Berkley's concepts on centralization will bear heavily on the comparative aspects of this study, especially when he cited that:

Centralization, in more ways, is consistent with democratization than in opposition to it. It encourages such police practices as standardization, advanced education, crime prevention, public

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<sup>7</sup>  
Ibid.

relations, representativeness, and fair treatment. It need not give rise to dictatorship and may in fact prevent it.<sup>8</sup>

David H. Bayley, one of the few scholars who has dealt with the comparative study of police, in his book The Police and Political Development of India, focused on the formative role of the police in the maintenance and development of a political system. The thesis of his study is that a police force can exert substantial influence upon the nature of political life in a country. In this particular work, he examined the ways by which police operations in India impinge upon the functioning of its political system. His theoretical analysis suggested four modus operandi by which a police force could influence political life: 1) by the nature of its activity; 2) by the manner of its operations; 3) by the nature of its organization, and 4) by the socialization of its members with the community.<sup>9</sup> These concepts propounded by Bayley will be useful in the analysis of the roles and functions of the police in developing countries.

The major challenge to the orthodox picture of the policeman's world also comes from Bayley's study of the Japanese police in his book Forces of Order: Police Behavior in Japan and the United States, where he skillfully compared the two police forces. Bayley outlines a set of summary dimensions upon which he found differences with respect to police-citizen interaction. A specific example is that American policemen fulfill their responsibilities when they bring people into

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<sup>8</sup> George E. Berkley, The Democratic Policeman. Boston, Massachusetts: Beacon Press, 1969, p. 26.

<sup>9</sup> David H. Bayley, The Police and Political Development in India. Princeton, New Jersey: Princeton University Press, 1969.

compliance with law while Japanese policemen seek more than mere compliance; they seek acceptance of the community's moral values. The Japanese police have been given a moral mandate based on the recognition of their importance to society, while the American police have been given legal instructions, and have been enjoined from straying from the law. The fundamental argument of his work is that police institutions are shaped by social context: that policemen reflect the society they are a part of and that the variety of circumstances that help to mold them is considerably great. In researching the causes of differences between Japanese and American police practices, he highlighted the importance of the following factors: social homogeneity, occupational mobility, faith in technology, regulation of firearms, peer pressure in developing personal identity, sexual morality, deference to authority, and political philosophy.<sup>10</sup> Some of these factors are vitally relevant to the discussion of the roles, functions, nature of accountability, and professional image of the police which will be employed to critically analyze the Philippine police in the subsequent chapters.

This study will rely heavily on two of Bayley's articles: "Police Function, Structure and Control in Western Europe and North America: Comparative and Historical Studies" and "A Comparative Analysis of Police Practices". The first article examined comparative and historical studies of the functions, structure and control of the police of Western Europe and North America by assessing what is known about the variation

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<sup>10</sup>David H. Bayley, Forces of Order: Police Behavior in Japan and the United States. Los Angeles, California: University of California Press, 1976.

in each and by determining whether explanations for these have been convincingly demonstrated. In the study of the nature of policework, Bayley used three measures of function, namely: the number of personnel assigned to different specialized units; the kinds of occasions that trigger police mobilization; and the nature of outcomes from mobilizations.<sup>11</sup> He described national structures of policing in terms of the system covering territory and the spatial location of command. Contrary to accepted opinions, Bayley contended that centralization does not appear related to either the character of government or the character of the police. Further, he asserted that centralization is unrelated to whether control is exercised by politicians or civil servants; centralized police systems are not necessarily more authoritarian than decentralized ones. Reference will be made on Bayley's concepts on the functions, structure and control of the police particularly in the portion of this study that deals with the roles, functions, national structure of the system, and nature of accountability of the police.

The second article comparatively examined police practices across national boundaries, with special attention to the tasks which police perform and the implications which task-objectives have for organizational and operational management. He listed the different kinds of work that police anywhere in the world perform, namely: 1) enforcement of criminal law; 2) prevention of violations of criminal law; 3) mediation of actual or potential conflicts; 4) regulation of various aspects

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<sup>11</sup>David H. Bayley, "A Comparative Analysis of Police Practices", UNAFEI Resource Material Series No. 10, Fuchu, Tokyo, Japan, October/1975, p. 8.

of social life; and 5) provision for a variety of social services.

Bayley arrived at some critical propositions which correlate social change to police tasks:

The proportion of enforcement to non-enforcement tasks will be greater in rural, agrarian, non-modern societies than in urbanized industrial communities. Police in more traditional agrarian societies stress enforcement more because the community is tight enough to handle conflict-mediation and provision of social services through informal means. As modernization takes place, these agencies decline in vigor and the police have to shoulder responsibility for non-enforcement mediation.<sup>12</sup>

The applicability of Bayley's listing of police tasks and functions for the Philippines and other Third World countries will also be examined.

In his article entitled "The Police and Political Change in Comparative Perspective", David Bayley analyzed the relations between the police and political change in several nations representing three continents, namely: Great Britain, France, Germany, Italy, India and the United States. He delved lengthily into two distinct issues: the political context of police development and the influence of police in political change. He examined some attributes of police systems like structure of the national system, manner of exercising accountability over the police and the professional image of the police. These attributes represent some questions most frequently asked about the police of any country like: How are they organized? How are they controlled? and, How do they behave? One of his significant findings is that "the image

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<sup>12</sup>David H. Bayley, "A Comparative Analysis of Police Practices", UNAFEI Resource Material Series No. 10, Fuchu, Tokyo, Japan, October/1975, p. 8.



of the policeman differs dramatically from country to country. It also varies considerably within countries, from region to region, or social group to social group."<sup>13</sup>

Ted Gurr et al. indicated their concern with the social and political forces that have shaped police organizations and activities. In their book The Politics of Crime and Conflict: A Comparative History of Four Cities, they claim that institutional changes in the police, like changes in criminal law, are influenced by the shifting interests and concerns of dominant groups. They believe that increased policing can reduce criminal behavior when it reinforces improving socio-economic conditions. They contend that policing alone cannot counter the corrosive effects of "such criminogenic conditions as economic dislocation, social fragmentation, and cultural decay."<sup>14</sup> They assert that the inability of modern policing to cope with the rising incidence of crime and disorder is not due to organizational failure but to societal change.

Studies of police and their norms outside the orbit of the Western world are rare, yet these studies provide a check on the accuracy of generalization and validity of theories. Research on police systems have been carried out mainly in Western countries (United States, United Kingdom, Canada, Israel, Australia, Germany, etc.) with little work done on socialist and Third World countries. For obvious reasons, socialist

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<sup>13</sup> David H. Bayley, "The Police and Political Change in Comparative Perspective", Law and Society Review, Vol. 6, p. 94.

<sup>14</sup> Ted Robert Gurr, Peter N. Grabosky and Richard C. Hula, The Politics of Crime and Conflict: A Comparative History of Four Cities. Beverly Hills, California: Sage Publishers, 1977.

states do not allow much research into the workings of their criminal justice agencies. It is imperative, however, that Third World areas should research for their own well-being. It appears that the only study conducted was that by Bayley on the police of India, which was mentioned earlier.

Christian P. Potholm, in his article on "The Multiple Roles of the Police as Seen in the African Context", suggested that police forces in developing countries perform the following functions and roles:

- 1) Maintenance of law and order which is considered the most fundamental function of policing in the preservation of a stable context for society;
- 2) Paramilitary operations which include such duties as intelligence gathering, riot control, containment of local insurgency, and even the neutralization of exile groups opposed to the existing regime or political system;
- 3) Regulatory activities which consist of a variety of activities not associated with law enforcement nor internal security such as licensing of commercial enterprises, management of prisons, regulating international commerce and immigration, border patrol, etc.;
- and 4) regime representation, i.e., a role in political socialization by linking the central government with the citizenry.<sup>15</sup>

In this connection, he mentioned four aspects of regime representation: 1) integration, where the police links the political authority with its constituents; 2) modernizing agent, where in transitional societies, the police act as role models for the public at large to emulate; 3) channel of upward mobility, where police service is seen as

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<sup>15</sup>Christian P. Potholm, "The Multiple Roles of the Police as Seen in the African Context", The Journal of Developing Areas, Vol. 3, No. 2, January 1969.

a form of social advancement; and 4) rule adjudication, where the police acts as quasi-adjudication agents by employing the traditional discretionary latitude which is characteristic of police work. He further argued that the important variables in the examination of the capacity of the police to perform their multiple roles are: the ratio of police to population, the patterns of recruitment and advancement, the organization and training styles, as well as the basic social orientation of police personnel.<sup>16</sup>

In this study, the roles of contemporary police in some selected Third World countries will be evaluated in the light of Potholm's model and pioneering work. As earlier mentioned, Potholm's model is composed of four parts: maintenance of law and order; paramilitary operations; regulatory activities; and regime representation.

The work of Gabriel Ben-Dor on "The Role of the Police in Political Development" outlined the relevance of the police in the political development of nations based on some particular assumptions,

1) For military and psychological reasons, developing countries are prone to maintain large armed forces; 2) Inasmuch as major threats to their national security is mostly internal rather than external, developing countries are likely to maintain considerable police forces as well as security services and paramilitary forces; 3) Police forces are less likely to execute coups d'etat and are more servile to other political elites; and 4) The Police forces are the most visible link between the government and the citizen.<sup>17</sup>

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<sup>16</sup> Ibid.

<sup>17</sup> Gabriel Ben-Dor, "The Role of the Police and Political Development", Police Journal, April 1974.

Reminiscent of Potholm's model, Ben-Dor, likewise, ascribed to the police the role of regime representation. He cited the policeman as not only the most visible organ of government but also the only representative of modern administration in many developing countries. The constant touch of the policeman with various sectors of the population enables him to function as a mediator and arbiter in delicate situations. And, as Ben-Dor propounded,

... the citizen who remembers from his childhood the policeman as the benevolent representative of the powers that be, escorting the old, the blind and the infant across the street, guiding lost people in the right direction, cheerfully giving needed advice ... may indeed value the police and the government it so visibly stands for.<sup>18</sup>

The concepts and assumptions enunciated by Ben-Dor as he elucidated on the role of the police as a key actor in the complex process of development of nations, provide rich material in the discussion of the roles and functions of the police in the Third World.

In his paper on the "Role and Character of Police in Africa and Western Countries: A Comparative Approach to Police Isolation", Joab Wasikhongo observed that African and Western efforts to improve the operations and services of the police have overemphasized technological factors. He cautioned the overdependence on technological innovations like sophisticated weapons, computerized communications, etc., which will not ensure effective and efficient police service without improvement on non-technological areas. He felt it crucial that Western countries and Africa redirect their efforts and enthusiasm in the police's human

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<sup>18</sup>  
Ibid.

factor, police-public relations, organizational factor and the service principle as a way of improving the policeman's role in modern society.<sup>19</sup> Wasikhongo's observations on the over reliance on technological innovations of police forces to improve efficiency will constitute a critical factor in the analysis of the roles and functions of the police in developing countries.

Ernest W. Lefever, in his work on Spear and Scepter: Army, Police and Politics in Tropical Africa, observed that the police service is less influential and effective than the armed services in performing major missions primarily because armies are better supplied and equipped, more mobile, more tightly controlled and disciplined, and their centralized command structure is supported with modern communication facilities. In contrast, the nationwide police services are weak, more lightly equipped, more decentralized and often less trained and disciplined.<sup>20</sup> Lefever arrived at three hypotheses applicable to police services in developing countries: 1) The police service in most developing countries is regarded as the chief instrument for maintaining law and order and the first line of defense against subversion and insurgency; 2) The Police services have less impact on political development than the armed forces, because the police establishment has less prestige and less coercive force and is more decentralized than the army; and 3) The most

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<sup>19</sup>Joab M. N. Wasikhongo, "The Role and Character of Police in Africa and Western Countries: A Comparative Approach to Police Isolation", International Journal of Criminology and Penology, 1976, 4. pp. 383-396.

<sup>20</sup>Ernest Lefever, Spear and Scepter: Army, Police and Politics in Tropical Africa. Washington D.C.: The Brookings Institution, 1970, pp. 198-201.

significant contribution the police service could give to political development under an effective regime is to perform central law-and-order and security functions.<sup>21</sup>

This study will review the hypotheses presented by Lefever in the light of tested roles, functions, structure of the national system, and professional image of the police forces of the selected Third World countries.

Cynthia Enloe, in her article on "Ethnicity and Militarization: Factors Shaping the Roles of Police in Third World Nations", examined two particular aspects of police institutional development which become salient under conditions of internal political disorder: firstly, the "militarization" of police institutions which connotes the degree to which police forces are acquiring military characteristics; and secondly, police recruitment practices, with particular attention to ethnic criteria for recruitment. She was concerned not only with how these aspects shape the role of the police but also how they affect the relationship between the police, the military, and the regime. She cited that "there appear to be three trends in police development: 1) militarization, 2) politicization, and 3) ethnicization (whether to broaden or narrow its ethnic composition). It seems likely that these three trends are mutually reinforcing."<sup>22</sup> She further observed that as regimes are made more secure by internal rather than foreign threats, they rely

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<sup>21</sup> Ibid., p. 202.

<sup>22</sup> Cynthia H. Enloe, "Ethnicity and Militarization: Factors Shaping the Roles of Police in Third World Nations", Studies in Comparative International Development, Fall 1976, p. 37.

more heavily for regime maintenance on their police forces and that the increasing dependence on the police is not merely to maintain order but to preserve a particular distribution of power.<sup>23</sup>

Marshall Clinard and Daniel Abbott, in their work entitled Crime and Developing Countries: A Comparative Perspective, provide an insight on the roles of the police in countries that have been independent of colonial rule. They observed that the contemporary police of countries previously under colonial rule do not contribute sufficiently to national development because they are greatly influenced, and to a certain extent, handicapped by the ideologies and police practices of their former colonizers. They concluded that "while independence did bring revolutionary changes in the political system of developing countries, it generally had little effect on the structure and philosophy of police administration. The police are still generally used as a paramilitary force to deal with internal problems."<sup>24</sup> The work of Clinard and Abbott would be most relevant to the comparative analysis of the police systems of Third World countries because all the countries chosen for this study were former colonies of Western colonial powers which had just recently gained their independence.

Marshall Carter and Otwin Marenin, in their article, "Police Culture in Cross Cultural Perspective", depict the pattern of police culture as established in numerous studies of police forces in various countries,

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<sup>23</sup>Ibid.

<sup>24</sup>Marshall B. Clinard and Daniel J. Abbott, "The Police and Prisons in Developing Countries", in Crime in Developing Countries: A Comparative Perspective. New York: John Wiley, 1973, p. 217.

as well as points of disagreement in the content and the process by which police culture is created. Their findings point to the absence of a universal police culture. The argument that police work is basically the same anywhere, that they lead to similar forms of thought and behavior with some modifications due to effects of personality and education--does not hold up. They cited that police work in Japan does not seem to produce the effects that seem to occur in Nigeria and the United States.<sup>25</sup>

Patrick Edozor Igbinovia, in his article on "The Pattern of Policing in Africa: The French and British Connections", focused his discussion on the pattern of policing in Africa, particularly their development, structure and organization, recruitment and training, armament policies, powers of arrest and detention, patrol procedures, and police powers to search persons and seize property. Igbinovia cited that the "scramble for Africa" of the European powers during the last century and its subsequent colonization and partition into spheres of influence led not only to the establishment of police organizations and administration to protect the European colonizers of their persons, property and future prospects, but it also led to the creation of two predominant police systems in the African continent--one modelled after the British, the other after the French tradition of law enforcement. He concluded that "the police in Africa still retains and maintains the ideologies and police practices of their former colonizers."<sup>26</sup> He pointed out however that although the

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<sup>25</sup> Marshall Carter and Otwin Marenin, "Police Culture in Cross-Cultural Perspective", a paper delivered at the Annual Meeting of the Academy of Criminal Justice Sciences, Oklahoma City, 1980.

<sup>26</sup> Patrick Edozor Igbinovia, "The Pattern of Policing in Africa: The French and British Connections", The Police Journal, Vol. 54, No. 2 (April to June 1981), p. 123.



two models of policing are different in many ways, they are also similar in many respects.

Ko-wang Mei, in his pioneering work entitled Comparative Criminal Justice Administration, made a comparative study of the police structures of developed and developing countries in four continents, namely: Australia, Great Britain, the Republic of China (Taiwan), the Peoples Republic of China, Denmark, France, India, Japan, Thailand, and the United States. His findings showed that police structures all over the world are leaning towards centralization but not totalitarianism; that the structural pattern of a country's police force is influenced greatly by the form of government, the political ideology and the degree of national development; and that police structures are not and can never be an isolated phenomenon for it is the product of the interplay among cultural, social as well as political forces within a country. He summed up the following salient differences between the developed and developing countries with regard to police structures:

1) In the developing countries, police structures are either totalitarian, authoritarian or at least bureaucratic. On the other hand, police structures in developed countries of the Western world are either democratic or bureaucratic, but never totalitarian or authoritarian.<sup>27</sup>

2) Centralization is the rule of thumb in the developing countries; whereas in the developed countries, there are a few decentralized systems. However, even their decentralized ones are not as absolute as we find in developing countries.<sup>28</sup>

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<sup>27</sup> Ko-wang Mei, Comparative Criminal Justice Administration, Kwei-san, Tao-yuan, Republic of China: Central Police College Press, 1982, p. 216.

<sup>28</sup> Ibid.

3) Social services functions are emphasized and encouraged in police organizations among developed countries whereas police forces in developing countries lay little stress to social services activities.<sup>29</sup>

### Summary of Propositions

The writer has culled some generalizations established by authors mentioned in the foregoing paragraphs. The case of Philippine policing will be analyzed within the framework of these derived propositions. The case study will be used to test the applicability of these propositions. The writer likewise intends to further analyze the selected cases of police systems in Third World countries within the framework of these established propositions, stated under the specific headings as follows:

#### 1. On police role and function

a. Generally, the police force of developing countries perform the following roles and functions: 1) maintenance of law and order; 2) paramilitary operations; 3) regulatory activities; and 4) regime representation.<sup>30</sup>

b. There are four aspects of regime representation in which the police play an important role: 1) encouraging mass-elite integration; 2) acting as modernizing agents<sup>31</sup>; 3) serving as a channel of upward mobility; and 4) formulating positive rule and adjudication.<sup>32</sup>

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<sup>29</sup>Ibid.

<sup>30</sup>Christian P. Potholm, op. cit., pp. 141-150.

<sup>31</sup>In traditional societies, the police act in part as role models for the public at large and in this respect act as "modernizing agent".

<sup>32</sup>Potholm, op. cit.

## 2. On social change and police tasks

a. In traditional agrarian societies, the police emphasize enforcement more because the community is close enough to handle conflict mediation and provide social services through informal means. As modernization takes place, the capacity of the community to provide for these services decline and the police have to shoulder responsibility for non-enforcement mediation and some aspects of social services.<sup>33</sup>

b. Large scale changes in social organization such as urbanization, and modernization have less significant effect on the task performed by the police than changes in interpersonal relations, unless these macro-changes themselves produce changes in interpersonal relations. (It is not impossible for tighter communities to be preserved even in industrialized states like Japan and China.)<sup>34</sup>

c. The proportion of enforcement to non-enforcement tasks will be greater in traditional agrarian societies than in urbanized industrial communities.<sup>35</sup>

d. Social services activities are emphasized and encouraged in police organizations among developed countries whereas police forces in developing countries lay little stress to social services functions.<sup>36</sup>

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<sup>33</sup>David H. Bayley, "A Comparative Analysis of Police Practices", op. cit., p. 8.

<sup>34</sup>Ibid.

<sup>35</sup>Ibid., p. 10.

<sup>36</sup>Ko-wang Mei, Comparative Criminal Justice Administration, op. cit., p. 217.

### 3. On centralization/decentralization

a. Centralization is in some ways more consistent with than opposed to democratization. It encourages such police practices as standardization, crime prevention, public relations, representativeness, and impartial treatment. It need not give rise to authoritarian rule and may in fact prevent it.<sup>37</sup>

b. In the developing countries, centralization is the rule of thumb, whereas in the developed countries, there are a few decentralized systems; and even the centralized ones are not as absolute as we find in developing nations.<sup>38</sup>

### 4. On militarization of the police

a. In most developing countries, the police is the principal agency for the maintenance of law and order and the vanguard against subversion and insurgency.<sup>39</sup>

b. "In emerging countries today, there appears to be three trends of police development--ethnicization, militarization and politicization. These three trends are mutually reinforcing."<sup>40</sup>

c. If domestic disturbances persistently exceeds the capacity of police forces, the military will play a growing role in internal policing.<sup>41</sup>

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<sup>37</sup>George E. Berkley, op. cit., p. 26.

<sup>38</sup>Ko-wang Mei, op. cit., p. 217.

<sup>39</sup>Ernest W. Lefever, op. cit., p. 202.

<sup>40</sup>Cynthia H. Enloe, op. cit., p. 37.

<sup>41</sup>David H. Bayley, op. cit., p. 369.

### 5. On police accountability

a. "Police accountability may be attained through bureaucratic or political agencies. Supervision is more likely to be bureaucratic, the greater the scale of police operations, and the greater the degree of political centralization. The larger the territorial scale of operations, the more likely that the link between the police establishment and political authorities, whether representative or oligarchic, will be bureaucratic."<sup>42</sup>

b. In the developing countries, police structures are either totalitarian, or authoritarian or at least bureaucratic. On the other hand, police structures in developed countries in the Western world are either democratic or bureaucratic, but never totalitarian or authoritarian.<sup>43</sup>

### 6. On professional image

a. "The image of the policeman differs dramatically from country to country. It also varies considerably within countries from region to region or social group to social group."<sup>44</sup>

### 7. On the legacy of colonial rule

a. "Independence did bring revolutionary changes in the political system of developing countries, but it generally had little effect on the structure and philosophy of police administration. The police are still generally used as a paramilitary force to deal with internal problems."<sup>45</sup>

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<sup>42</sup>David H. Bayley, "The Police and Political Change in Comparative Perspective", Law and Society Review, August 1971, p. 94.

<sup>43</sup>Ko-wang Mei, loc. cit., p. 217.

<sup>44</sup>David H. Bayley, op. cit., p. 96.

<sup>45</sup>Marshall Clinard and Daniel Abbott, op. cit., pp. 215-231.

b. "The police in Africa still retains and maintains the ideology and police practices of their former colonizers."<sup>46</sup>

### Concepts on the Attributes of the Police System

#### Roles and Functions

The role of the police in controlling crime and maintaining order and security is undergoing considerable change all over the world. In view of the work of the police in the fight against crime and in the provision of a peaceful environment, their authority, organization, and social position are of great importance. The criticality of the police role has encouraged some governments to make considerable efforts to establish and provide an optimal set of rules in order to govern the organization and define the authority of the police. Above all, they seek to influence the relationship between the police and society. In a democratic society, the role of the police has been succinctly described by the British Commission on Police in 1962:

The police should be powerful but not aggressive; they should be efficient but not officious; they should form an impartial force in the body politic; and yet be subject to a degree of control by persons who are not required to be impartial and who are themselves liable to police supervision.<sup>47</sup>

The time may have come in some countries for a change in the conception of the police force. From a concept of their role as purely that of an instrument of a power elite popularly referred to as the

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<sup>46</sup>Patrick E. Igbinovia, "The Pattern of Policing in Africa: The French and British Connections", The Police Journal, Vol. 54, No. 2 (April to June, 1981), p. 123.

<sup>47</sup>"Police", The New Encyclopedia Britannica, Fifteenth Edition, Chicago: Helen Hemingway Benton, Publisher, 1979, p. 325.

"establishment" within society, the trend is now towards a desire that the police should serve all segments of the community by demonstrating a greater responsiveness to the needs and problems of all citizens, particularly those who may be less advantaged and privileged. This is especially true in developed countries, where non-enforcement tasks are performed by the police as a result of declining community capacity to provide social services. However, the extent to which any police force can by itself adopt either position, that is, that of serving a special group within the society or serving society as a whole, is a question of perspective and interpretation involving social and historical factors.<sup>48</sup>

Notwithstanding the many differences which exist between the organizational structures of police forces in various countries of the world, two problems in particular seem to be common to all of them. The first is the ambivalence in what the public expects of the police. The desire for law and order on the one hand, and the protection of civil rights on the other, vie for balance in the equal demands of the public for greater police efficiency and, at the same time, greater police restraint. The second problem is the concern demonstrated by the police themselves through their efforts to improve their own professional image. This effort includes the creation of means of evaluating their performance and the encouragement for higher standards of education and training in order to cope with the complexities of modern policing. With the increased complexities of the socio-economic structures of both

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<sup>48</sup> Working paper prepared by the Secretariat, Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders. Geneva, Switzerland, 1-12 September 1975, pp. 13-15.

developed and developing countries, the police must endeavor to professionalize rapidly and pay continuous attention to civil rights.

Moreover, the need to balance civil rights with the essential requirements of order and the protection of persons against the interference of others must be stressed.<sup>49</sup>

There has been a great deal of study done to categorize the tasks of the police. Some students of police role speak of four major police functions, namely: order maintenance; law enforcement; crime prevention; and social services. James Q. Wilson has divided all police activities into two categories--law enforcement and order maintenance. The first task involves the application of legal sanctions; the second, mediational activities which contribute to public order and security without the application of formal sanctions. His main concern is with police activities, "the quality of which the client cannot be allowed to judge for himself; in short, police efforts to enforce law and maintain order."<sup>50</sup>

In a paper written for the 1966 President's Crime Commission, Richard Myren saw police functions in three categories: enforcement of the criminal code, enforcement of nuisance norms, and provisions of social services. He concluded that only the enforcement of the criminal code was an appropriate police role and that the other two functions

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<sup>49</sup>Guidelines and Standards for the Administration of Criminal Justice: Law Enforcement, Annex IV, Report of the Committee on Crime Prevention and Control in its Fourth Session, UN Headquarters, 21 June to July 1976, pp. 10-12.

<sup>50</sup>James Q. Wilson, Varieties of Police Behavior: The Management of Law and Order in Eight Communities. Cambridge, Massachusetts: Harvard University Press, 1968, pp. 4-6.



should be referred to more appropriate agencies.<sup>51</sup> He further argued that the performance of the other two functions was a serious handicap to the professional development of the police.

After examining the activity of police agencies around the world, Roy Roberg arrived at five basic kinds of functions, to wit:

1. Combating violation of the traditional criminal law (murder, robbery, arson, etc.);
2. Combating violation of temporary conscience norms (traffic, and health regulations, etc.);
3. Performing a miscellaneous group of service functions;
4. Controlling or suppressing opposition to the government in power; and
5. Maintaining forces for the possible repelling of military aggression against the nation state.<sup>52</sup>

Roberg further observed that only the first three of these functions are regularly assigned to police agencies in the United States. The last two functions cited are performed mostly by paramilitary police organizations of many developing countries.

In a more inclusive but simplified manner, David Bayley classified the different kinds of work that the police do anywhere in the world in the following categories: 1) enforcement of the criminal law; 2) prevention of violations of the criminal law; 3) mediation of actual and potential conflicts; 4) regulation of various aspects of social life; and 5) provision of a variety of social services.<sup>53</sup>

Nevertheless, in a limited sense, Herman Goldstein argues that police agencies in the United States are primarily geared to deal with

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<sup>51</sup>Richard A. Myren, The Role of the Police. Washington, D.C.: U. S. Government Printing Office, 1967.

<sup>52</sup>Roy R. Roberg, The Changing Police Role: New Dimensions and New Issues. San Jose, California: Justice System Development, Inc., 1976, p. 14.

<sup>53</sup>David H. Bayley, op. cit., p. 3.

crime. "Real police work is viewed by police officers as the investigation of criminal activity and the identification of offenders."<sup>54</sup> He further asserts that police officers view social workers as having a different value system which is inconsistent with their efforts of crime control.

According to the report of the Advisory Committee on the Police Function of the American Bar Association, most police agencies, by design or default, are currently given the following responsibilities: 1) identify criminal offenders and criminal activity and, where appropriate, apprehend offenders and participate in subsequent court proceedings; 2) reduce the opportunities for the commission of crimes through preventive patrols; 3) aid individuals who are in danger of physical harm; 4) protect constitutional guarantees; 5) facilitate the movement of vehicles and people; 6) resolve conflicts; 7) promote and preserve civil order; and 8) provide other services on an emergency basis.<sup>55</sup>

Christian Potholm, writing about the roles of the police in post-colonial Africa--a region which has undergone massive political, economic and social change since the end of the Second World War, enumerates the functions and capabilities of the police consisting of four elements, namely: 1) maintenance of law and order; 2) paramilitary operations; 3) regulatory activities; and 4) regime representation.<sup>56</sup> He further

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<sup>54</sup> Herman Goldstein "Police Response to Urban Crisis", Public Administration Review, September/October 1968, p. 418.

<sup>55</sup> American Bar Association, Standards Relating to the Urban Police Function, Institute of Judicial Administration, March 1972, p. 53.

<sup>56</sup> Christian P. Potholm, op. cit., pp. 142-150.

suggested that the police in Africa should play an important role in encouraging mass-elite integration (e.g., the linking of political authority with those who are governed), in acting as modernizing agents (e.g., a point of interface between the primitive cultures and the modern central government), in serving as a channel of upward mobility, and in formulating positive rule adjudication. Speaking in a similar vein, Bayley cited the most important informal function of the police as pedagogical:

The police, in any society, helps in the formation of attitudes and values undergirding political life, respect for law, acceptance of government authority, insistence on honesty in public life, and the valuations placed on human rights.... In whatever they do, policemen are teachers of the streets.<sup>57</sup>

In the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime, many participants felt the necessity of reviewing legislations to avoid the police becoming involved in a wide range of extraneous duties unrelated to the preservation of order and prevention of crime. On the other hand, it was thought that police agencies should develop a wider range of social services in order to enhance both the police function and its public image. It was believed that from a planning point of view, the resources given to the police to enable them to provide social or educational services to the public could just as well be provided to health, education, administrative or social services of government. However, it was the consensus of the meeting that to carry this to the extreme would be to leave the police with only a negative or restrictive criminal investigative function. A balance therefore was needed.

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<sup>57</sup>David H. Bayley, op. cit., p. 7.

It was decided that the police should not be deprived of social functions; on the other hand, they should not be expected to become more of a social service than a police agency.<sup>58</sup>

In the developed world, the delegates in the European Preparatory Regional Meeting of Governments on the Prevention of Crime felt that police functions had reached a stage where changes were increasingly necessary to adapt to make them responsive to the demands of changing societies. They believed that the police should serve as one of the major instruments of social change, for this could facilitate social reorientations that were burgeoning in many European states. The delegates agreed that there are some minimum standards of performance expected of the police by the public. Such standards would include provision for personal security to the citizens--the protection of life and property and the right to use streets, public places, and parks. Observance of democratic principles like respect for law and individual freedom should be a basic guide for police performance.

It was apparent that there were many cultural and historical similarities among countries of Europe, though objectives of social development were sometimes diverse. However, it was observed that the major trend of the police role was from a repressive function to a preventive and protective role. It was further argued in the meeting that the test of a good police force was a law-abiding society rather than a mass of criminal statistics showing number of criminal elements apprehended by

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<sup>58</sup>Report on the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, Tokyo, Japan, 16-21 July 1973, p. 11.

the police. It was believed that social education and the development of proper police ethics could better serve to integrate the police and the public in controlling crime.

It was evident that there was a growing awareness on the part of the individual citizen of their democratic privileges and legal rights and that there likewise existed a need for greater flexibility on the part of the policemen in the performance of their duties and in their maintenance of public order. The delegates were in accord of the view that policemen were entitled to know what the public expects of them and that the general public should also be informed of the limitations and problems of the police.<sup>59</sup> The role that a police officer plays in society is a difficult one. He or she must clearly understand complex social relationships to be effective. For he or she is not only a part of the community he or she serves, nor of the government that provides his or her base of authority, but he or she is also a part of the criminal justice system that determines what course society must pursue to deter law breakers or rehabilitate offenders in the interest of public order.<sup>60</sup>

## Conclusion

John Pfiffner provides a highly provocative and fitting conclusion to the discussion of police roles and functions:

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<sup>59</sup>Report of the European Regional Preparatory Meeting of Governments on the Prevention of Crime and the Treatment of Offenders, Budapest, Hungary, 28-31 May 1974, p. 8.

<sup>60</sup>The President's Commission on Law Enforcement and Administration of Justice, Task Force Report: The Police. Washington, D.C.: Government Printing Office, 1967, p. 7.

Society will soon redefine the police role to include ideas, perceptions and insights which will bring the police into the arena of dealing with social pathology on a scale larger than the present holding and containing operations. The role has not yet been spelled out, and is not even deemed perceived by many police administrators; indeed perhaps most would feelingly deny it to be the police purview.<sup>61</sup>

### Police Accountability

One of the principal functions of police is the safeguarding of democratic processes. If the police fail to conform their conduct to the requirements of law, they not only subvert the democratic process but also frustrate the achievement of a principal police function. It is for this reason that democratic societies have placed high priority for ensuring that the police are made formally fully accountable to their police administrators and ultimately to the public for all their actions.

When Sir Robert Peel said that "the police are the public and the public are the police", he was in fact implying police accountability.<sup>62</sup> What then is the nature and scope of police accountability? The National Advisory Commission on Criminal Justice Standards and Goals provides a very comprehensive yet precise definition of police accountability:

The nature of authority is such that it must be accompanied by accountability that insures that its exercise is consistent with the limits defined in its original creation. In their exercise of authority, the police are accountable in three basic ways:

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<sup>61</sup> John M. Pfiffner, "The Function of Police in a Democratic Society," Occasional Papers: Center for Training & Career Development. Los Angeles, California: School of Public Administration, University of Southern California, 1967.

<sup>62</sup> Louis A. Radelet, The Police and the Community. Third Edition, Encino, California: Glencoe Publishing Co., 1980, p. 303.

their exercise of authority is subject to judicial review in civil damage cases arising out of police misconduct, by courts refusing to admit illegally acquired evidence in criminal trials, or through criminal prosecution of offending officers; and finally, the unique relationship between the people and the police require that the police be answerable to the public if their authority is to be respected and accepted by the people.<sup>63</sup>

Any police force that is appointed and given special powers to maintain order and apply the law has an obligation to meet standards of integrity that are higher than those expected of the average citizen. On the other hand, it cannot be assumed that the police will necessarily measure up to these higher standards simply because they are recruited from the community and given uniforms. A corrupt society may well deserve a corrupt police force, and it is very difficult for police services to maintain a standard higher than that set for them by the political authorities controlling their activities. This sentiment is well expressed in the report of the Latin American Regional Meeting of Experts on the Prevention of Crime:

It was pointed out that the police belonged to the community and were not a race apart. They came from the community and returned to it. A country was therefore likely to get the kind of police force which it serves. A corrupt society would be likely to have a corrupt police, and a society with a low impression of police service would reflect this in pay scales, so that it could not expect performances beyond its own evaluation of the importance of the task given to the police to perform. The policeman looked up to his superiors in Government, courts and the legislative chambers.... When their masters were corrupt, the police were corrupt.<sup>64</sup>

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<sup>63</sup>National Advisory Commission on Criminal Justice Standards and Goals, Police. Washington, D.C.: Government Printing Office, 1973, p. 18.

<sup>64</sup>Report on the Latin American Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders. Brasilia, Brazil, 5-10 November 1973, p. 15.

A similar situation is prevalent in the developing countries of Asia. The people of this region, conscious of their rights and hard-won freedom, are jealous of the powers of the police and wish to avoid police forces with untrammelled powers. In various parts of Asia, the police has extensive powers to investigate and hold offenders. Because of improved standards of education and higher expectations, the enlightened citizenry of these countries are zealous of their democratic rights and disputes such extensive powers of the police. Against this inclination to restrict the powers of the police has to be weighed the demand by many of its people for the police to become more positively involved in improving social standards. Each new law in society leads to agitation for new laws and more effective enforcement. The public usually expects the police to be efficient, impartial and above corruption. But these standards for the police work efficiently, if the impartiality of the police were respected by all political parties and if the public were itself more generally above corruption in its various forms. The fact that the police are usually controlled by a political minister gives rise to suspicions of partiality especially in periods of political stress.<sup>65</sup> For example, public distrust in India is accounted for "by widespread belief in police dishonesty and petty corruption at lower levels and charges of partiality, lack of responsiveness and harrassment."<sup>66</sup> David Bayley aptly emphasizes this point when he said:

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<sup>65</sup>Report on the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, Tokyo, Japan, 16-21 July 1973, p. 10.

<sup>66</sup>Richard F. Nyrop et al., Area Handbook for India, DA Pam 550-21, 1975, p. 528.



In a democracy, the relation between the administrative agency, such as the police, and politicians is conditioned on the need to ensure efficiency and impartiality of the agency, on the one hand, and its accountability and responsibility to the people, on the other. Efficient administration without responsibility is incompatible with the principles of democracy; accountability without efficiency calls into question the whole purpose of government.<sup>67</sup>

The principle of police accountability is helpful in explaining the diversity of police activities. The problem is well-stated in a Latin question: "Quis custodiet ipsos custodes? (Who guards the guardians?)".<sup>68</sup> From one perspective, it is desirable that a police force should be as efficient as possible. In order that specialized services can be developed without duplication or conflict among different units, a police force should be rationally and economically organized. Such considerations may favor the establishment of national police forces which can take advantage of economies of scale in training, promotion schemes, etc. However, the existence of a national police force places too much power in the hands of those few who direct it. There is also the danger that the government will use its control of the police to keep itself in power. The most objectionable aspect is that the police will not be held accountable to the public.

Citizens often find themselves facing a cyclical paradox before a government and its police. On the one hand, they are vulnerable to state tyranny that is enforced through the police organization; on the other hand, they are vulnerable to police tyranny when state authority

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<sup>67</sup> David H. Bayley, The Police and Political Development of India. Princeton, New Jersey: Princeton University Press, 1969, p. 364.

<sup>68</sup> "Police", The New Encyclopedia Britannica. Fifteenth Edition, Chicago: Encyclopedia Britannica, 1974, p. 662.

is unable to control or hold the police organization accountable. The vulnerability of citizens to state tyranny has led some societies to delegate authority for policing to local government where the police is held accountable to local authority.<sup>69</sup> Herman Goldstein calls this situation "one of the major paradox of policing in this (U.S.A.) country", as he explains:

We have insisted on maintaining the police as a responsibility of local government in order to assure accountability and an opportunity for local influence over so potentially powerful a government activity. Yet at the same time we have constructed various devices, in attempting to protect the police from pernicious influences at the local level, effectively shield the police from the communities they serve. The net result of these conflicting aims is that considerable ambiguity exists as to who in fact is responsible for the many decisions that are made in the running of a police agency, and there is a great deal of uncertainty over how the public is supposed to control police operations.<sup>70</sup>

The usual response to police misbehavior is to tighten control over police operations. This is done through close and active supervision of police activity by the community, either directly or through its representative. Most police forces are accountable through their chief of police to a political figure, either the president, governor, mayor, or an elected council. Occasionally, the chief may be responsible to an appointed civil servant, such as a minister of interior or a manager of public safety. This insistence, however, on direct and active political supervision, creates several problems. First, political supervision jeopardizes police neutrality in enforcing the law. Accountability

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<sup>69</sup> Albert J. Reiss, Jr., The Police and the Public. New Haven, Connecticut: Yale University Press, 1971, p. 186.

<sup>70</sup> Herman Goldstein, Policing a Free Society. Cambridge, Massachusetts: Ballinger, 1975, p. 132.

should not be too close as to dampen police initiative and discretion. Secondly, periodic attempts to control more closely the working of police organizations generate intense resentment on the part of policemen. They feel harassed and suspected. They become protective of each other, viewing the community and its representatives as uninformed and intruders.<sup>71</sup>

There seems to be substantial support for the principle that accountability is best done by police organizations themselves. If controls are not satisfactorily handled internally by the police departments, they can be handled in one form or another by civil review. Bayley shares this view when he makes the following recommendations:

First, primary reliance must be placed on making self-discipline by the police organization vigorous and effective. Second, external devices for regulation should focus on the police organization and not on the individual policeman. External supervision should oversee the organization; it must constrain organizational behavior. The organization is then responsible for constraining the behavior of individual policeman.... Third, external supervision should be held in reserve to be used only when the organization has already failed to maintain high standards of behavior. It should be viewed as a last resort.<sup>72</sup>

However, even when police officers are assumed to be full-fledged professionals, some guidelines are still essential in controlling their behavior. Although legislatures and courts have some responsibility in providing controls, it is apparent that most of it should be provided by organizational policies, supervision and discipline. One way or another, the police must be held accountable to the community for

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<sup>71</sup> David H. Bayley (ed.). Police and Society. Beverly Hills, California: Sage Publications, 1977, p. 225.

<sup>72</sup> David H. Bayley, "A Comparative Analysis of Police Practices", UNAFEI Resource Material Series No. 10, Fuchu, Tokyo, Japan, October 1975, p. 22.

what they do and how they do it.

Gary Marx suggested some alternative measures of police performance that could be used in evaluating the accountability of the police to the community. These measures relate to the police organization as a whole, rather than to any given individual. Marx argued that one of the most essential police service to the community is to provide them with a feeling of security. He suggested that:

... to the public at large, periodic surveys can be carried out asking people how secure they feel, how concerned they are about crime, how worried they are about personal victimization, what safety precautions they take, how they have altered their behavior response to crime, etc....<sup>73</sup>

#### Conclusion

There is a universal belief that police officers should operate under the law and should be individually answerable to the law. This concept demands of every officer complete integrity and impartiality. It can be argued that the status of the police service can be no higher than the status of the individual officer, since the reputation of all depends to a large extent upon the standing of the individual officer in the eyes of the public. For the police service, like every profession, has to be careful to protect its good name by ridding itself of those who do not measure up to its code.<sup>74</sup>

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<sup>73</sup>Gary T. Marx, "Alternative Measures of Police Performance", in Criminal Justice Research, Emilio Viano (ed.), Lexington, Massachusetts: Lexington Books, 1975, p. 187.

<sup>74</sup>Report of the Secretariat, Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, Switzerland, September 1-12, 1975, p. 26.

### Organizational Structure

The international situation is complicated by the diversity of police systems as a result of cultural, traditional, geographical, and administrative differences among countries. In regard to the overall legal structure of police systems, the divergencies may be less pronounced. There are probably at most only three types of police systems that correspond to the common law, the civil law, and the patterns of law and procedure in the socialist countries of Eastern Europe and the Union of Soviet Socialist Republics. It may be fair to consider as roughly comparable, the socialist system and the civil law framework since they have a number of substantive and procedural similarities.<sup>75</sup>

The Metropolitan Police Act of 1829, the Municipal Corporations Act of 1835, and the County and Burroughs Act of 1856 established the common law police system which with minor modifications, still exists in the United Kingdom of Great Britain and Northern Ireland and in many other regions of the world. This system was based on two philosophies: the prosecution of crime is a local responsibility and the policemen are treated as ordinary citizens. From this approach, the following important characteristics have evolved through legal decision, custom, and convention. A constable's authority is original, not delegated, and is exercised at his own discretion by virtue of his office. If he exceeds or abuses his powers, he is personally liable to be sued by his victim. The extent to which this doctrine and the rest of the English (common law) police system were adopted by former British colonies depended

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<sup>75</sup> Working paper prepared by the Secretariat, Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders. Geneva, Switzerland, 1-12 September 1975, p. 12.

partly upon the date at which they established their own police forces and the nature of the colonial territory. For instance, some former British possessions such as India and parts of Africa rejected the English system in favor of the Royal Irish Constabulary system of pre-1921 days. The Royal Irish Constabulary system was centrally controlled, had an officer cadre, provided for quasi-military training, and had a code of discipline considered more suitable for those territories. In the United States, the police departments of New York City and other big cities copied their police system from London. From this account it is apparent that the common law system has prevailed as a relatively effective law enforcement tool in England and in other countries with similar cultural backgrounds.<sup>76</sup>

On the continent of Europe, the civil law system, as exemplified by the Code Penal of Napoleon, created a legal context for police work that was strikingly different from the pattern generated by common law. The revolution in France at the end of the eighteenth century made the codification possible as it eliminated feudal laws and many local interests that obstructed the unification of the legal system. A central penal code of this type depends upon a strong central control and a form of policing mainly directed from the center. Most continental governments of Europe were based on central control. The police, being one of the many branches of government, developed in a similar fashion and its functions were clearly defined by a central penal code. Thus the French gendarmerie were established at the end of the eighteenth century as a national paramilitary police force to watch over public safety, to keep order, and to enforce the execution of the law.

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<sup>76</sup>Ibid., p. 9.

After the implementation of the French Penal Code in 1810, the police judiciaire was created. The members were appointed by the national government and their powers were embodied in the Code of Criminal Procedure itself, in sharp contrast to those of common law constables. The Napoleonic Code of 1810 inspired and influenced similar codifications not only in Europe but also in the Middle East, Africa, Latin America and parts of Asia.<sup>77</sup> This accounts for the fact that most Latin American countries adopted the quasi-military nature of policing which generally applied to the civil law system. Generally, in Latin America, there are two types of police: the gendarmerie which includes the traffic police and all those in direct contact with the public; and the judiciary police, which perform investigative work and act only in the instance of the judge.<sup>78</sup>

The police systems of the USSR and Eastern European socialist states differ in some respects from one country to another, but they display a general uniformity of purpose and practice. In these countries, the police function is not based on historical traditions but on a relatively new system that has been organized fairly recently as an integral organ of the Socialist state. It is centrally directed, encompasses local areas, and is linked with the political organization of the state in order to provide it with a basis of public support. A study of the police of Hungary for instance shows that it has the following structural features: "1) a high degree of centralization; 2) arrangement for

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<sup>77</sup>Ibid., pp. 10-12.

<sup>78</sup>Report on the Latin American Regional Preparatory Meeting of Experts, op. cit., p. 15.

efficiency at different vertical levels; and 3) harmony between the police, the state, and the administration of justice."<sup>79</sup>

In conclusion, the foregoing discussion shows that the structural pattern of a country's police force is generally influenced by three factors: the character of national government, the political ideology, and the degree of national development. Thus the structure of a police system can never be an isolated phenomenon because it is the product of the interplay among the cultural, social, economic and political factors of a nation.

#### Centralization/Decentralization

Centralization means "a high concentration of power by a few within an organized social group."<sup>80</sup> For instance, the French police system is conceived as a responsibility of the national government. Not only are police regulations and procedures identical throughout the country but the Ministry of Interior has authority to direct police operations in every corner of the land. On the other hand, decentralization means "low concentration of power within an organized social group."<sup>81</sup> The term may be limited by specifying the degree of concentration or by defining the respective organized group. One can say, therefore that the police system in the United States is the most complete decentralization of

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<sup>79</sup>Working paper prepared by the Secretariat, Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders, op. cit., p. 12.

<sup>80</sup>Julius Gould and William Kolb (eds.), A Dictionary of the Social Sciences, compiled under the auspices of the UNESCO. New York: The Free Press, 1964, p. 81.

<sup>81</sup>Ibid.



police authority known in the civilized world. It is a case in which all governments--national, state or local--maintain police agencies which are relatively independent of each other.

Many public administrators have the opinion that there is a range of variation between centralization and decentralization among bureaucratic structures. They believe that efficient administration usually requires a bureaucratic structure which is neither highly concentrated nor highly dispersed. Undue concentration poses difficult problems for communication and decision-making. A few individuals at the apex of the pyramid find themselves challenged to make quickly a range of decisions which would require superhuman capabilities. Extreme dispersal of power is equally dysfunctional since it reduces the capacity of the bureaucracy to reach an agreement on basic policies and to insist on their implementation. No doubt the range of variation between viable degrees of concentration and dispersal in bureaucratic structures is considerable, and there may be no optimum for purposes of administrative efficiency.<sup>82</sup> This concept holds true for police organizations for they too are bureaucratic structures.

While the legal structures are few, the systems of policing throughout the world are many because of local conditions and circumstances affecting the interpretation and administration of justice. The methods employed in securing administrative supervision and control vary widely. There are, however, three general categories. Police systems in the continent of Europe and in many parts of the world are highly

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<sup>82</sup>Fred W. Riggs, Administration in Developing Countries: The Theory of Prismatic Society. Boston: Houghton Mifflin Company, 1964, p. 282.

centralized for economic and operational efficiency. The national government, usually represented by the minister of interior or the minister of justice, exercises a more or less preponderant influence upon all matters of police discretion and management. Even when the police districts are coterminous with the subdivisions of local government, the central police authority frequently controls not only the large question of organization, personnel management, and official policies but also the smallest details of daily operations to insure standardization of operational procedures.<sup>83</sup>

A second type of police system is partially decentralized as, for instance, that of England and Wales, which was founded upon local administration and later subjected to a measure of national control. The last few decades have witnessed a further expansion of the supervisory powers of the Home Office, which subsidizes the local police amounting to one-half the compensation and allowances given in the police personnel. Central influence has been applied with reserve thus far, and has been confined chiefly to increasing of quotas of police establishments, encouraging the consolidation of the smaller police forces, and improving various aspects of police administration.<sup>84</sup>

Finally, there is the system which obtains in the United States in which governments--national, state and local--maintain police agencies relatively independent of each other. The result is the most decentralized system of police authority which is accompanied by an extraordinary

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<sup>83</sup> Edwin R. A. Seligman (ed.), Encyclopedia of the Social Sciences, Vol. II. New York: The Macmillan Company, 1967, pp. 183-185.

<sup>84</sup>Ibid.

degree of duplication and conflicting jurisdictions. Since there is no federal government control to ensure uniform standards, every community is entitled to run its own police department but not to exclude federal or state officials from investigating offenses over which they have concurrent jurisdiction. Cities, towns and townships, counties, states, and federal government all maintain police forces charged with general or special duties.<sup>85</sup>

Statements about differences in centralization are not significant unless the geographical scale of the units compared is specified. For the purpose of this study, the unit of analysis will be countries, as opposed to municipalities, counties, provinces, or regions, because countries are political entities that create systems of policing. Discussions about desirable combinations of centralization and decentralization would be meaningless unless both scale of jurisdiction and the structure of command are taken into consideration for they affect the dynamics of control and responsiveness. It might be necessary to undertake a study to compare the effects of various degrees of centralization in areas of different size, or to find out if differences in centralization in units of similar geographical size would affect such matters as responsiveness to local problems, efficacy of supervision, economic costs of operation, and the dispensation of criminal justice. Speaking of the relevance of geographical scale with the issue of centralization, David Bayley came out with the following proposition:

Perhaps there are thresholds in scale: decentralization in units below a certain size may always be cumbersome and

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<sup>85</sup> Ibid.

and counterproductive, while decentralization in units above another size may be similarly inefficient.<sup>86</sup>

In connection with the study of centralization, there are two aspects of the structure of policing that need to be examined--the pattern for covering territory and the location of command. Many countries of the world cover any unit of territory with a single police force. In some instances, there may be more than one force in a country but their jurisdictions do not necessarily overlap. France presents a good example of this as its police is a highly centralized organization controlled by the national government. There are, however, two mammoth departments to the national police force: the Police Nationale and the Gendarmerie Nationale. The Police Nationale is under the Minister of Interior and is responsible for policing in cities with a population of 10,000 or more. On the other hand, the Gendarmerie Nationale is a paramilitary force responsible for policing military as well as civilian population especially in rural areas with towns of less than 10,000 population.<sup>87</sup> The Gendarmerie is under the Minister for the Armies and is a paramilitary force, though, as far as its police work is concerned, it is under the jurisdiction of the Minister of Interior.

Decentralized political systems, even federations, do not necessarily have multiple coverages. For example, since India has proclaimed

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<sup>86</sup>David H. Bayley, "Police Function, Structure, and Control in Western Europe and North America: Comparative and Historical Studies", in Crime and Justice: An Annual Review of Research, Vol. I, Norval Morris and Michael Tonry (eds.), Chicago: The University of Chicago Press, 1979, p. 127.

<sup>87</sup>Ko-wang Mei, Comparative Criminal Justice Administration, Kwei-san, Tao-yuan, Taiwan: Central Police College Press, 1982, pp. 110-112.

herself as a Federal republic, her police forces cannot be centralized. Her police are mostly organized, maintained and directed by the states of the union. There are twenty-two state police forces in India and a few federal government agencies. The federal police agencies do not bear the responsibility of routine police work; they are usually employed to support state agencies.<sup>88</sup> Highly centralized political systems, however, sometimes create competing police forces throughout the country like Spain, with her Guardia Civil and Policia Armada or Italy, with her Carabinieri and Guardie di Pubblica Sicurezza.<sup>89</sup> Many national governments, federal or otherwise, establish investigatory and enforcement units to deal with matters touching uniquely on central government responsibilities. They represent an overlap in policing but some working agreement is worked out in many countries to negate the effects of such duplication of tasks.

The second aspect of police structures to be examined is the location of public command authority over operations. In practice, command is never absolutely exercised centrally over local operations even in the most centralized countries. For instance, the police organization of Thailand is highly centralized. The highest office is called "Police Bureau" attached to the Ministry of Interior which consists of 14 staff agencies and four police command headquarters. Both staff agencies and police headquarters are invested with strong authority and are heavily staffed. The four police headquarters, however, are the loci of power

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<sup>88</sup> Ibid., pp. 124-126.

<sup>89</sup> David H. Bayley, op. cit., p. 124.

and strength.<sup>90</sup>

There are at least two discernible models of police organization that have been adapted by newly emergent states of Africa. There is the French or continental model, with tightly coordinated structural units under the centralized direction of the Ministry of Interior. A unified command structure and strong paramilitary capability are the basic characteristics of this model. There are usually a variety of subsections and divisions, with some duplication and overlapping of efforts which are similar to the French continental prototype. These features are, however, less discernible in the Francophone states of Africa.<sup>91</sup> The British model, often for economic and political reasons, primarily use local tribal levies or private police forces. Before their departure at independence however, attempts have been made to leave at least a fledgling national police force. Often, these police forces were patterned after the Royal Irish Constabulary, which was a semimilitarized force, centrally controlled and organized on a national basis.<sup>92</sup>

Asia is still confronted with the contradictions in the expectations and standards of the police and the public in a modern society. Most of the requirements for change include changes in attitudes, in levels of recruitment, and in specialization within the police forces. All of these call for a greater degree of centralization to improve

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<sup>90</sup>Ibid.

<sup>91</sup>Christian P. Potholm, "The Multiple Roles of the Police as Seen in the African Context", The Journal of Developing Areas, Vol. 3, No. 2, January 1969, pp. 153-155.

<sup>92</sup>Philip John Steadman (ed.), Pioneers in Policing, Montclair, New Jersey: Patterson Smith, 1977, p. 242.

efficiency and to maximize the utilization of equipment and resources.<sup>93</sup>

Many Western countries have a highly decentralized structure of their police, a factor which has its own advantages and disadvantages. According to J. Edgar Hoover, former FBI director, a centralized police is subject to influence of people outside and above the community. He argued that law enforcement should not be "controlled by authorities located at a distance from the scene, who are thus necessarily insensitive to the pulse of the community ... the results of central supervision cannot be other than ultimate stagnation and retrogression."<sup>94</sup>

Although the belief still persists that decentralization favors accountability, some centralization is necessary for economic and operational efficiency. Michael Banton cited a number of advantages:

It has been advantageous to have national schemes for fixing the pay scales of both policeman and auxiliaries; for recruiting; for seeing that similar standards are employed all over the nation; for establishing a common system of criminal records; for developing facilities for higher training and the selection of the top administrators; for forming specialist squads to investigate particular kinds of crime; for research; and generally, for seeing that the police service keep abreast of the changing pattern of criminal activity. Such tendencies make for increased centralization....<sup>95</sup>

## Conclusion

In the developed countries, specifically in Western Europe and North America, significant changes have occurred in the structure of

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<sup>93</sup>Report on the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, Tokyo, Japan, 16-21 July 1973, p. 13.

<sup>94</sup>George E. Berkley, The Democratic Policeman. Boston, Massachusetts: Beacon Press, 1969, p. 21.

<sup>95</sup>Michael Banton, "Police", The New Encyclopedia Britannica. Fifteenth Edition, 1974. Chicago: Encyclopedia Britannica, p. 663.

national police systems. Although the trends are mixed, tendencies are in the direction of reducing the number of separate commands through amalgamation or the creation of centralized coordinating services. Centralized servicing facilities have been designed to ensure proper coordination and have been afforded with supervisory authority over subordinate forces. Usually, they make available technical assistance, expertise, record keeping and training facilities to local police agencies. Sometimes, national regulations are enacted prescribing standards for local police operations.

Structurally speaking, police systems of most developing countries are leaning toward centralization. It is a matter of necessity. Countries of the Third World are becoming more industrialized and urbanized; huge rural areas are being developed; populations are growing steadily due to great strides in medical and health care; transportation and communication are significantly improved which facilitates human mobility across local boundaries; advanced technology enables the criminal element to outsmart law enforcement agencies, etc. The great change in organizational structure of police bodies is due, however, primarily to the conscious realization on the part of social innovators of the necessity of police forces to centralize to achieve their objectives. They have come to recognize the urgency of their "police operational problem" in addition to their crime problem. Furthermore, developing countries, in order to survive under an increasingly competitive and antagonistic international atmosphere, must perforce protect herself with a strong centralized national police force as a protection against sabotage, espionage and clandestine subversive activities.



## Militarization of the Police

A closer comparative examination of police systems clearly indicates that police agencies in quite disparate systems are acquiring military characteristics. The police in many Third World countries has always included a military arm. What is significant is the growing importance of the military unit in shaping the overall character of the police. Many police forces, particularly those in developing countries, have a variety of paramilitary duties as intelligence gathering, riot control, containment and eradication of insurgency, and the "detection and neutralization of exile groups bent on the destruction of the regime and/or the political system."<sup>96</sup> It should also be noted that in newly emergent states without an army, or those in which the army is used sparingly, the police force perform a variety of tasks associated with internal security and which often go beyond law enforcement.<sup>97</sup>

Several conditions appear to influence this institutional transformation. Firstly, militarization of police forces has been prompted by the particular character of contemporary insurgency. The combination of guerrilla tactics and civilian politicized leadership that characterizes many twentieth century dissident movements has led the challenged regimes of the Third World to respond with their police forces rather than with their regular military units. Often, the threatened regime is in doubt whether it is confronted by a conventional insurgency or by criminal lawlessness, so it initially opts for a response that is appropriate for criminals and bandits. Assigning police units to confront

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<sup>96</sup> Christian P. Potholm, op. cit., p. 144.

<sup>97</sup> Ibid.

dissidents may tend to lessen the seriousness which such situations are viewed by the general citizenry. However, as the military character of guerrilla movements becomes clearer, the police start to escalate their own responses, thus taking on military attributes.<sup>98</sup> The Malaysian experience aptly illustrates this argument:

In as much as Malaysia's security problem continues to be internal, police predominance--apart from civilian control--is quite clear especially as regards authorization to initiate operations. Police clearances has to be obtained even in operational sectors entrusted to the Army ... the obvious reasons that police formations were permanent and static whereas military counterparts were required to maintain a degree of mobility and the nature of this operation served to illustrate the essentially 'civil' nature of anti-terrorist action.<sup>99</sup>

A basic objective of any government threatened by an insurgency is primarily to identify and neutralize the clandestine apparatus of the insurgents. It is argued that the indigenous police force is uniquely suited for this function since "the police intelligence system adapted to rooting out the non-political criminal can easily turn its attention to the political criminal."<sup>100</sup>

Secondly, due to accounting and budgetary innovations, the furtherance of any bureaucracy's self interest depends upon the acquisition of hardware. Traditionally, the police have not been a highly equipped institution with just badges, uniforms, conventional vehicles, small arms

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<sup>98</sup> Cynthia H. Enloe, "Ethnicity and Militarization: Factors Shaping the Roles of the Police in Third World Nations", Studies in Comparative International Development, Vol. 11, Fall 1976, pp. 25-30.

<sup>99</sup> Zakaria Haji Ahmad, "The Bayonet and the Truncheon: Army-Police Relations in Malaysia," Journal of Asian Affairs, Fall 1978, p. 106.

<sup>100</sup> Michael T. Klare. War Without an End: American Planning for the Next Vietnams. New York: Alfred A. Knopf, 1972, p. 244.

and jails, but as national politics in both industrialized and Third World countries have increasingly become budgetary politics, police officers have found it most convenient to devise missions and tactics in ways that rationalize the acquisition of sophisticated weapons and communication equipment. Industrialized nations have been eager to promote police modernization that hinges on such militarized conceptions and on the deployment of heavy hardware.<sup>101</sup> David Bayley is quite critical about this aspect of foreign advising on police matters, and he cautions:

One should be cautious but open minded as well about international advising on police matters. Foreign advisors too frequently recommend uncritically what worked at home.... American advisors, for example, have a marked tendency to advocate technological solutions; they have a prejudice for devices, whether mechanical or electronic.... Hardly any attempt has been made to learn from foreign policemen about non-technical approaches to common problems.<sup>102</sup>

To talk about militarization of the police in any country presumes that such set of distinctions exists. Militarization of the police, as generally understood, connotes the degree by which police institutions are acquiring military characteristics. Cynthia Enloe presented a set of differentiating attributes between the police before its militarization and the military establishments. According to Enloe, the police, that are not militarized, do not perform any functions on foreign soil and that their personnel are posted throughout the national territory operating in relatively small units. They are generally controlled by civilian officials--either local governments or ministries of interior.

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<sup>101</sup>Cynthia H. Enloe, op. cit., p. 27.

<sup>102</sup>David H. Bayley, "Comparative Analysis of Police Practices", UNAFEI Resource Material Series No. 10, Fuchu, Tokyo, Japan, October 1975, p. 26.

The police move around in uniforms and are easily distinguished from civil servants and soldiers. They are on continual and routine call rather than subjected to mobilization. They are usually recruited from civilian life and, unlike the military, are rarely conscripted on a national basis. They enforce the criminal code defined typically by legislative bodies. Their principal adversaries are people of the same nationality and individual officers are cloaked with authority to arrest offenders. Individual members of the organization lives in civilian existence when off duty.<sup>103</sup>

On the other hand, Enloe describes the military as the primary defense of the nation against external threats. Its personnel are generally disposed in a few bases and are not scattered throughout the national territory. Their operational units are relatively large and they face adversaries in large numbers as well. There is organizational differentiation according to mission and technical orientation as shown in major distinction between the army, navy and the air force. The military are likely to be represented in the policymaking bodies at a national level even if they are not cabinet members. The standing military forces are supplemented by special mobilization of reserves or conscripted civilians. As regular military personnel, they live usually in spatially separated compounds and have access to services of their own.<sup>104</sup>

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<sup>103</sup>Cynthia H. Enloe, op. cit., p. 29.

<sup>104</sup>Ibid.

### Summary

In sum, the militarization of police forces, consequently, has led to police adoption of these peculiarly military attributes, often at the sacrifice of traditional police characteristics, or sometimes by the addition of such attributes to the existing police structure. These result in police institutions that are more complex and more fragmented.

### Professional Image

In the past, police work has been regarded as a form of public service carried out by persons of adequate physique and reasonable intelligence. The development of law, the increasing awareness by the public of their own civic rights under laws and constitutions, and the increasing sophistication of the techniques of forensic science have combined to require the service of police officers who may need years of training and experience to attain both the judgment and efficiency necessary to the tasks. One of the marks of true professional police is the inherent capability to form valid value judgments and exercise discretion based on professional competence. It is therefore not unrealistic to believe that the work police perform should be regarded in much the same way as the services provided by doctors and lawyers. James Q. Wilson, however, has a different opinion of police professionalism as he makes his pertinent point:

Professionalism is a term that must be understood in a special sense when applying it to a policeman. Generally speaking, a profession provides a service (such as medical aid and legal advice) the quality of which the client is not in a position to judge for himself; therefore, a professional body and a professional code must be established to protect both the client from his ignorance and the profession from the client who supposes that

he is not ignorant. The police differs from the doctor or lawyer in important respects: first, his role is not to cure or advise but to restrain; and second, whereas health or advice are welcomed by the recipients, restraint is not.<sup>105</sup>

Wilson argued further that the policeman is neither a bureaucrat nor a professional but a member of a craft. The police field has no generalized body of knowledge; learning is by apprenticeship; and the primary reference groups are the colleagues on the job. He finally concluded that efforts to elevate the police service to a profession is largely ignored because "professionalization of the line officer is irrelevant."<sup>106</sup>

In recent times, the term "professionalism" has been increasingly associated with the police, with all that word implies in connection with experience, responsibility, ethics and service. It was the consensus among the delegates of the Fifth UN Congress on the Prevention of Crime that police officers must operate under a rule of law and must be individually answerable to the law; that the service demands of every officer complete integrity and impartiality. The delegates felt that the status of the service could be no higher than the status of the individual officer, since the reputation of all depended to a large extent upon the standing of the individual officer in the eyes of the public. The service, like every other profession, has to protect its good name by ridding itself of those who did not measure to its code.<sup>107</sup>

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<sup>105</sup>James Q. Wilson, "The Police and Their Problems: A Theory" in Public Policy. Yearbook of the Harvard University, School of Public Administration, Cambridge, Massachusetts, 1963, p. 200.

<sup>106</sup>James Q. Wilson, "Dilemmas of Police Administration", Public Administration Review, 28, no. 5, 1968, p. 414.

<sup>107</sup>Working paper prepared by the Secretariat, Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders, op. cit., p. 34.

How does the police image fare in the developing world? With some exceptions, it is observed that Latin America suffers from the quasi-military nature of the police. The police serve centralized authorities and is regarded by the public as maintaining central order rather than as protecting basic human rights against invasion from any quarter. There are two types of police: the gendarmerie which have direct contact with the public and the judiciary police which perform investigative work. Sometimes the former are poorly educated and given little training whereas the latter are well-educated, trained, and professionalized.<sup>108</sup>

In Asia, there is an apparent need to upgrade the image of the policemen. It was more the status of the policeman relative to other services of government and to the level of educated groups that need attention. In some countries like India, Malaysia and the Philippines, a distinction could be drawn between the officers and other ranks. The educational level of the officers sometimes receives more attention than that of the other ranks so that at the level of contact with the public, the image of the police suffered. Some countries have made great progress in this direction; elsewhere, however, the level of police education is too low for the complexity of tasks the policeman is expected to perform.<sup>109</sup>

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<sup>108</sup> Report of the Latin American Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, International Review of Criminal Policy, No. 32, United Nations, 1976, p. 79.

<sup>109</sup> Report on the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime, op. cit., p. 13.

In some former colonial countries of Africa, the image of the police is tainted, owing to the fact that in the past they have been identified with the colonial administration. In order to gain the acceptance of law enforcement efforts and to obtain public cooperation, it was necessary to improve the public image by embarking on a vigorous public campaign. In view of the fact that policing in general requires special aptitudes and training, many countries have conducted selective recruitment campaigns to attract qualified applicants and offered specialized training programs.<sup>110</sup>

It can be gleaned from the foregoing discussions that the professional standards set for the established professions provide patterns that policemen of many countries are seeking in setting out basic minimum standards for their own performance. The professionalization of police education and training and the acknowledgement of its academic respectability, including the development of standards for police performance, can be nationally accepted and perhaps internationally shared.

#### Recruitment

Many police administrators are faced with the challenge of attracting well-qualified persons as police officers and equally important, of retraining such personnel so that they may make a long-term contribution to the organization. This is particularly difficult in countries where other careers are found to be more attractive because of better salaries or better service conditions. In some countries, police are recruited

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<sup>110</sup> Report on the African Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, held at Lusaka, Zambia, 17 to 21 March 1975, p. 7.



through the military while in others, a civil service commission may supervise the hiring. When policemen are hired to serve at lower levels, academic and other qualifications are sometimes considered second in importance to physical prowess. Police officials recruited for higher administrative positions and specialized duties have been inducted laterally at a level higher than the patrolmen. In many countries where the standard of living is relatively low, police recruits are attracted by offers of traditional perquisites in the form of free uniforms, inexpensive housing, food rations, and special allowances to compensate them for the type of service they are expected to provide. This service often extends over a 24-hour day.<sup>111</sup>

The level of recruitment varies with the economic situation in a given country and is affected by the relative social status of the police. The recruitment of police improves during times of depression when job opportunities are limited and when many persons, including those of high qualifications, seek the security and status of a police career. In some countries, however, despite relatively high economic standards and adequate police salaries, pensions, and other benefits, there is a tendency for well-qualified and capable police officers to leave the police service and move to teaching, private security, or administrative positions in the private sector.<sup>112</sup>

There is enough evidence to suggest that the move away from police work is related to the police image and the public attitude towards

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<sup>111</sup> Working paper prepared by the Secretariat, Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders, op. cit., pp. 15-20.

<sup>112</sup> Ibid.

police service. In times of political protest or community division, police operations are easily stigmatized as being partisan, and, as a result, a negative public attitude is fostered by some aggrieved parties. The more sensitive police personnel begin to examine their reputations and tend to move to less vulnerable positions. Regrettably, many police forces lose their valuable and qualified members in this manner. This situation may well be more of a problem in some countries than in others. For many countries, the difficulty is that of upgrading educational standards and at the same time retaining highly qualified persons in the police service.<sup>113</sup>

### Training

Most police forces provide for the basic training of their recruits to keep abreast with the general rise in educational standards and requirements. This training aims at improving the competence of the police and making them responsive to local needs. To assure effective training, there should be a clear understanding of the role and purpose of the police in the society by both the community and police.

In addition to coping with current conditions, police training programs are geared to prepare the police to deal with the foreseeable future problems of a rapidly changing society. Although this presupposes a great degree of flexibility, one of the problems encountered in the police training programs of some countries is the reluctance of police themselves to break with older traditions. There are countries in

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<sup>113</sup> Ibid.

Africa<sup>114</sup> and in Latin America in which police training programs have been described as fragmentary, sporadic and sometimes inadequate.<sup>115</sup> These problems are not as pronounced in unitary and centrally organized states like those in Europe and Asia, where most police agencies send their police to centrally established and financed schools for training.<sup>116</sup>

In European police departments, the length and type of training given to police officers vary widely. In some cases, the level of entry to the police service governs the kind of training given. While most European police training programs are centrally administered and tend to be lengthier than those found in some parts of North America, there have been some interesting changes in content and a greater concern for social education of police officers than was once customary.<sup>117</sup>

In recent times, the changing influences of home, school, religion and social environment have produced societies which are less conformist and more questioning of authority, particularly in the more industrialized countries. As a result of these changes, policemen can no longer rely upon automatic recognition of their authority as projected by their uniform and position. They must be able to establish their personal authority whenever the need arises. These conditions place a

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<sup>114</sup> Report of the African Regional Preparatory Meeting of Experts on the Prevention of Crime, op. cit., p. 7.

<sup>115</sup> Report of the Latin American Regional Preparatory Meeting of Experts on the Prevention of Crime, op. cit., p. 15.

<sup>116</sup> Working paper prepared by the Secretariat, Fifth UN Congress on the Prevention of Crime, op. cit., pp. 22-25.

<sup>117</sup> George Berkley, "The European Police: Challenge and Change", Public Administration Review, Vol. 28, No. 5, 1968, p. 424.

greater psychological burden on the policeman and consequently a heavier responsibility on police training. To be adequate, such training can no longer focus only on improving the technical proficiency of the individual officer, but must also provide him with the basic knowledge that will give him a better understanding of human behavior.<sup>118</sup>

In 1969, the International Association of Chiefs of Police (IACP), an organization based in the United States, stated in their report to the Presidential Commission on Crime:

It is nonsense to state or assume that the enforcement of law is so simple that it can best be done by those unencumbered by the study of liberal arts. Courses such as English, sociology, psychology, political science, logic and history are the very foundation of a law enforcement body of knowledge.<sup>119</sup>

Adequate training is crucial to any attempt by the police either to meet expectation or to develop professional standards. Training will vary according to resources, local crime problems, and the quality of police officer required; according to political, economic and social needs of any country, and according to the level of priority accorded to the police within the total system.

The curriculum of the police school in Paris currently includes a 30 class-hour course entitled Morale, instruction civique at education professionnelle. In this course the recruit learns, among other things, that he is "first, a citizen, secondly a civil servant, and thirdly, a policeman."<sup>120</sup> This appears to be the epitome of a police

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<sup>118</sup> Working paper prepared by the Secretariat, Fifth UN Congress on Crime Prevention and Treatment of Offenders, op. cit., pp. 22-25.

<sup>119</sup> Report of the International Association of Chiefs of Police to the Presidential Commission on Crime, 1969, p. 10.

<sup>120</sup> George Berkley, op. cit., p. 424.

training objective.

## Conclusion

A penetrating analysis of the professional image of the police demands, right at the outset, a clear understanding of the public's perceptions and attitudes toward the police. Some of the public's stereotypes of the police is succinctly summarized by G. Douglas Gourley:

Among these are the widely held beliefs that policemen are uneducated and of low mentality; that they are selected for physical strength and courage alone; that they are of doubtful honesty and integrity; ... that they are often rude and domineering; that they get angry easily ...; that they resort to the illegal 'third degree'; and that the only way to be safe from this tyranny is to have either wealth or 'pull'.<sup>121</sup>

Not all these indictments can be charged to any one police organization, but, unfortunately, at various occasions and places, each has been successfully proven. No matter how well a police force is organized or how efficient and honest is its administration, it is judged by individual citizens, and consequently by the nature of its public contacts. For there is no substitute for excellent public relations. To achieve such a goal, there is no substitute for a highly qualified personnel, specially trained and oriented in their unique national setting. The following statement brings to focus the importance of a highly qualified and trained personnel in enhancing the police's professional image:

Policemen should be encouraged to develop into total human beings, aware both intellectually and pragmatically of the other human beings, their good and bad qualities, likes and dislikes,

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<sup>121</sup>G. Douglas Gourley, "Police Public Relations", The Annals of the American Academy of Political and Social Science, Vol. 291, January 1954, p. 136.

weaknesses and strengths. They should fully recognize society's political and social trends and the implications of the police role upon all of us....<sup>122</sup>

### Research Methodology

The first part of the study will examine the role played by the police in the Philippines during various stages of its historical development up to 1975. In the execution of the study the researcher seeks to gain some insights that will have generalized applicability beyond the single case under investigation. For as Arend Lijphart, a noted political scientist, asserts:

An alternative way of maximizing comparability is to analyze a single country diachronically. Such comparison of the same unit at different times generally offers better solution to the control problem than comparison of two or more different but similar units (e.g., within the same area) at the same time, although the control can never be perfect; the same country is not really the same at different times.<sup>123</sup>

The latter portion of the study will be devoted to a comparative analysis on a limited scale of the role of the police in the Philippines and those of some selected Third World countries having similar historical experiences and backgrounds. Since the research will involve a combination of three methodologies; namely, the case study, the historical method, and the comparative method, a brief description is in order.

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<sup>122</sup> Harry W. More, Jr. (ed.), The American Police: Text and Readings. St. Paul, Minnesota: West Publishing Co., 1976, p. 187.

<sup>123</sup> Arend Lijphart, "Comparative Politics and the Comparative Method", American Political Science Review, 65, 1971, p. 689.

According to Babbie, "A case study represents a comprehensive description of the many components of a given social situation."<sup>124</sup> The great advantage of this method is the possibility of intensively studying a single case even when the research resources at the investigator's disposal are relatively limited. The case study method is unique in that while research activities are directed to generalized understanding, this method emphasizes the understanding of a single idiosyncratic case. Whereas other research methods tend to limit the number of variables considered, this method endeavors to maximize them. Indirectly, case studies can make an important contribution to the establishment of general propositions that ultimately enhances theory building. As Lijphart points out:

Theory-confirming and theory-infirming case studies are analysis of single cases within the framework of established generalizations. Prior knowledge of the case is limited to few variables that the proposition related. The case study is a test of that proposition, which may turn out to be confirmed or informed by it.<sup>125</sup>

Louis Gottschalk defines historical method as "the process of critically examining and analyzing the records and survivals of the past."<sup>126</sup> By studying the past, the researcher hopes to achieve better understanding of the present institutions, practices and problems. The distinguished historian, Edward Carr, looks at history as "a continuous

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<sup>124</sup>Earl R. Babbie, Survey Research Methods. Belmont, California: Wadsworth Publishing Company, Inc., 1973, p. 37.

<sup>125</sup>Arend Lijphart, op. cit., p. 692.

<sup>126</sup>Louis Gottschalk, Understanding History: A Primer of Historical Method. New York: Alfred Knopf, 1950, p. 48.

process of interaction between the historian and his facts, an unending dialogue between the present and the past."<sup>127</sup> In conducting a historical research project, the following suggested steps are essential:

1) define the problem; 2) search for sources of historical facts; 3) summarize and evaluate the historical source; and 4) present the facts within the interpretive framework.<sup>128</sup>

Comparative studies are undertaken to determine the validity of an explanation across some range of consequences. This method is used to determine similarities and dissimilarities across cultures and conditions through a comparison of similar components or variables under similar observable phenomena. One of its objectives is "to enable the extraction of common denominators from identifiable variables so as to produce a general theory applicable in all cultures, in all areas, in all times."<sup>129</sup>

Since reports in historical research usually have no standard format, the particular problem or topic investigated determines how the presentation of findings is organized. Thus the writer is left with the following options: 1) to present the historical facts in chronological order, with each chapter of the dissertation covering a discrete period of time in the historical development of the country. The use of this approach, however, may obscure certain themes that have continuity across

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<sup>127</sup>Edward Hallet Carr, What is History? New York: Alfred Knopf, 1964, p. 35.

<sup>128</sup>Walter R. Borg and Meredith D. Gall, Educational Research: An Introduction. New York: Longman, Inc., 1979, p. 375.

<sup>129</sup>William J. Goode and Paul K. Hatt, Methods in Social Research. New York: McGraw Hill Co., 1952, p. 86.



the time periods (e.g., in this particular case, the changes in the police role); or 2) have a separate chapter for each attribute of the police system to achieve thematic continuity, with the possibility of losing a sense of overall state of historical development at particular points of time. It would be difficult for the researcher to show the changing role of the police as it related to the stages of historical development. In view of inherent problems related to the use of either one approach, the writer has decided to use a combination of the chronological and thematic approaches.

For the purpose of this study, the historical time frame involved will be limited to the following periods:

1. The Spanish Regime from 1836 to 1896.  
The Cuadrilleros which was the Spanish rural police in each town, was organized and established by the Royal Decree on July 8, 1836. The Philippine Revolution began in August 26, 1896.
2. The Philippine Revolution through the First Philippine Republic from 1896 to 1901.  
The Filipino-American War ended with the capture of General Emilio Aguinaldo on March 23, 1901.
3. The American Regime from 1901 to 1941; 1945 to 1946  
The American civil government was established on July 4, 1901 and independence was granted to the Philippines on July 4, 1946.
4. The Japanese Regime from 1942 to 1945.  
The Japanese military administration was established in the Philippines on January 3, 1942 and General MacArthur announced the liberation of the Philippines on July 5, 1945.
5. The Post-Independence Period from 1946 to 1975.  
The Integrated National Police was established in the Philippines on August 8, 1975 by a presidential decree under a martial law regime.

In the historical analysis of the Philippine police system, the writer employed a conceptual framework which portrayed the interaction

between the attributes of the police system with emphasis on its roles and functions and the historical-structural changes that have taken place in Philippine society. The historical periods enumerated in the foregoing paragraph will be treated as the independent variables. The roles and functions of the police, together with the other critical attributes of the police system such as: 1) the structure of the national system; 2) nature of police accountability; and 3) the professional image of the police, that resulted in the derived propositional statements, will be treated as the dependent variables. The main focus of the historical examination will be on the roles and functions of the Philippine police. These will be evaluated in the light of Christian Potholm's pioneering work on the roles and functions of the police in developing countries, which he skillfully categorized into: 1) maintenance of law and order; 2) paramilitary operations; 3) regulatory activities; and 4) regime representation.<sup>130</sup> The writer added a fifth category, "social services activities" to make the classification of roles and functions more comprehensive.

In the second portion of the study which deals with the comparative analysis of the contemporary roles and structure of the Philippine police with the police systems of some selected Third World countries, the writer adapted the following research scheme:

1. The nature of the police system of each of the selected countries as it exists today was used as the baseline for comparison.
2. Potholm's Model on the roles and functions of the police in developing countries was used to specify critical dependent

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<sup>130</sup> Christian P. Potholm, op. cit., pp. 142-150.

variables. A fifth category of roles, that of social services activities, was added to the dependent variables.

3. Comparing the contemporary structure of the Philippine police system with those of the selected Third World countries, the writer replicated David Bayley's comparative scheme on the structure of national systems which elements are: 1) roles and functions; 2) national structure; 3) nature of control; 4) internal organization; and 5) professional image.<sup>131</sup> These elements were treated as dependent variables in the comparative study.
4. The police systems of the selected Third World countries that included Indonesia, Malaysia, India, Nigeria, Algeria, Senegal and the Philippines were considered the independent variables in the comparative analysis.

#### Sources of Data

As described in the preceding section, this study involves basically a secondary analysis of various bibliographic sources, documents and research reports. The historical analysis of Philippine policing is based on information gathered from general historical works and historiographic studies on some specific topics; archival materials; newspaper and magazine articles; official reports and government documents; theses and dissertations; and descriptive surveys and trend reports on subjects related to law enforcement.

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<sup>131</sup>David H. Bayley, "The Police and Political Development in Europe", op. cit., p. 341.

The comparative analysis of policing in other selected countries are based on similar materials but with greater reliance on comparative studies and descriptive materials compiled by international organizations such as the United Nations; area studies published by the United States Department of State; government publications; individual studies dealing with specific country policing; documents and official literature written in non-English countries; and specialized histories in policing.

While these materials represent a major portion of the existing bibliographic sources available, it must be emphasized that the picture they portray of each country's political structure and institutions are highly biased. The descriptions and policy statements can be assumed to reflect the values and concerns of the dominant groups in each country.

This caveat, however, can be applied to any work of this type that is dependent on official or officially-sanctioned information. The state of the art in comparative research in policing has not yet developed to the extent that we can reject outright this type of data as invalid.

## CHAPTER III

### THE ROLE OF THE PHILIPPINE POLICE OVER THE YEARS

#### The Philippine Setting: An Overview

##### The Land

The Philippines is an archipelago of some 7,107 islands united by the sea. It is bound in the north and west by the South China Sea, in the east by the Pacific Ocean, and in the south by the Celebes Sea and the coastal waters of Borneo.

The Philippines is some 965 kilometers from the southeast coast of the Asia mainland. The neighboring countries of the Philippines are Taiwan, China and Japan in the north; Vietnam, Laos, Cambodia, Thailand and Malaysia in the west; and Indonesia in the South (see Figure 2).

With a total land area of some 300,780 square kilometers, the Philippines is about the size of Italy, a little larger than the British Isles, a little smaller than Japan, or about two-thirds of Spain.

The whole country is divided into three main island-groups: Luzon in the north, Visayas in the central, and Mindanao in the south.<sup>1</sup>

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<sup>1</sup>Information Materials on Contemporary Philippines, Philippine Center for Advanced Studies, University of the Philippines, Quezon City, 1978, p. 1.



Figure 2. The Philippines in their southeast Asia setting.

Source: Edward K. Hawkins, *The Philippines*. A report of a mission to the Philippines by the World Bank, Washington D.C., 1976.

At present, it is divided into 12 regions, 60 cities, 72 provinces, 1,422 municipalities, 21 municipal districts, and 40,500 barangays.

### The People<sup>2</sup>

According to a census taken nationwide in 1976, there are about 43.59 million Filipinos. The national growth rate of 3.01% in 1970 was reduced to about 2.85% by the middle of 1975. The population of the Philippines is smaller than that of Italy, Japan, United Kingdom and West Germany, but bigger than that of Poland, Thailand, Ecuador, Ghana, Korea and Taiwan (see Figure 3).

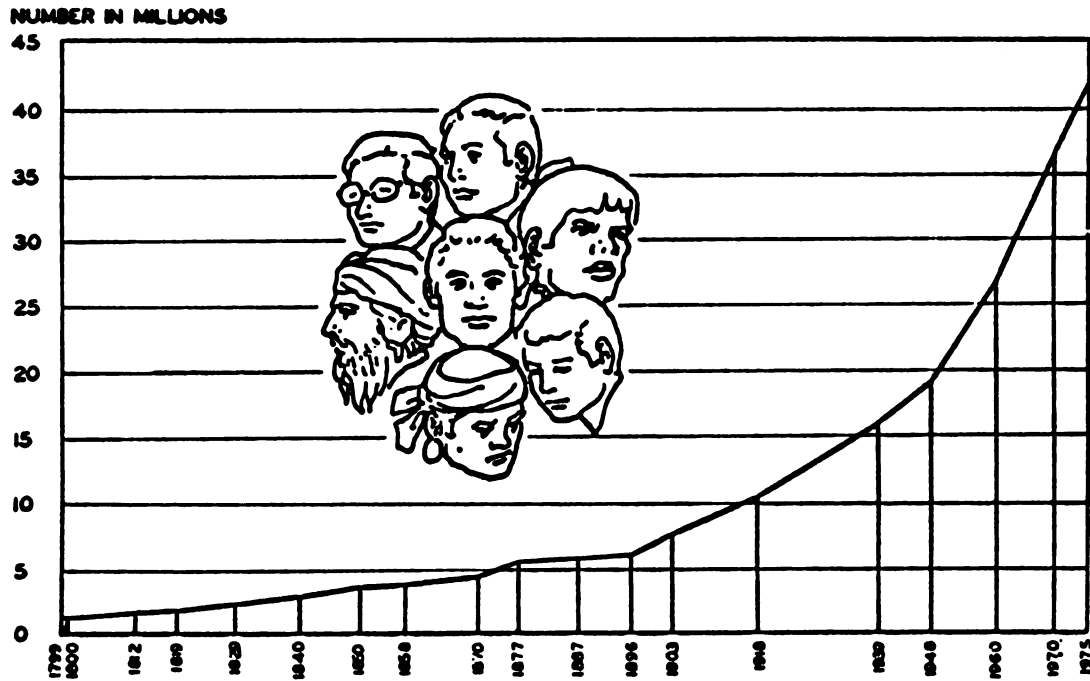
There are 111 linguistic, cultural and racial groups in the Philippines speaking a total of about 70 languages. The major linguistic groups are the following: Tagalog, Cebuano, Ilocano, Hiligaynon, Bicol, Waray, Pampango, Pangasinan and Maranao. While the Philippines has a national language called Pilipino, English remains the language of instruction in the secondary and tertiary schools. Spanish, Arabic and Chinese are spoken by three different small minorities.

The literacy rate of the Philippine population has been constantly increasing to impressive levels. From 60% rate in 1948, the literacy rate increased to 83% in 1970. This makes the country the most literate of developing countries in Southeast Asia, second only to Japan in all Asia, and equal to many Eastern and Southern European countries.

As in most African and Asian countries, most Filipinos are young. Typical of a country with a rapidly growing population, the Philippines has a broad base population pyramid. High fertility and declining

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<sup>2</sup> Ibid., pp. 1-2.



NOTE: DATA FROM 1799 TO 1896 EXCLUDES NON-CHRISTIAN POPULATION

Figure 3. Growth of Philippine Population: 1799 to 1975.

Source: National Census and Statistics Office, National Economic and Development Authority, Philippine Yearbook, 1978.



mortality especially among infants and children accounts for a very young population. According to the National Economic Development Authority (NEDA) report for 1973, 43% of the total population belong to the 0-14 age group, 53% to the 15-64 age group, and 4% to the 65 and over age group.

The population sex ratio was relatively balanced from 1939 to 1960. It changed to a small degree in 1970 when the number of females slightly increased over the males resulting in a sex ratio of 96.8 males per every 100 females. For 1975, the projections show that there will be 49.7% males and 50.3% females. For ages 0-44, the sex ratio is fairly balanced. However, in the ages 45 and above, there will be an increasing number of females over males, a trend which is likely to continue within the next thirty years as chances of life improve.<sup>3</sup>

#### Traits and Customs of the People

What are the Filipinos like? Writing in the Philippine Quarterly, former Philippine ambassador to London, Leon Ma. Guerrero gave the answers to foreigners in the following vein:

I was told that we were friendly, good-natured, loyal, idealistic, sentimental, socially gracious, unwilling to accept responsibility, lacking in self-reliance, less hardworking than the Chinese, more intelligent than the Malay, imitative but less than the Japanese, religious but not so mystical as the Indians, and, in general, the most adaptable of all the races in the Orient.

A Spaniard thought we were very like the Spanish; an American thought we were not American enough. A Frenchman remarked that we were the only people in Asia with a sense of

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<sup>3</sup>Ana Maria Rotor Peralta and Marlene C. Ligan, Philippine Population: Implications, Program and Policies. Manila: University of the East Press, 1975, pp. 37-40.

humour, at least the only ones who could laugh at themselves, which, when one thinks of it, was probably the prettiest compliment of all.

By way of contrast, our fellow Asians had a uniform tendency of laughing at us. A Siamese thought we were pretentious. An Indonesian, in much the same way, deplored our tendency to accept Western standards at face value. A Chinese thought we were improvident.<sup>4</sup>

Filipinos are universally known for their traditional hospitality. The doors of their homes are open to nationals and foreigners. Their family life is characterized by kinship and close attachment and it is not unusual to find in a home several children, aged persons and dependent relatives.

#### A Brief Political History

A historical overview of Philippine development is contained in an economic report on the Philippines by the World Bank.<sup>5</sup>

The Philippines has been affected by a unique combination of historical and cultural influences. The original inhabitants of the islands were Negritos who migrated thousands of years ago across land bridges connecting Borneo, Sumatra and Malaya. The majority of the population, however, is of Malay stock, whose ancestors began migrating from the Malay peninsula and the Indonesian Islands around 2000 B.C. Although the Philippines has been less influenced by the Islamic and Hindu traditions than much of the rest of Southeast Asia, Arab and Indian merchants begun trading with Filipinos around the first century B.C., and in the fourteenth century, the Arabs brought Islam to the

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<sup>4</sup>Urbano A. Zafra, Philippine Economic Handbook, Washington, D.C.: 1955, pp. 4-5.

<sup>5</sup>Edward Hawkins, op. cit., p. 5.

island of Mindanao and the Sulu archipelago. The Chinese, who had been trading with the Philippines over a thousand years, were another important and early cultural influence. Superimposed upon this blend of cultures were over four hundred years of Spanish and later American colonial rule, which left the strong mark of Christianity on the Philippines.

Early Spanish exploration in the Philippines began in the mid-sixteenth century, followed by gradual expansion of colonial rule. Within forty years, Spain gained control of almost all of the islands with the exception of Mindanao and Sulu.<sup>6</sup> From the outset, Spanish rule was highly missionary and committed to the wholesale conversion of the population to Catholicism. The Spanish colonizers were eventually successful in this effort, although Philippine Catholicism remained tempered by the underlying traditional religious beliefs. At first, Catholic priests acted as the prime administrators in the islands, particularly in the provincial areas outside of Manila. During the sixteenth century, the papacy transferred the right to administer the church within the Spanish colonies to the Spanish crown.

The major political contribution of the Spanish was the integration of the self-contained barangay communities into large municipalities to facilitate revenue collections, to maintain law and order, and to focus the local community around the parish church. Because there were few Spaniards in the Philippines, the colonial regime relied upon

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<sup>6</sup>Frederic H. Chaffee et al., Area Handbook for the Philippines. DA Pam no. 550-12, Washington D.C.: Government Printing Office, 1969, P. 52.

leading members of the Filipino community (the principalia) to assist in governing the country.<sup>7</sup> These local, hereditary aristocrats became "political absorbers and cultural middlemen", acting as a kind of a bridge between their own people and their colonial rulers.<sup>8</sup> Another important development under the Spanish was the encomienda system, the forerunner of the haciendas which later came to dominate rice and sugar cultivation. The encomienda, originally a tract of land used as a basis of tax collection, was given to religious orders, charitable groups, and retired government or military officials who had served the crown.<sup>9</sup> Around the eighteenth century, the encomienderos became landowners and began leasing the land to Filipino and mestizo families.<sup>10</sup> This system contributed to the unequal distribution of land which has been a problem ever since.

Opposition to the Spanish rule broke out sporadically in the eighteenth and nineteenth centuries but did not take on a national character until the latter part of the nineteenth century. At that time a growing number of the more prosperous Filipinos began to educate their sons in Europe, and a small intellectual class, which held strong ideas about the need for individual rights and freedom, developed. The intellectual leader and one of the great heroes of the Philippine

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<sup>7</sup>Onofre D. Corpuz, The Philippines. New Jersey: Prentice-Hall, 1965, p. 26.

<sup>8</sup>Encyclopedia Britannica (1973), p. 851.

<sup>9</sup>Onofre D. Corpuz, op. cit., p. 28.

<sup>10</sup>In the Philippines, mestizo refers to those either mixed Spanish-Filipino or Chinese-Filipino parentage.

independence movement was Jose Rizal, whose novels of passionate social protest inspired many of the younger intellectuals. Charged with rebellion and sedition in 1896, he was sentenced to death and executed by the Spanish. In 1892, a secret society dedicated to Philippine independence was established, which in 1896 led an armed revolt against the Spanish in the island of Luzon. One of the leaders of the revolt was Emilio Aguinaldo, who went into exile in 1897 but returned the following year after the outbreak of the Spanish-American war. On June 12, 1898, the Filipinos declared their independence and established a provisional republic with Aguinaldo as the first president. With the conclusion of the Spanish-American war, the Philippines, along with Puerto Rico and Guam, were ceded to the United States in the Treaty of Paris (December 1898). The struggle for independence, however, continued until the capture of Aguinaldo in 1901.

Under the American colonial government, the Philippines gradually became self-governing. By 1902, municipal governments were provided local autonomy, except Mindanao, which was under American military authority. In 1916, the United States Congress passed the Jones Act, which declared the intention recognizing the eventual independence of the Philippines and established an elected Filipino Congress with a Senate and a House of Representatives.<sup>11</sup> In 1935, the Philippines was granted a commonwealth status with independence guaranteed at the end of a ten-year period. One of the first acts undertaken by the newly established commonwealth government was to set up a Philippine army with the

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<sup>11</sup> Frederic H. Chaffee et al., *op. cit.*, p. 35.

assistance of retired U.S. General Douglas MacArthur, whose father had been the last military governor of the Philippines. The Philippines did not become fully independent until 1946, after nearly fifty years of American colonial rule, the devastation of World War II, and the Japanese occupation (1942-45).

Although American rule was relatively short compared with that of the Spanish, it had a significant impact on the social, economic, and political life of the country. One of the major contributions was the establishment of an extensive, free, public, and non-sectarian school system, which had far-reaching effects on the values of Filipino society. Although Filipino languages were originally to be used, English eventually become the sole medium of instruction.

On July 4, 1946, the Philippines became an independent republic. Its constitution, modeled after that of the United States, provided for a presidential government with a strong executive branch balanced by a bicameral congress. Following independence, voter participation was very high and a two-party system developed with each party frequently holding high elective offices, although electoral allegiance was often more attached to a particular individual rather than to a political party or ideology.<sup>12</sup>

During its first three decades as an independent country, the Philippines has learned to deal with the challenge of its varied ethnic background and historic conditions, and made gains in molding a national identity. Tagalog has become widely accepted as the national language.

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<sup>12</sup> Onofre D. Corpuz, op. cit., p. 105.

Literature, music, and the performing arts in general flourished as the rich cultural heritage has been reasserted and often blended successfully with Western concepts and artistic values. Educational opportunities have been greatly increased and illiteracy almost eliminated. Aided by these factors, progress in technology and productivity has earned international recognition. Although poverty still exists and income distribution is uneven, the living standards of the population has improved. In 1976, however, the report of the Social Indicators Project indicated that:

. . . the mean income of the richest 20% of the families grew from 12 times in 1956 to almost 16 times in 1965 as much income as that of the poorest 20%. By 1971, it settled at nearly 15 times as much income as the poorest 20%. This indicates a widening of the gap between the affluent and the impoverished over the span of sixteen years.<sup>13</sup>

In the early years of independence, internal stability, mainly in Luzon, was challenged by the Huk guerrilla movement. Through a combination of military action and social reforms, however, the government was able to subdue the rebellion, and by the mid-1950s, the threat had nearly died out. The last two decades of the sixties and the seventies have witnessed however the resurgence of a dissident movement in Luzon with the HMBs and later the Maoist oriented leftist group--the New Peoples Army (NPA), which has spread out from Luzon to some of the provinces in Visayas and Mindanao.

The other major source of dissidence has been the large Muslim minority which has historically resisted integration in the southern islands of the country. An armed revolt broke out in 1973, mainly in

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<sup>13</sup>Mahar Mangahas (ed.), Measuring Philippine Development: A Report of the Social Indicators Project. Tagaytay City: The Development Academy of the Philippines, 1976, p. 175.

response to land pressure as settlers immigrated from other parts of the country. An armed revolt broke out in 1973, mainly in response to land pressure as settlers immigrated from other parts of the country. The revolt has hampered development in the affected areas and created a drain on the government's resources. This revolt is confined geographically to parts of Mindanao, Palawan, and the Sulu archipelago and involved a relatively small portion of the national population. The government is trying to deal with the problem through negotiations and by improving economic opportunities, especially for the Muslims.

On September 21, 1972, in response to a sharp increase in domestic unrest, martial law was proclaimed. In accordance with the provision of the constitution, the legislative powers of the Congress was suspended, and in a situation that may be termed "constitutional authoritarianism", the president assumed legislative power.

On January 17, 1981, after eight years and four months, martial law was lifted, and some important changes began. The President turned over legislative power to the interim National Assembly. A plebiscite on April 7, 1981 gave 79% approval to the various constitutional changes.<sup>14</sup> The 1973 Philippine Constitution had abandoned the old United States-style presidential system and established a parliamentary form of government. The new constitutional amendments, however, created a "Philippine-style" presidential system which gave strong powers to the president but provided for a Cabinet to handle governmental business. In the presidential elections held on June 16, 1981, Ferdinand Marcos won a new

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<sup>14</sup>1982 Britannica Book of the Year. Chicago, Encyclopedia Britannica Inc., pp. 572-573.



six-year term as president of the Philippines. Meanwhile, the nine years struggle against Muslim separatists in the southern Philippines continued unabated. A separate guerrilla force, the Communist's New Peoples Army (NPA), has been operating in many parts of the country, and was considered by the Army as a greater long-term threat than the Muslims in the South.<sup>15</sup>

#### Sociological Characteristics and Cultural Values

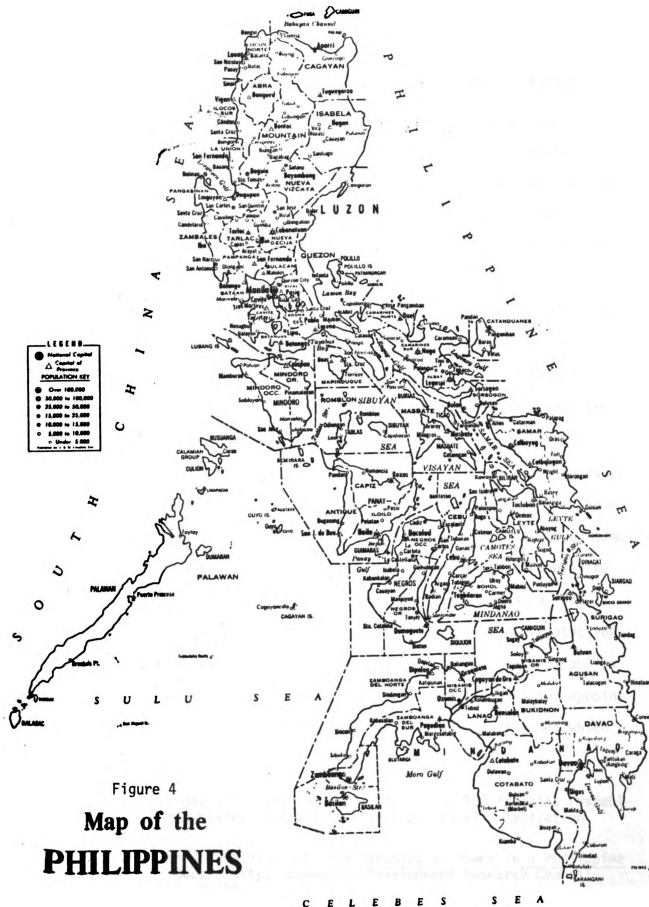
No perceptive understanding of any police system can be achieved without a reference to the past and an attempt to similarly understand the social characteristics and cultural values of the people, the governance of whose conduct and behavior is sought to be achieved. There are several of these that are perceived to have a distinct bearing, if not a significant influence in law enforcement and maintenance of order.

The most dominant single characteristics of Philippine society is the pervasive influence of personal relations upon almost any conceivable human transaction.<sup>16</sup> The success of politicians is strongly influenced by the extent of their kinship ties. Adherence to the principle of jus sanguinis as the basis of citizenship may be traced to this trait. These observations are not surprising when it is recalled that Philippine society originated from a clan and tribal organization called the

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<sup>15</sup> Ibid.

<sup>16</sup> Philippine Center for Advanced Studies, Information materials for Pre-Departure Orientation Seminar, Quezon City: University of the Philippines Press, 1979, pp. 14-15.



"barangay".<sup>17</sup> The maintenance of family ties among ancient Filipinos was reinforced by certain Spanish institutions which were readily adopted. Introduction by the Spaniards of the social institution of "compadrazgo" or ritual parenthood, and its acceptance by the Filipinos, extended the concept of kinship beyond the family into the community.<sup>18</sup> Following the Roman Catholic law, parents chose godparents to sponsor the baptism of their children. The Filipinos have extended this practice to include confirmation and marriage. Filipino families already large, are further enlarged by the number of "compadre" kin, which creates bonds of ritual kinship between the parents, sponsors and children.

An individual finds his principal emotional security within this extended group. Generally the family system emphasizes stability, loyalty and kinship obligations. Custom provides for mutual support among members of the family. If a person is in a position to employ a kinsman or recommend him for employment, he will do so even though someone outside the kinship group may be more qualified. Carried over to the government, this concept brings about nepotism. Extended into policing, this kinship obligation lends itself to political protection of criminals and maladministration of justice. In the field of police personnel management, the kinship principle has resulted in the appointment and promotion of incompetents and less qualified personnel which

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<sup>17</sup> The barangay was a settlement of some 30 to 100 families resembling the Greek citystates, and was the first political organization.

<sup>18</sup> Mary Racelis Hollnsteiner, The Dynamics of Power in a Philippine Municipality. Quezon City: Community Development Research Council, University of the Philippines, 1963.

has diminished the effectiveness of the police organization. It has resulted in the appointment of unqualified personnel who were "compadre" of public officials or of politicians to whom the officials were obligated. Criminal acts committed by either kin or "compadre" of persons of importance in government or business have gone unpunished.<sup>19</sup>

A study of early Filipinos describes two modes of dispute resolution which have survived with little modification to the present day. The first is mediation, an attempt to reconcile and compromise differences. The second mode is formal adjudication based on restitution. Mediation procedures for dispute resolution are based on the fact that disputes and crimes occur in the context of the intricate network of kinship relationship. It is also based on the cultural value of "pakikisama" which lay stress on social harmony and getting along well with one another. As George Guthrie, a noted psychologist puts it:

Filipinos place a high value on good feelings and sacrifice other values such as clear communication and achievement in order to avoid stressful confrontation. The end result is that they agree with what another says and keep their reservations to themselves. It is clear that smooth interpersonal relations is a sort of reaction against sensitivity.<sup>20</sup>

The breach in this harmony must be restored through "arreglo"--the reconciliation and compromise settlement by restitution. While positive values of such practices are explicitly recognized in civil disputes,<sup>21</sup>

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<sup>19</sup> Frank E. Walton et al., Survey of Philippine Law Enforcement. Office of Public Safety, Agency for International Development, Department of State, Washington D.C., 1966, pp. 41-50.

<sup>20</sup> George M. Guthrie. "The Philippine Temperament", Six Perspectives in the Philippines. Manila: Bookmark, 1968, p. 60.

<sup>21</sup> Alfredo F. Tadiar, "The Administration of Criminal Justice in the Philippines: Some Aspects for a Comparative Study with that of the United States", Philippine Law Journal, Vol. 47, 1972, pp. 547-602.

the serious hazards that such informal adjustments pose when applied to the criminal law must likewise be perceived. They further add to the already formidable perils of what Fuller calls "intimate justice", e.g., unduly fostering habits of looking into the person, his status and relationship rather than to the objective act that he has committed.<sup>22</sup>

Another cultural value bearing on law enforcement is that of "hiya", literally meaning shame. Jaime Bulatao, a noted Filipino sociologist, defines it "as a painful emotion arising from a relationship with an authority figure or with society, inhabiting self assertion in a situation perceived as dangerous to one's ego."<sup>23</sup> Stated otherwise, it is the avoidance of situations involving loss of face, of prestige or causing social humiliation or embarrassment. This seems to be the basis for giving the victim of rape or other so-called "private crimes" the absolute right to withhold prosecution and under certain circumstances to terminate proceedings and even to remit penalty by pardon or marriage of the victim with the offender.<sup>24</sup>

Another relevant concept is that of "palakasan", a prevailing belief that "a powerful or influential person is able to circumvent the law."<sup>25</sup> This social concept in the form of political intervention at the arrest level is viewed as the more insidious and perhaps the most

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<sup>22</sup>Lon L. Fuller, The Morality of Law. Revised Edition, New Haven, Connecticut: Yale University Press, 1977.

<sup>23</sup>Jaime Bulatao, "Hiya", Philippine Studies, Vol. 12, 1964, p. 424.

<sup>24</sup>Act 3815, The Revised Penal Code of the Philippines as amended.

<sup>25</sup>Estefania Aldaba Lim, Toward Understanding the Filipino Juvenile Delinquent, 1969, p. 9.

demoralizing in that it not only restricts but actually inhibits the police officer in the performance of his/her law enforcement duties.

Although there is much to be said in favor of the "pakikisama"<sup>26</sup> and the "compadrazgo"<sup>27</sup> systems, the benefits resulting from such relationships are doubtful considering that they tend to interfere with the due process procedure or with the rights of others in a democratic society. The due process and the rights of others are, in fact, in jeopardy every time the "influential friend" interferes with an arrest at the station house or before the case is brought to trial. And each time this happens the arresting officer sinks a little lower into the "bahala na"<sup>28</sup> quagmire. (Bahala na attitude has a certain characteristic of duality. On one side, it reflects fatalism; on the other, courage and daring.)

The preceding brief review of some Filipino values provides insights into the weakened state of law enforcement and the corruption of public officials. It also illustrates the complaint of police officers regarding the public's unwillingness to cooperate in reporting crimes and giving testimony; how individuals committing crimes can justify their actions (the interpersonal behavior patterns on pakikisama and hiya<sup>29</sup> manifest in these situations); how politicians interfere with justice (the concepts of "palakasan"<sup>30</sup> and

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<sup>26</sup>George M. Guthrie, op. cit., p. 62.

<sup>27</sup>Mary Racelis Hollnsteiner, op. cit., p. 14.

<sup>28</sup>Philippine Center for Advance Studies, op. cit., p. 16.

<sup>29</sup>Jaime Bulatao, op. cit., p. 424.

<sup>30</sup>Estefania Aldaba Lim, op. cit., p. 9.

"utang na loob"<sup>31</sup> or the eternal obligation of an individual to his benefactor come into play); and how the public officials appoint inefficient, unqualified police officers because of their feelings of obligation and loyalty to their kins who have helped them obtain their office (the compadrazgo system at work).

The task of enforcing the law and maintaining order in the country is a complicated process because of the great variation in violence rates across the Philippine provinces. This differential violence in special parts of the country can be explained by several factors. In some provinces, one can trace a cycle of violence that is closely associated with the holding of elections. Violence especially tends to peak at presidential election years. Sometimes, purely ethnic explanations emerge when statistical models are fitted to provincial data. For instance, provinces with a high proportion of Ilocanes tend to have a higher violence rate than average. Furthermore, across Philippine chartered cities, high population density are positively related to violence. Violence appears to be concentrated in a few areas of the country.<sup>32</sup>

#### The Spanish Regime: 1836-1896

The study of the role of the police in the Philippines--particularly in its sociological aspect and political relations with the

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<sup>31</sup>George M. Guthrie, The Psychology of Modernization in the Modern Philippines, Quezon City: Ateneo de Manila Press, 1970, p. 45. (Utang na loob--in this situation, an individual who receives help becomes eternally grateful to his benefactor.)

<sup>32</sup>H. A. Averch, F. H. Denton and J. E. Koehler, A Crisis of Ambiguity: Political and Economic Development in the Philippines. Santa Monica, California: The Rand Corporation, 1970, p. v.

Table 1

HISTORICAL DEVELOPMENT OF THE PHILIPPINE POLICE SYSTEM

<u>Stages in the Nation's History</u>	<u>Evolution of the Police</u>
<u>I. Spanish Regime (1836-1896)</u>	
January 8, 1836	A royal decree of the Spanish Crown established the "Cuadrilleros" as the rural police in the country designed to maintain public security and order in the towns.
December 20, 1842	"Cuerpo de Carabineros de Seguridad Publica" was established by a royal decree and was charged with the general function of maintaining law and order and the prosecution of criminals.
March 24, 1868	A royal decree issued by the Spanish Crown established the "Guardia Civil" which was a semi-military force tasked to preserve public order, protect persons and public property in and outside of municipalities and execute public laws when needed.
<u>II. The Revolutionary Period and the First Republic (1896-1901)</u>	
January 21, 1899	The municipal organic law embodied in the Malolos Constitution provided for the organization of the town police. The police was tasked not only to maintain peace and order but also to secure the defense of the towns.
<u>III. The American Regime (1901-1941; 1945-1946)</u>	
March 29, 1900	The creation of the nucleus of the municipal police system by the military authorities pursuant to General Order No. 40 which provided that the municipal council has the power to establish and regulate a police department.

continued



Table 1--continued

<u>Stages in the Nation's History</u>	<u>Evolution of the Police</u>
August 8, 1901	Upon the establishment of the American civil government, the Philippine Commission enacted Act No. 175, creating an Insular Police Force which later became known as the <u>Philippine Constabulary</u> . It was a body of armed men recruited from among the people of the islands and employed primarily for police duty in connection with the establishment and maintenance of public order.
January 11, 1936	Pursuant to Commonwealth Act No. 1, the PC was merged with the Philippine Army (PA) as the Constabulary Division.
October 26, 1936	The <u>State Police</u> was organized pursuant to Commonwealth Act No. 88. All the city and municipal police forces as well as all provincial guards were consolidated into the State Police and was tasked with the duty of preserving order and exercising vigilance in the prevention of public offenses.
June 23, 1938	The State Police was disbanded. The Philippine Constabulary was reconstituted pursuant to Commonwealth Act No. 343.
July 15, 1941	The Philippine Constabulary was tapped to organize three infantry regiments which were later inducted into the USAFFE.
January 6, 1942	The 1st, 2nd and 4th PC regiments with their service elements were organized into the 2nd Regular Division, Philippine Army.
July 20, 1945	The <u>Military Police Command (MPC)</u> was constituted by authority of Executive Order No. 5 and was designated as the law enforcement arm of the Philippine Army.

continued

Table 1--continued

<u>Stages in the Nation's History</u>	<u>Evolution of the Police</u>
IV. <u>The Japanese Regime (1942-1945)</u>	
April 10, 1943	The <u>Bureau of Constabulary</u> was established by the Executive Commission as an agency of the Department of Interior and was charged with the maintenance of peace and order to include coping with the guerrilla problem.
V. <u>The Post-independence Period (1946-1975)</u>	
December 31, 1947	The Military Police Command was deactivated together with the activation of the Philippine Constabulary pursuant to HNDF General Order No. 269.
March 30, 1950	By authority of Executive Order No. 308, the Philippine Constabulary became a major command of the Armed Forces of the Philippines (AFP).
September 8, 1966	The Philippine Congress passed Republic Act No. 4864, commonly known as the Police Act of 1966. This Act created the <u>Police Commission</u> which was tasked to upgrade and professionalize the local police forces.
March 21, 1974	Presidential Decree No. 421 was promulgated which authorized the first phase of the nation's police integration. It signalled the formation of a unified command including the police, fire safety and jail services over the whole of Metropolitan Manila.
August 8, 1975	Presidential Decree No. 765 was promulgated establishing and constituting the <u>Integrated National Police (INP)</u> with the PC as its nucleus and the local police forces, city and municipal fire departments and jails as its civilian components.

community--must include a comprehensive outline of the various police bodies created during the Spanish Regime. A brief analysis of their organization, functions and methods of operation is necessary to understand the institutional background of the Philippine police. Hence, the inclusion of this section dealing with the semi-military police forces of Cuadrilleros, Carabineros de Seguridad Publica, Guardia Civil and Guardia Civil Veterana. These were police institutions during the Spanish period from which, in large measure, are traceable the existing social bias, the unfavorable impressions, and the generally apathetic attitudes of the people towards the police.

The Spanish philosophy of colonial administration was a potent factor in determining the kind of police service that was established in the Islands. V. Shiva Ram, an Indian political scientist, in his treatise on comparative colonial policy, succinctly defines this philosophy:

The political treatment of the Spanish colonies was based upon two principles--centralization and lack of self government due to persistent suspicion and mistrust shown towards the colonies. The system of governing by viceroys, captains general, and council with their various relations to each other, has been truly described as a contrivance to render every part of the government a check on the other.<sup>32</sup>

Being colonial, the Spanish government in the Philippines was a subordinate government and was therefore dependent in all aspects upon the home government.<sup>33</sup> However, the distance between the two was such

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<sup>32</sup>V. Shiva Ram, Comparative Colonial Policy. Calcutta, India: Longmans, Green and Co., Ltd., 1926, p. 37.

<sup>33</sup>Onofre D. Corpuz, Bureaucracy in the Philippines. Manila: Institute of Public Administration, University of the Philippines, 1957, p. 34.

that the home government often gave very broad powers to the colonial administration. But because there might be a danger of secession from the home government, "the broad authority given to the high officials was offset by a number of countervailing devices, one of which was the reliance of the home government upon the church as a check upon the secular regime."<sup>34</sup>

Centralization was accomplished by means of an early colonial policy known as "reduccion". The Spaniards forcibly resettled the small, scattered kinship groups (barangays) into communities (poblaciones) for easy administration and proselytization. This forced urbanization had a rapid and deep effect on native consciousness for it subjected every aspect of the natives' lives to the close scrutiny and direction of their rulers.<sup>35</sup>

There was another difference in the tactics of colonization between the Spaniards and other colonizing powers in this part of the world. While, in general, the Western powers initially instituted in their Asian colonies, a system of indirect rule through their trading companies, the role of the Spanish priest in the Philippines was a deviation from this practice.

From its inception, Spanish colonization operated more through religion than through force. Psychological control of the natives was easily established. This enabled the authorities to impose tributes, forced labor and conscription despite the small colonial military force.

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<sup>34</sup>Ibid., p. 36.

<sup>35</sup>Robert R. Reed, Hispanic Urbanism in the Philippines: A Study of the Impact of Church and State. Quezon City, 1967, p. 33.

Without the work of the priests, this would have been impossible. The priests became the pillars of the colonial establishment so much so that it became a clerical boast that "in each friar in the Philippines, the king had a captain general and a whole army."<sup>36</sup>

Law enforcement in general was easily made more effective under the moral influence and control of the ecclesiastical authority than through the public service rendered by the police institutions and the army. The church, unconsciously or otherwise, exercised this awesome influence through the local officials--the gobernadorcillos, cabezas de barangay, aguaciles and tinientes del barrio--all of whom were cloaked with executive as well as police duties in their respective jurisdictions. The semi-military institutions of Cuadrilleros and Guardia Civil merely stood by and watched the trend of events, ready to be wielded at the behest of the clergy.<sup>37</sup>

The theory that the maintenance of law and order was part of the military system for colonial defense became the basis upon which Spain founded a police system as an adjunct of the colonial army, although vesting it with the civil duty of maintaining peace and order. As part and parcel of the colonial army, the members of the police force were "potential soldiers in the guise of policemen", and they can be utilized as such by the central government at any time in any section of the colony. The dual function of soldier and policeman which was very well exemplified by the Guardia Civil, and which still survives in the

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<sup>36</sup>Los Frailes Filipinos por un espanol que ha residido en aquel pais, Madrid, 1898, p. 59.

<sup>37</sup>Emmanuel A. Baja, The Philippine Police System and Its Problems. Manila: Pobre's Press, 1933, p. 29.

Philippine Constabulary, gave the Spanish central government tremendous power to control and centralize police administration, thus enabling the Spanish governor general to dictate policy to be pursued in the maintenance of law and order. This system of a semi-military police, no matter how defective and weak it was for purposes of civil administration, afforded the central government an instrument to gauge the public pulse in political, social and even religious issues.<sup>38</sup> It was a further expression of colonial control aimed at enhancing the power and prestige of the Spanish government. The police was a repressive agency concerned solely with apprehending criminals and making wholesale arrests. In other words, the police system under the Spanish auspices was simply another means of securing Spanish colonial objectives in the Philippines, that is, conquest, pacification and exploitation.

#### The Cuadrilleros

In the early part of the nineteenth century, with the agitation for political reforms and with the growth of several cities and development of municipalities, there arose a strong demand for the creation of a town police, distinct and separate from the colonial army. On January 8, 1836, a royal decree established the "Cuadrillero" as a rural police designed to maintain public security and order in the towns. The decree further provided for the enlistment of five percent of the able-bodied men in the province to serve for a term of three years in this organization, with each enlistment being subject to the approval of the local priest.<sup>39</sup>

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<sup>38</sup>Ibid., pp. 26-28.

<sup>39</sup>Reglamento de Cuadrilleros, 1855; Berriz, Diccionario de la Administracion de Filipinas, Vol. 1, pp. 553-555.

Each town of Filipinos contains a number of cuadrilleros, proportional to its citizenship. They are under obligation to serve for three years, and enjoy exemption from payment of tribute and polos. (The polos means the obligation to work a certain number of days in neighborhood works.) The cuadrilleros are armed with old guns and spears, perform police duty, and guard the tribunal, prison, and the royal or government house. They also go in pursuit of criminals.<sup>40</sup>

For all these services they were not originally paid, although in later years the privates received three pesos and the other noncommissioned grades in several provinces received a proportionate salary varying from four pesos to eight pesos a month, depending upon the revenues of the province. The officers served gratuitously but enjoyed exemption from the payment of personal tax and polos; and after ten years of such gratuitous service they became entitled to the immunities and privileges of an ex-captain of the town, thereby acquiring the rights to be a principal in the election and other works of local government. The honor and influence gained by this gratuitous service more than compensated the trouble, for gifts and presents were never lacking.

The members of the organization in each town were formed into a company, administered more or less like a military unit, having officers of different ranks and enlisted men of different grades. One of the objectionable features of this recruitment was the fact that enlistment of the members of the Cuadrilleros had to be approved by the local Catholic priest before it could be sent to the provincial government for final approval. It represented a situation of "church" over "state", even in matters of state security.<sup>41</sup>

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<sup>40</sup>Emma Helen Blair and James Alexander Robertson (eds.). The Philippine Islands 1493-1803. Cleveland, Ohio: The Arthur H. Clark Company, 1907, Vol. LII, p. 333.

<sup>41</sup>Emmanuel A. Baja, op. cit., p. 32.

The Cuadrilleros as a body of rural police was originally armed with lance, spears and bolos, but in the later years of its existence, it was authorized to use firearms, most of which were, however, muzzle loading rifles. Its usefulness in the rural areas so greatly relieved military authorities of what should have been their duty, that the Spanish administration made it a permanent police institution in each town.

#### Carabineros de Seguridad Publica

Another of the earlier police bodies created in the Philippines was the "Cuerpo de Carabineros de Seguridad Publica" (Corps of Carabineers for Public Safety). By the Royal Decree of December 20, 1842, this body was organized and charged with the general function of maintaining law and order, execution of laws and ordinances, and the prosecution of criminals and law breakers. These functions were later narrowed down to the more specific duty of watching and guarding the customs houses, rivers, sea-coasts, tobacco warehouses, and the prevention of the entry of contraband. The whole organization discharged the duties of a port, harbor or river police. The regulation of the corps expressly prohibited the members from prosecuting gambling, this duty being particularly alien for this purpose.<sup>42</sup>

In 1851, the government combined the customs police and the tobacco and wine resguardos into one force known as the resguardo general de hacienda or as carabineros de hacienda--internal revenue or treasury police. The enforcement of the tobacco monopoly, however, remained the principal task of this unit. In that year, the carabineros fielded a force of 2,415 men at a cost to the government of close to 275,000 pesos.... Increased expenditures did not make the treasury police more effective against smugglers or less capacious in their dealings with the people. Complaints from the missionaries against abuses committed by the monopoly's auxiliary troops in Luzon reached Madrid in the 1850's. These included irregular searches of private homes, extortion, outrage to modesty, and murder. The crown's response followed a

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<sup>42</sup>Reglamento para el Cuerpo de Carabineros; Berriz, Diccionario de la Administracion de Filipinas, 1888, Vol. 1, p. 159.



familiar formula; it ordered the immediate withdrawal of the military units from the provinces involved, so long as this did not cause grave inconvenience to the monopoly. The government's reply was just as predictable; the premature retreat of troops would do incalculable damage to the colony's most important source of revenue, and the troops, therefore had to stay.<sup>43</sup>

The commissioned grades of the Corps were filled by regular Spanish army officers who were temporarily detailed from the organization in the regular peninsular army. Filipinos were admitted up to the grade of sergeant only. As a police agency, the Carabineros' employment was limited to the central provinces of Luzon and the Cagayan valley where it was needed mainly to enforce the government's monopoly on tobacco.<sup>44</sup>

#### The Guardia Civil

This police institution was created by a Royal Decree issued by the Crown on February 12, 1852, to partially relieve the Spanish peninsular troops of their work in policing the towns. It consisted of a body of Filipino policemen organized originally in each of the provincial capitals of Luzon under the "alcaldes" (provincial governors). This semi-military police force--armed as the Spanish infantry, very martial in appearance because of its bright and showy uniform and distinctively prominent insignia, plus a rigidly maintained military bearing--developed into what was called the Guardia Civil. The original decree was modified later by the Royal Decree of March 24, 1968. Patterned after the national police service of the same name in Spain, the original purpose for which it was organized was "the preservation of public order, protection of persons

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<sup>43</sup>Ed. C. de Jesus, The Tobacco Monopoly in the Philippines. Bureaucratic Enterprise and Social Change, 1766-1880, Quezon City: Ateneo de Manila University Press, 1980, pp. 179-180.

<sup>44</sup>Reglamento para el Cuerpo de Carabineros, op. cit.

and public property in and outside the municipality, and the execution of public laws wherever needed."<sup>45</sup> Dean Worcester cited the broad functions of the Guardia Civil, as:

The Guardia Civil had jurisdiction over all sorts of violations of laws and ordinances. They made reports upon which were based the appointment of municipal officers, the granting of licenses to carry firearms, and the determination of the loyalty or the disloyalty of individuals.<sup>46</sup>

During the first years of its existence the officers and ninety percent of the noncommissioned officers were either Spaniards or Filipinos of Spanish descent. In later years, however, Filipinos were allowed to be promoted to as high as second sergeants, and in exceptional cases as sublieutenants. It was only in the closing decades of Spanish rule that few Filipinos of Spanish descent were fully admitted in the commissioned grade.<sup>47</sup>

As a national police body, the Guardia Civil was a splendid colonial police organization, because it was suitable to the prevailing social conditions of the epoch. It was instrumental in checking highway robbery to a certain extent. Its utility, however, was impaired for it was misused in apprehending political offenders, in detecting enemies of the church, and in framing up cases against persons who had no other fault except that of being persona-non-grata to either the ruling power or to the henchmen of the church authorities. So it was

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<sup>45</sup> Reglamento de la Guardia Civil, aprobado por Real Orden de 24 de Marzo de 1868; Diccionario de la Administracion de Filipinas, Vol. 6, pp. 26-98.

<sup>46</sup> Dean C. Worcester, The Philippines Past and Present, Vol. I. New York: The Macmillan Company, 1914, p. 378.

<sup>47</sup> Reglamento de la Guardia Civil, op. cit.

hated and feared by all; rightly feared by the outlaws and equally hated by peaceful citizens.<sup>48</sup>

During his sojourn of the Islands at the close of the nineteenth century, Frederic Sawyer made the following observations of the Guardia Civil:

I must admit that I looked upon it (Guardia Civil) as an excellent institution, the terror of evil-doers and a protection to all law abiding people. My native friends, however are of different opinions. They accuse the Guardia Civil, both Spaniards and natives, of behaving in an arbitrary and cruel manner, and with practicing extortion upon defenseless natives. They are accused of torturing witnesses to extort evidence, and this charge was no doubt true in many cases.

On the other hand, the bandits or tulisanes were exterminated by this corps of picked men, and security to life and property was assured. At the formation of this corps the officers and men were very carefully selected. The Governor General himself examined the records of every officer, and Spanish gentlemen of the highest character were appointed. Similarly the soldiers were natives who had served their time in the army without having a crime noted against them. But in later years precautions were relaxed, and colonels of regiments were allowed to dump their rubbish into this corps.<sup>49</sup>

The Guardia Civil was organized upon military lines, its officers and soldiers being drawn from the regular army of Spain by selection or upon recommendation. Detachments were distributed throughout the provinces and were commanded according to their size by commissioned or non-commissioned officers. Central offices were located in district capitals; company headquarters were stationed in provincial capitals, and detachments were sent to places where they were deemed to be necessary. Each post consisted of a small guard (six to ten men) headed by a lieutenant.

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<sup>48</sup>Ibid.

<sup>49</sup>Frederic H. Sawyer, The Inhabitants of the Philippines. London: Sampson Low, Marston and Company, 1900, pp. 28-29.

The post was responsible to the provincial commandante (commander) who took his orders from both the provincial governor (either a political and military governor or an alcalde mayor, depending on the classification of the province) and the coronel (colonel) of the regiment. The latter was directly responsible to the Governor General.<sup>50</sup>

As indicated in the *Ordinanzas de la Guardia*, the organization was to be the most professionalized and efficient in the colonial army. Even the lowly corporals and guards were required to be able to read and write, know the monetary system, the system of weights and measures, the penal laws, and the first four rules of arithmetic.<sup>51</sup> Discipline was extremely rigorous--even the slightest error was ground for dismissal, while anything that even hinted of disobedience could bring "the most rigorous punishment".<sup>52</sup>

The Guardia Civil were vested with extraordinary powers. Offenses against them were tried by courts-martial, and were construed as offenses against sentinels on duty. Frederic Sawyer described these awesome powers vividly:

The greatest crime a native could commit was to kill a Guardia Civil, and such matter never came before a civil court. If the slayer by chance was not killed on the spot, he would probably be shot at sight. If apprehended, he would be tried by a court-martial composed of officers of the Guardia Civil, and, needless to say, there would be no monkeying with the verdict nor with the sentence, which would be promptly carried

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<sup>50</sup>Dean Worcester, op. cit., p. 378.

<sup>51</sup>D. Miguel Gurtler y Maroto, Manual para Cabos y Sargentos. Manila, 1873, p. 15.

<sup>52</sup>Ibid., pp. 449-454.

out. Even to resist a Guardia Civil was so great a crime that a sentence of a court martial in such a case were penal servitude for life.<sup>53</sup>

Added to these factors which made the corps unpopular was the peculiar circumstance that required it to be subservient to the church authorities. Of course this undesirable feature of the Guardia Civil was no fault of its officers and men, since the joint rule of church and state was a recognized practice established by law and approved by the Spanish system of government and state.<sup>54</sup> For instance, it was provided by the regulations of the corps that "the Guardia Civil will form in line and present arms to the Archbishop and Bishop of their diocese", and that "the priests were supervisors of the election of the police force".<sup>55</sup>

Dean Worcester cited a litany of abuse of power committed by the Guardia Civil, to wit:

The guardia civil could arrest on suspicion, and while the Spanish Government did not authorize or sanction the use of force to extort confessions, it was not scrupulous in the matter of accepting confessions so obtained as evidence of crime, nor was it quick to punish members of the guardia civil charged with mistreatment of prisoners. Reports made by the guardia civil were not questioned, but were accepted without support even in cases of the killing of prisoners alleged to have attempted to escape, or of men evading arrest.

This method of eliminating without trial citizens deemed to be undesirable was applied with especial frequency in the suppression of brigandage and later during the revolution against Spain.

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<sup>53</sup> Frederic Sawyer, op. cit., p. 28.

<sup>54</sup> Cartilla del Guardia Civil, 1879.

<sup>55</sup> Father Juan Villegas testimony during the investigation of religious orders by the Philippine Commission in 1900.

Prisoners under the charge of the guardia civil were always tied elbow to elbow. They knew fully well that resistance or flight was an invitation for the guards to kill them, and that was likely to be promptly accepted.

In the investigation of a crime the members of this organization arrested persons on suspicion and compelled them to make revelations, true or false. Eye witnesses to the commission of crime was not needed in the Spanish court of that day. The confession of an accused person secured his conviction, even though not made in the presence of a judge. Indirect and hearsay evidences were accepted, and such things as writs of habeas corpus and the plea of double jeopardy were unknown in Spanish procedure.

The guardia civil could rearrest individuals and again charge them with crimes of which they had already been convicted.<sup>56</sup>

It naturally resulted in detestation of the Guardia Civil by the people but their power was so absolute that any protest rarely became public. The one notable exception was furnished by the book of Dr. Jose Rizal entitled "Noli Me Tangere", which voiced the complaints of the Filipinos against the Guardia Civil. There was no vestige of doubt that hatred of the Guardia Civil was one of the causes of the insurrection against Spain.

Another difficulty facing the Guardia Civil stemmed from the problem of existing antagonisms between military officers and civilian authorities, especially the native officials who demanded that the dignity of their office be recognized. Since local gobernadorcillos<sup>57</sup>

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<sup>56</sup> Dean Worcester, op. cit., p. 379.

<sup>57</sup> A gobernadorcillo (literally "little governor") is to be found in every Philippine village or town, and is a very important personage. He is the local representative of the governor of his province, from whom he receives instructions and to whom he sends reports. His headquarters are at the tribunal.

and cabezas de barangay<sup>58</sup> could not interfere directly with the interior economy and with the discipline and movement of the troops, and because these soldiers often did not worry about stepping on the toes of these comparatively poorly trained and inefficient officials if they felt they were hindering their work, the dangers of conflict and obstructionism on the local level were very real. Regulations put into the Guardia Civil ordinance required each post to help the gobernadorcillo or cabeza de barangay in quelling disturbance or disorder.<sup>59</sup> No member of the Guardia Civil could impose a fine or punishment on any one apprehended; instead he was required to turn the accused over to the competent authority.<sup>60</sup> Finally, each tiniente de puesto was expected to maintain frequent relations with the officials in the poblacion (town proper) in order that the two groups could work together harmoniously against banditry and "filibusterismo".<sup>61</sup>

Justice was always up for auction to the highest bidder. The Guardia Civil exacted fowls, eggs, milk, and goats from the poor villages, and large sums of money from the rich, as the

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<sup>58</sup>The families of every town are divided into groups of from fifty to sixty, each under a "cabeza de barangay" who is responsible for the collection of taxes.

<sup>59</sup>Ignacio Salinas y Angulo, Legislacion Militar aplicada el ejercito de Filipinas, Vol. I, Manila, 1879, p. 190.

<sup>60</sup>D. Miguel Gurtler y Maroto, op. cit., p. 15.

<sup>61</sup>Filibusterismo or the filibustero mentality arose during the second half of the nineteenth century because of the economic structure of the Spanish colonial system. Cruelties, thievery and injustice were perpetrated by the Spanish officials and friars in order to amass wealth and power. Having tasted wealth and power, they tried to maintain status quo, on the one hand, and subvert any movement for reform, on the other.

price of protection from ladrones (thieves) and at the same time took their squeeze from the ladrones as the price of protection from the courts.<sup>62</sup>

### The Guardia Civil Veterana

It was not until 1860 that Manila had a local police force composed partially of non-military personnel. This was in keeping with the Spanish reform policies in colonial civil administration. Among several things provided, the most important police reform was the division of the city into three police districts with a "Comisario" (Deputy of Police) appointed for each district. He was the immediate representative of the provincial government of Manila<sup>63</sup> within the city of Manila for the purpose of public vigilance; and the three "Celadores" (Wardens) were his representatives in the three police districts. The "municipes" (citizen police) rendered service on the call of the local authorities. Manila, by this time had two police bodies--the "Cuerpo de Vigilancia Publica"<sup>64</sup> and the "Tercio Civil de Manila". In 1872, both police bodies were abolished and in their places was created the "Guardia Civil Veterana".<sup>65</sup> This body was organized, officered, and administered much in the same way as the Guardia Civil but its members were selected from among the best of the latter organization.

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<sup>62</sup> Frank Charles Laubach, The People of the Philippines. New York: George H. Doran Company, 1925, p. 413.

<sup>63</sup> Reglamento para el Servicio de Vigilancia Publica y Municipal en Manila y sus arabales.

<sup>64</sup> The province of Manila was abolished in August 7, 1901.

<sup>65</sup> Reglamento de Guardia Civil Veterana, Manila, 11 de Junio 1972; Berriz, diccionario de la Administracion de Filipinas, Vol. VI, pp. 99-140.



In the last decade of the nineteenth century, additional police organizations were created because of the mounting problems of peace and order. Internal conditions in the country steadily deteriorated. Secret societies, aimed at overthrowing the existing colonial government, grew increasingly active. Widespread political agitation necessitated greater police vigilance. In order to bolster the combat power of the police, the "Guardia Municipal de Manila" and the "Guerilla de Voluntarios de San Miguel" were organized. They were, however, of little use for the purposes they were created, and both went out of existence at the first shock of the Filipino-Spanish War.

All these police bodies--the "Cuadrilleros" of the towns, the "Cuerpo de Carabineros de Seguridad Publica" and the "Guardia Civil" of the provincial capitals--functioned hand in hand. During much of the Spanish period, these police units were still part of the army, probably because the problem of peace and order was closely related to the task of suppressing insurrection.

#### The Revolutionary Period and the First Republic: 1896-1901

The police system built by the Spanish colonial administration in the Philippines received a fatal blow at the onset of the Revolution in 1896. The blow was originally directed against the Spanish army and the colonial government as a whole but, because of the special position of the police system in the colonial administrative machinery, it landed with the greatest force on the Guardia Civil.

Members of the Guardia Civil, and in several instances, whole detachments, deserted with their arms to join the ranks of the Filipino rebels. This otherwise splendid police corps easily lost its morale in the face of this great social and political upheaval because it had been severely weakened by the prejudice and hatred that the populace had developed against it.<sup>66</sup>

The troops of the Guardia Civil, fearful not only of revolution but of being killed by just anyone they saw, started turning to people with vengeance. Even today the Guardia Civil is popularly viewed as a savage and brutal police force something along the lines of Hitler's Gestapo.... The countryside was in chaos, much of the government funds had to be used by General Weyler to finance costly campaigns in Mindanao. At the time that banditry was getting out of hand, reports started pouring in from the field that there is not enough money to pay the troops, the Guardia Civil's quarters are falling apart, and many of the troops are sick. Interestingly enough, few natives deserted; but many Guardias began stealing food and supplies from property owners.... All of this had a demoralizing effect both on the Guardia Civil and Spanish officialdom.<sup>67</sup>

Several months before the revolution became active, the rural police of Cuadrilleros ceased to function for the established government. Many joined the cause championed by the insurgents. The few and old firearms in their possession, which were mostly defective and with scanty ammunition, were easily confiscated by the insurgents without much resistance.<sup>68</sup>

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<sup>66</sup>Emmanuel A. Baja, op. cit., p. 50.

<sup>67</sup>Theodore Grossman, "The Guardia Civil and Its Influence on Philippine Society", Archiviana. Manila: National Archives Publication, December 1972, p. 6.

<sup>68</sup>Emmanuel A. Baja, op. cit., p. 50.

The Carabineros, as a special police corps, was so quickly reduced to a state of demoralization that it went out of existence before it was officially declared disbanded. A negligible number of the Carabineros was absorbed by the Spanish colonial army while the majority either deserted to join the Filipino revolutionary forces or merely left the organization when they were disbanded.<sup>69</sup>

A reasonable conclusion regarding these police bodies which attempted to function as military organizations indicates that they were weak and ineffective as military units, unreliable as such in times of national emergency, and almost impotent in the solution of major political and social problems like a widespread revolution. It could be argued that no police force can effectively meet a problem that calls for military operations, and erroneously, these police bodies were employed to receive the initial shock of a national uprising. At best, these police bodies served as a bumper receiving the first hard blow. Nonetheless, despite these cited imperfections, the Filipino revolutionary leaders, impressed as they were of the Spanish concept of police organization and administration, and having, at that time, no better model to imitate, adapted to a great extent the features of the Spanish police system. In the adaption process, some modifications were introduced to conform to the needs of the place, time and political circumstances that had bearing on the military problems of the country. However, the main concept of the police system established by the insurgents was not to organize a purely civil force of town policemen,

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<sup>69</sup> Ibid., p. 51.

but to develop a paramilitary police corps capable of military deployment in emergency situations.

Towns and territories occupied by the revolutionary forces were placed under martial law, and the police duties therein were immediately performed either by Filipino troops in active field service or by new recruits who were directly mustered from civil life into the police service. Martial law, however, did not last longer than the time needed to organize the civil administration. In summarizing the conditions of the Philippines on September 15, 1898, Judge James Blount said:

Absolute master of all Luzon outside Manila at this time with complete machinery of government in each province for all matters of justice, taxes, and police, an army of some 30,000 men at his beck, and his whole people at his back, Aguinaldo formally inaugurated his permanent government--permanent as opposed to the previous provisional government--with a Constitution, Congress and Cabinet, patterned after our own, just as the South American republics had done before him when they were freed from Spain, at Malolos, the new capital....<sup>70</sup>

When civil administration was complete and in order, the police service was organized in every occupied town with the size of the force determined by each town according to its resources. The police force of each town was placed under the command of a commissioner who held the rank of lieutenant in the Army.<sup>71</sup>

The framers of the Malolos Constitution (the supreme law of the First Philippine Republic) provided the following municipal organic law on the organization of the town police:

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<sup>70</sup>James H. Blount, The American Occupation of the Philippines. New York: G. P. Putnam's Sons, 1913, p. 98.

<sup>71</sup>Jose P. Laurel, Local Government in the Philippines, p. 60.

Organization of the Police Force: Its Nature

Rule 12. The Chief Executive of each town will organize a uniformed police force the number of which will depend on the resources of the town. The force will be under the command of a Police Deputy who will hold the rank of Lieutenant in the Army.

Rule 13. The said police force will carry out the orders of the Chief Executive of the town as the immediate chief, and of the Chief Executive of the province as the superior office; and it is maintained not only to keep order within the town but also its defense.

Rule 14. The military commanders of each province may utilize the said police forces in military operations in case of urgent need, with the previous consent and knowledge of the town and provincial executives whenever possible.

Rule 15. All males from 18 years up are required to serve in the police forces, but compulsory service will not be demanded while there are volunteers, and those married will not be obliged while there are singles. To this rule are excepted the civil service employees and the physically unfit.

Rule 16. The Police Deputy will keep a record book containing the names of each policeman stating his status, merits and services performed. He will follow the instructions of the Chief Executive of the town as to the uniform and ration of each class of Policeman, the amount of the ration from public funds being previously taxed by the town council.

Rule 17. The Military Commander of the province will consult with the provincial and town chief executives in order to give the police forces the necessary military training.<sup>72</sup>

The aforementioned provisions of the municipal organic code on the town police as conceived by the framers of the Malolos Constitution manifested a decided influence of the Spanish system of keeping order and maintaining internal peace. It was apparent that they retained the close and almost identical relationship between the military and police authorities with actual supervision wielded by the former over the latter. While the Filipino police organization remained semi-military

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<sup>72</sup>"Documentos Constitucionales Sobre Filipinas", pp. 153-154.

in character as it originally was under the Spanish regime, nevertheless, there was one distinct change which was considered as a great improvement from its Spanish prototype. Note that among other things, the Filipino constitutional provisions, recognizing the modern trends in public administration and civil governments, specified as one of the rules that the chief executive of the town was the immediate authority of the municipal police in all civil matters. It was only in cases of military necessity that the commanders of military forces would give direct orders and even under such circumstances, the commander was duty-bound to notify the head of the civil administration of the town. It is a clear acceptance of the modern political theory that the control of the municipal police should be in the hands of the civil authorities and not of the military.

#### The American Regime: 1901-1941; 1945-1946

The Filipino-American War (1899-1901) was followed by a period of political ferment and social disequilibrium, a situation that heavily burdened the capacity of the Philippine Commission and taxed the capacity of the United States Army for civil duties in which it was tasked to take active leadership. Added to these difficulties was the transfer of the reins of government from the military to the civil authorities which even President McKinley foresaw when he promulgated his instructions:

It is probable that the transfer of authority from military commanders to civil officers will be gradual and will occupy a considerable period. Its accomplishment and the maintenance of peace and order in the meantime will require the most perfect

cooperation between the civil and military authorities in the Islands.<sup>73</sup>

It is evident from the foregoing that the first concern of the Commission was to establish a civil government in place of the military regime. To accomplish this, a civil force composed of Filipinos and Americans was decided upon. This logical step was in line with what later became the foundation of America's colonial policy in the Philippines. As Dean Worcester chronicled later:

In the opinion of President McKinley, there was no reason why steps should not be taken from time to time to inaugurate governments essentially popular in their form as fast as territory came under the permanent control of our troops.<sup>74</sup>

This was the initial objective of American colonial policy which have proved effective, wise and successful in spite of the criticisms of foreign colonial administrators in the Far East. In carrying out this policy, the Commission was to

... devote their attention in the first instance to the establishment of municipal governments, in which the natives of the islands, both in the cities and in the rural communities, shall be afforded the opportunity to manage their own local affairs to the fullest extent of which they are capable. They shall be subject to the least degree of supervision and control, which a careful study of their capabilities and observation of the workings of native control show to be consistent with the maintenance of law, order, and loyalty.<sup>75</sup>

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<sup>73</sup> Annual Reports of the War Department, 1900, Vol. I: Report of the Secretary of War, Pt. I, Appendix B, p. 72.

<sup>74</sup> Dean C. Worcester, The Philippines Past and Present, Vol. I. New York: The Macmillan Company, 1914, p. 326.

<sup>75</sup> Annual Reports of the War Department, 1900, Vol. I, op. cit.

### The Creation of the Philippine Constabulary

The foundation of the Philippine police system during the American regime was based upon the general principles enunciated in President McKinley's instructions. On November 30, 1900, the Philippine Commission, headed by William H. Taft, recommended to the Secretary of War the organization of an insular constabulary.<sup>76</sup> In making its recommendations, the law-making body was actuated by the following considerations and arguments:

We further recommend that a comprehensive scheme of police organization be put in force as rapidly as possible, that it be separate and distinct from the army, having for its head an officer of rank and pay commensurate with the position, with a sufficient number of assistants and subordinates.... This organization should embrace every township in the islands, and should be so constituted that the police of several contiguous townships could be quickly mobilized. The chief officers of the organization should be Americans; but some of the subordinate officers should be natives, with proper provisions for their advancement as a reward for loyal and efficient services.

The main duty of the police would, of course, be to preserve peace and maintain order in their respective townships, but occasion would no doubt frequently arise when it is necessary to utilize the forces of several townships against large bands of ladrones.... It is believed that a well directed native police in the lines indicated in the foregoing will be of incalculable service in hastening the return to peace and order....

A native police of this sort, when supported by Americans and native troops, would be especially serviceable in putting an end to the only opposition to our authority which today exists, with which our soldiers find it difficult to cope with....<sup>77</sup>

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<sup>76</sup> "Insular Constabulary" was changed to "Philippine Constabulary" by virtue of Sec. 1 Act 255 on Oct. 3, 1901.

<sup>77</sup> Emmanuel A. Baja, op. cit., p. 58.



With the advent of civilian rule in the Philippines, a question arose as to who should be responsible for maintaining law and order in the islands. Decidedly, the existing local police forces were incapable to handle the growing problem of violence and lawlessness. Should it be the military? Vice Governor Luke R. Wright, then the concurrent Secretary of Commerce and Police, was of the belief that the United States Army in the Philippines at that time "had neither the will nor the organization to do police duty, or take part in the maintenance of order and the suppression of crime. Its job was to put down armed insurrection that had gotten beyond the control of civil authorities."<sup>78</sup> To Wright, the administration of public affairs should include the restoration and maintenance of peace and order and should properly be reposed in the civil government. Thus he recommended to his fellow commissioners the immediate establishment of an organization to be charged with the task of maintaining peace and order in the localities placed under civil rule.

When William H. Taft assumed office as the first Civil Governor on July 4, 1901, he touched this particular point in his inaugural speech:

With the change made today, the Civil government must prepare to stand alone and not depend on the army to police the provinces and towns. The concentration of the army in larger garrisons where, in case of emergency only, they can be called on to assist the local police may be expected; but the people must be enabled to organization of native police under proper and reliable commanders to defend themselves against the turbulent and vicious of their own communities.<sup>79</sup>

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<sup>78</sup> Ibid., p. 64.

<sup>79</sup> W. Cameron Forbes, The Philippine Islands, Vol. I. Cambridge, Massachusetts: Harvard University Press, 1945, p. 109.

Based on the broad principles enunciated in the above inaugural address, and on the recommendation of the Commission to organize a national police corps which was approved by the Secretary of War, the Commission passed Organic Act No. 175 entitled "An Act Providing for the Organization of an Insular Constabulary, and the Inspection of the Municipal Police Forces", on July 18, 1901. This law dealt with the very heart of the problem of civil control; it created an armed force to carry on and complete the pacification campaign begun by the United States Army; and it provided for the supervision and control of the municipal police to insure its growth and efficiency in the maintenance of local peace and order.

On the action in creating an insular constabulary, the Commission reported to the Secretary of War on October 15, 1901, in part as follows:

The general scheme ... is to create an insular police force not exceeding one hundred and fifty men for each province, selected from among the natives thereof, who may be mounted in whole or in part, and who are placed under the immediate command of one or more, not exceeding four, provincial inspectors. The whole body is placed under the control of a chief and four assistant chiefs of constabulary.... Full powers are given to properly arm, equip, maintain, and discipline the force, which is enlisted for two years, unless sooner discharged. They are declared as peace officers, and it is made their special duty to prevent and suppress brigandage, insurrection, unlawful assemblies, and breaches of the peace. For this purpose, they are given authority to make arrests, but are required at the earliest possible moment to bring the prisoner before a magistrate for examination.<sup>80</sup>

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<sup>80</sup> Report on the Philippine Commission to the Secretary of War, October 15, 1901.

The original policy of the Commission in organizing the Constabulary contemplated two salient principles of colonial administration, namely:

First, that Americans should, as a general rule, be in command of the constabulary force to be organized in the provinces and noncommissioned officers and privates be Filipinos, and

Second, each province should furnish its quota of men, whose operations ordinarily were to be confined to their province.<sup>81</sup>

It should be noted that the policy of the British and Spanish colonial administrators had been to utilize native troops as constabulary in districts other than that from which they were drawn, thereby taking advantage of tribal antagonism and avoiding embarrassment sometimes incidental to dealing with their immediate friends and relatives. But the Commission thought that there were substantial benefits to be derived from pursuing the opposite course. It was believed that if properly officered and trained there need not be fear of treachery, and that there were in fact more advantages in having the police familiar with the terrain and the people of the province in which they were operating.

The Philippine Constabulary is similar in some respects to the mounted police of the British northwest territories of America, and it is interesting to note that it was organized in advance of the creation of any state police of any state of the Union, with the exception of

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<sup>81</sup> Charles B. Elliott, The Philippines to the End of the Commission Government. Indianapolis: The Bobbs-Merrill Company Publisher, 1917, pp. 173-174.

the Texas Rangers.<sup>82</sup> Likewise, it has been mentioned that Taft sent men to British Borneo and to the Dutch East Indies to study and report on features of colonial administration that could be adapted in the Philippines. The British native police units employed in India and Malaya were used as models for the Philippine Constabulary.<sup>83</sup>

Dean C. Worcester, member of the Philippine Commission and Secretary of Interior (1901-1913), has defined the Constabulary as follows:

The Philippine Constabulary may be defined as a body of armed men with a military organization, recruited from among the people of the islands, officered in part by Americans and in part by Filipinos and employed primarily for police duty in connection with the establishment and maintenance of public order.<sup>84</sup>

While this may be construed as an official definition, the Constabulary, at least until 1907, was militarily oriented. Its officers were largely men trained in the United States Army, who drilled and instructed their companies, using United States Army manuals. The purpose of the training was to prepare the Filipino soldiers for the task of suppressing the large numbers of natives who were frequently inspired by allegedly "misguided" religious organizations and used guerrilla tactics similar to those perfected by Mao Tse tung.<sup>85</sup> Thus the Constabulary during its first years was, in fact, more of a military organization than a police force. Colonel Wallace C. Taylor, long-time chief of the

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<sup>82</sup> W. Cameron Forbes, op. cit., p. 105.

<sup>83</sup> William Pomeroy, American Neo-Colonialism: Its Emergence in the Philippines and Asia. New York: International Publishers, 1980. p. 130.

<sup>84</sup> Dean C. Worcester, op. cit., pp. 382-383.

<sup>85</sup> George Yarrington Coats, The Philippine Constabulary 1901-1917. A Ph.D. Dissertation, Ohio State University, 1968, p. 7.

Constabulary Third District, well-substantiated this generalization when he stated that the Constabulary:

... has entirely outgrown the character given it upon its inception and can no longer be considered an organization of police in the common acceptance of the word. The work in this district has of necessity been of a military character, and the ordinary police duties have been, by district order and later by law, reserved entirely for the municipal authorities and the municipal police. While the constabulary may not be quite a military organization, yet the character of the service requires that it be organized on those lines.<sup>86</sup>

Fortunately, the men selected by Governor Taft, with the consent of the Philippine Commission and the War Department,<sup>87</sup> proved to be capable of meeting the challenge of organizing the Constabulary. The first Chief of Constabulary and the man to whom, more than any other, applied the title of honor, "Father of the Constabulary", was Captain Henry T. Allen of Kentucky, a regular army officer, graduate of West Point, and a veteran of the Cuban campaign. This talented army officer not only directed the Constabulary through the turbulent years of 1901-1907, but eventually rose to the position of Major General in the regular army and succeeded General John J. Pershing in 1919 as Commander of the American Forces in Germany.<sup>88</sup>

Allen issued General Order No. 1 appointing some 68 hand-picked officers, mostly from the ranks of discharged United States Volunteers who had been mustered out of the service in the Philippines. They were originally commissioned with Constabulary ranks of first, second, third

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<sup>86</sup>Ibid.

<sup>87</sup>Acts of the Philippine Commission, No. 1-263, 8-10.

<sup>88</sup>Jeremiah W. Jenks, "The Philippine Constabulary and Its Chief", The American Monthly Review of Reviews, October 1902, pp. 436-438.

and fourth class inspectors. These ranks were later replaced with military titles. The officer corps was initially a multinational contingent because many of the officers were foreigners coming from Belgium, Cuba, England, France, Germany, Ireland, Italy, Philippines, Poland, Scotland, Spain, Sweden and Turkey.<sup>89</sup>

While these selected officers had the necessary military preparation, they did not have any training and experience in police work. Worse still, they had very little knowledge of and insight into the Filipino and his society. Hence these officers were given an abbreviated course on the laws, traditions and customs of the people. After their training, they were broken into groups of four or five composed of a captain and three or four lieutenants, and were sent to the different parts of the country to recruit, organize and train the Filipino enlistees in police duties. The fact that there were still large numbers of insurgents in the field, not to mention the great number of ordinary bandits or ladrones, absolutely necessitated the hasty build-up of the force. Dean Worcester described this rapid organizational build-up:

The organization was necessarily born at work; there was no time to instruct, to formulate regulations, to wait until a satisfactory state of discipline had been brought about. There were no barracks for housing the soldiers; there were neither uniforms, nor arms, nor ammunition. There was no system for rationing men. All these things had to be provided and they were provided through natural evolution of practical processes, crystallizing into form, tested by the duties of the day. The organization which grew up was a true survival of the fittest, both in personnel and in methods....<sup>90</sup>

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<sup>89</sup>Public Information Office, Headquarters Philippine Constabulary, The Constabulary Story. Quezon City: Bustamante Press, 1978, pp. 84-85.

<sup>90</sup>Dean C. Worcester, op. cit., p. 381.

The enlisted men were recruited from all walks of Filipino life. The laboring class, the farmer, the never-do-well, the young student, and the ambitious youth were all represented throughout the ranks, from privates to the grade of Sergeant Major. Initially, the advisability of employing natives to keep internal peace and maintain order in the Islands was doubtful. However, the following report of the Secretary of Commerce and Police in 1903 negated these fears:

In the beginning the employment of the natives for such a purpose was regarded as a dubious experiment. There were the prophets of evil who did not hesitate to foretell disaster as a result of a course of procedure. It was asserted, both by friendly and unfriendly critics, that the natives would prove cruel, inefficient, and disloyal. A careful study, however, of oriental peoples and especially of the Filipino people, caused the Commission to conclude that the fears were groundless, and that under American direction and leadership, they would not only prove reliable, but, in addition could be made far more effective for service to be performed than even a greater number of American soldiers.... The past year has fully tested the constabulary organization and has demonstrated both its theoretical and practical soundness. The men have proved obedient, loyal, and brave. They have been constantly engaged in clearing up the provinces of cattle thieves and highway robbers.<sup>91</sup>

From 1901 to 1917, the Constabulary was more or less controlled by officers from the Army, more than 70 percent of whom were Americans. From 1917 to 1919, the commissioned service was gradually Filipinized, and by 1933, only 3 percent were Americans. This rapid Filipinization of the officer corps started gradually in 1912<sup>92</sup> but was rushed in the years 1918-1919, because of the resignation of American officers who

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<sup>91</sup>Annual Report of the Secretary of Commerce and Police for the Fiscal Year ending June 30, 1903.

<sup>92</sup>Annual Report of the Secretary of Commerce and Police for Fiscal Year ending June 30, 1912.

joined the United States Army during the First World War.<sup>93</sup>

In the beginning, the constables were armed with old Spanish rifles and Remington single-barreled shotguns. The soldiers complained that while the rifles captured from the Spaniards were very defective, the Remington shotguns were even worse--they were more dangerous to the holders than to their enemies. These outmoded weapons were later replaced with the more effective cavalry Springfield carbines and the heavy Krag<sup>94</sup> rifles.

Captain Allen was charged with implementing Act No. 175 which outlined in broad terms the organizational structure of the Constabulary. The islands were first divided into four and later five districts. Each had an Assistant Chief designated as immediately responsible for fulfilling Constabulary duties within the specified area. The first District consisted generally of the area surrounding Manila. The Second District consisted of the provinces south of the Batangas, Laguna, Tayabas line on Luzon proper, including numerous islands to the South of Luzon. The Third Constabulary District consisted of the so-called Visayan Island group which included the islands of Samar, Leyte, Bohol, Cebu, Negros and Panay. The Fourth District consisted of all provinces in northern Luzon beyond the Tarlac-Nueva Ecija line. The Fifth Constabulary District to the far south, comprised of the large island of Mindanao and the

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<sup>93</sup> Annual Report of the Governor General, 1918.

<sup>94</sup> Filemon V. Tutay, "PC Birth and Vivid Past", PC Diamond Jubilee Souvenir Yearbook 1901-1976, HPC, Camp Crame, Quezon City, August 8, 1976, p. 12.



entire Sulu archipelago, was the land of the fierce Muslims commonly referred to as the Moros.<sup>95</sup>

Each of the five districts was subdivided into a number of provinces where the boundaries were altered frequently in order to facilitate the maintenance of law and order. A Senior Inspector was appointed to supervise Constabulary functions in each of the thirty-five provinces. The size and the population of the provinces varied considerably. The provinces were further divided into a number of stations and posts where the strength of the Constabulary might range from a full company of fifty enlisted men and one or two officers to as few as six men under a native non-commissioned officer. Each Constabulary company was authorized at least one sergeant and several corporals, while it was stipulated that the enlisted men, where at all possible, would be selected from and serve among their own people.<sup>96</sup>

In the early stages of the Constabulary, approximately 25 percent of each provincial force was mounted, thereby forming an extremely mobile and effective body capable of striking unexpectedly and responding to sudden calls for assistance. The Constabulary had no artillery but when the need arose to shell a fixed fortification, the army provided the necessary implements.<sup>97</sup>

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<sup>95</sup>George Yarrington Coats, op. cit., p. 17.

<sup>96</sup>Acts of the Philippine Commission, No. 1-263; Act No. 175, Section 2, 3, 4, and 5.

<sup>97</sup>Manila Times, July 4, 1904.

### The Roles and Functions of the Constabulary

The highly unsettled conditions during those early days put a high demand upon the Constabulary to maintain peace and order, to enforce the law, and to protect the lives and properties of the people. Busied with the manifold duties as guardian of the peace, the early Constable was also called upon to lend a hand in other undertakings. From the purely military work of campaigning against hostile tribes in the non-Christian provinces to the entirely civil function of ex-officio justice of the peace, or special tax collector, there were a dozen more duties which, strictly speaking, were more or less very alien and far beyond the contemplation of its statutory functions.

In a report of the Chief of Constabulary in 1903, the diversified function was well-stated:

With the further implementation of civil government the Constabulary has been called upon to assist in various works somewhat extraneous to the duties laid down for it in the organic act. Constabulary officers in certain provinces are acting as post-masters; in others they are charged with guarding the jails, the expedition of mails, the maintenance of quarantine, transferring of prisoners between provinces and from the outlying provinces to Manila, supplying commissaries to insular and provincial officials, and the maintenance of telegraph and telephone lines.<sup>98</sup>

### Maintenance of Law and Order

The prime purpose of the Constabulary was not military but police duty. Like its prototype the Spanish Guardia Civil, and its counterparts the Italian Carabinieri, the Royal Canadian Mounted Police, and

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<sup>98</sup> Annual Report of Brigadier General Henry T. Allen, July 31, 1903 appended to the Report of the Secretary of Commerce and Police, 1903.

the constabularies of Pennsylvania and Jamaica,<sup>99</sup> its main function was to preserve order and prevent violations of the law. The Philippine Constabulary was not intended to supersede the municipal police, but the inefficiency of the latter in the provincial towns rendered the former's services all the more necessary. There had, indeed, been proposals from time to time to place the municipal police under the Constabulary, and this appeared to be the only method by which the police in the provinces could be brought up to standard. However the local politicians opposed this move vehemently, knowing that it would reduce their influence. The central government hesitated to force the change because such a move might be construed as interference with the local autonomy guaranteed by President McKinley's instruction to the Philippine Commission. As Emmanuel Baja narrates:

Within and without the center of the towns, it shares with the local policeman the greater responsibility in the maintenance of peace and order, the enforcement of the general and special laws. It is practically supplementing the local police in the performance of those functions which, in the strict sense, properly belong to the latter. The commingling of Constabulary and police duties in the unsettled regions and unorganized provinces is still unavoidable; but it can not be so considered in the regularly organized provinces.<sup>100</sup>

#### Paramilitary Operations

While Constabulary functions in the Christian provinces was one of police rather than military, the reverse was true among the Moros and other non-Christian populations. Constabulary stations in Mindanao, in

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<sup>99</sup> Charles Sumner Lobingier, "The Peacekeepers of the Philippines," The American Review of Reviews, September 1910, p. 313.

<sup>100</sup> Emmanuel A. Baja, op. cit., p. 106.

the mountainous regions of Luzon and in the jungle fastnesses of Samar and Leyte were truly military outposts rather than police stations; their function is to police the interior but the effect of their presence is both police and military security.

The enforcement of civil laws and the maintenance of peace in the non-Christian provinces needed something stronger than what a municipal police force could give. Authority to be respected, particularly among the Muslims, must be synonymous with military power, an attribute which must be proven by successful operations and made evident at all times by a display of potential superiority of arms. To maintain both of these as deterrent factors in the keeping of peace among non-Christian and war-like tribes, the presence of the Constabulary was necessary. Vic Hurley vividly depicted the paramilitary operations waged by the Constabulary during that decade in his book entitled "Jungle Patrol":

They were organized without regiments, it being the intention to use them exclusively in small units of companies, platoons and squads. Such was the organization that they retained to the end. Always they were split into small, mobile detachments, capable of living off the country and able to persist on detached duty without the benefit of supporting columns or ammunition trains.

The Constabulary soldier carried his home on his back. The scene of his warfare was a dripping bush,--a jungle that fed him, starved him, concealed him, ambushed him--and quite often buried him.

In its entire history, there is no record of mass movement of troops. Occasionally companies combined when the odds became too great; and sometimes there was collaboration in the mechanics of forming the great circular cordons. But mostly their work was company against Moro 'cotta'; platoon against 'pulajan'; squad against 'juramentado' Moros.<sup>101</sup>

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<sup>101</sup> Vic Hurley, Jungle Patrol: The Story of the Philippine Constabulary. New York: E. P. Dutton and Company, Inc., 1938, pp. 48-49.

## Regulatory Activities

The Chief of Constabulary had been given certain powers of inspection and intervention in municipal police affairs. Later, to increase the efficiency of the municipal police, the legislature enacted a law providing for their reorganization, management, and inspection by the Chief of Constabulary under the general supervision of the Secretary of Commerce and Police.

The Constabulary also was the reliance of the Bureau of Health for quarantine guards and assistance in combating epidemic diseases, especially cholera. It was employed in the enforcement of measures by the Bureau of Agriculture in quarantines against anthrax, foot-and-mouth disease, glanders, rinderpest, and surra among domestic animals. In short, the Constabulary at one time or another, rendered service to every branch of government.<sup>102</sup>

Another government function committed to the care of the Constabulary was the important duty of controlling and regulating the manufacture, sale or disposal of firearms and explosives not regularly issued to the United States or insular troops or those lawfully held by civilian government employees.<sup>103</sup> As government custodian of these weapons, all of which would be deadly in the hands of the criminally inclined elements, the Constabulary was undertaking a task which affected national security as well as local police situations in each town. Hence, the necessity of supplementing the firearms and explosives laws with such internal administrative rules that would regulate the issue of license, systematic control and facilitate inspection.<sup>104</sup>

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<sup>102</sup>W. Cameron Forbes, op. cit., p. 108.

<sup>103</sup>Governor General's Executive Order No. 61, Dec. 5, 1924.

<sup>104</sup>Section 877-906 and Sections 2690-2692, Administration Code of 1917; Article XXIX, Philippine Constabulary Regulations, 1930.

### Social Services Activities

The Constabulary medical service was established at a time when there was general lack of medical and surgical facilities in most of the provinces. Small hospitals were provided at a few base points, and emergency hospital provisions were made at every Constabulary post. In the care of the personnel of the Constabulary and in giving relief to sick and wounded prisoners, and to the general public in regions where the Constabulary doctor was the only person trained in modern medicine, the Constabulary work was invaluable.<sup>105</sup>

In such great emergencies as the eruption of Taal Valcano and the devastation caused by great typhoons, the Constabulary have been quick to respond to the call of duty and to render efficient and heroic service. Except in a few of the largest cities, they were the firemen of the islands. They likewise did effective work in repeatedly checking conflagrations which were very destructive and of frequent occurrence in the country. The Constabulary had aided in combating pests like locusts, and in short, had met almost any kind of an emergency. Charles Lobingier cited a litany of social services which the early Constabulary provided the people.

But the apprehension of criminal forms only a part of the Constabulary's work. Its purpose is to protect law-abiding people not only from the lawless, but also from other dangers. Destructive conflagrations not infrequently sweep through the Philippine towns, and a detachment of Constabulary soldiers usually affords the sole fire-fighting brigade. Floods and tempests threaten the property and often the life of the Filipino. The Constabulary is at hand to render aid. There is,

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<sup>105</sup>W. Cameron Forbes, op. cit., p. 108.

in fact, apparently no service to the people, from destroying noxious insects to furnishing delightful band music in the public parks, for which these little khaki-clad soldiers may not be called upon.<sup>106</sup>

### Regime Representation

As has been well said by General James Harbord, the third American Chief of Constabulary,

... in many places remote from commerce and politics, the Constabulary khaki and red are the only visible symbols of government to the people whose knowledge of the lawmaking and other branches of government is shadowy and intangible. The Constabulary officer of the right sort thrown in such a community becomes the guide, philosopher, and friend of hundreds.<sup>107</sup>

The position of the Constabulary officer at the time, be that of a platoon leader, company commander or provincial commander, had manifold responsibilities. In the absence of the proper officials, the officer was often called upon to discharge the duties of the justice of the peace, postmaster or census inspector. In cases of serious disputes or misunderstanding among local civilian officials, the nearest Constabulary officer always drew the assignment from higher authorities in Manila to act as mediator among warring officials. Invariably, his decision was accepted with satisfaction by the parties concerned.<sup>108</sup> W. Cameron Forbes cited that in the Moro province,

As the Constabulary took over more civil duties, Constabulary officers were appointed secretaries of districts under army officers as governors, and replaced the latter in Lanao and Sulu

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<sup>106</sup> Charles Sumner Lobingier, op. cit., p. 314.

<sup>107</sup> Ibid., p. 315.

<sup>108</sup> Filemon V. Tutay, op. cit., p. 11.

on the passing of the Moro province entirely to civil control in the later part of 1913. Besides serving as governors, these officers were also designated ex-officio justice of the peace. This, while adding to their power, also added greatly to their burdens. In practice it worked well, and the officers, Americans and Filipinos, with rare exceptions displayed strength of character and high sense of justice.<sup>109</sup>

During this period, the Constabulary officers found a very practical field of usefulness in assisting and instructing native civilian officials. General Henry T. Allen, the first Chief of Constabulary, used to tell his young officers who were being sent to the provinces for the first time that their primary mission was to make peace between the United States government and the community wherein they should be stationed, and in a letter addressed to district directors, he said:

New conditions require, while maintaining cohesion and discipline in our ranks, that sound instruction in civic duties receive your first consideration.... We must do all we can to help and to teach native officials by persuasion, advice and explanation, and endeavor to secure and maintain their confidence and good will.<sup>110</sup>

The municipal presidents usually found it difficult to understand the Municipal Code or the numerous other laws which governed their official acts. The justices of the peace were called upon to interpret and apply the provisions of almost any of the Philippine codes or statutes. However, these officials were usually men of little training for their tasks, and the Constabulary officer was the only accessible representative of the American government from whom they sought advice or instruction in an emergency.<sup>111</sup>

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<sup>109</sup>W. Cameron Forbes, op. cit., p. 110.

<sup>110</sup>Charles Sumner Lobingier, op. cit., p. 314.

<sup>111</sup>Ibid.



In the third decade of the American regime, the diversity of functions of the Constabulary was further enhanced by more additional duties. The organization undertook tasks of all kinds, rinderpest and locust quarantine, game wardens, courtroom guards, firemen, Red Cross auxiliaries, representative of the Executive Bureau in the enforcement of election laws, deputy governor or lieutenant governor, special agent of the Secretary of Interior, a sort of an agent to urge the non-Christian children to attend school, highway traffic police, instructor in military science in schools and colleges, firearms and explosives custodian, in-charge of the municipal police, and special investigators. These were not all for every bureau looked to the Constabulary for assistance of some kind or another, like conducting prisoners, guarding lepers, escorting official and private parties, and even the operation and maintenance of telegraph and telephone lines.<sup>112</sup>

### Police Structure

General Allen felt that the entire area placed under the jurisdiction of the Constabulary was too wide for effective control from one headquarters and with troops he had been authorized to recruit. Decentralization was the best solution. This was accomplished with the publication of General Order No. 49 on October 14, 1901 grouping the pacified provinces into three Constabulary districts, as follows:

The first District was constituted by the provinces of Bataan, Bulacan, Nueva Ecija, Pampanga, Pangasinan, Rizal, Tarlac and Zambales and the district headquarters was established in the City of Manila; the Second District was composed of the provinces

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<sup>112</sup>Emmanuel A. Baja, op. cit., p. 103.

of Albay, Ambos Camarines, Cavite, Sorsogon, and Tayabas with the district headquarters established at Lucena, Tayabas; the Third District included the provinces of Antique, Bohol, Capiz, Cebu, Iloilo, Misamis, Negros Occidental, Negros Oriental and Surigao with the district headquarters located at Iloilo, Iloilo. The provinces comprising Northern Luzon as well as Batangas, Laguna, Leyte and Samar remained under the U.S. Army's control. It was only in 1904 that military rule was lifted completely in Luzon and the Visayas.<sup>113</sup>

Sulu and Mindanao, except for Misamis and Surigao, had to be governed by the Philippine Commission in 1903. The Moro Province, composed of the provincial districts of Cotabato, Davao, Lanao, Sulu and Zamboanga, was placed under a military governor. It was only in 1904, the year the Constabulary chief was redesignated as Director of Constabulary, that the routine police duty in these areas was entrusted to the Constabulary.<sup>114</sup>

With the total lifting of martial law in Luzon and the Visayas and the assignment to the PC of routine police work in Mindanao and Sulu, the need for the creation of additional Constabulary districts arose. Hence, on June 13, 1904, General Allen created two new districts through General Order No. 73. The Fourth District with headquarters in San Fernando, La Union (later transferred to Baguio City), consisted of the provinces Abra, Cagayan, Isabela, Ilocos Norte, Ilocos Sur, La Union, Mountain Province and Nueva Vizcaya, while the Fifth District with headquarters in Zamboanga embraced all the provinces of Mindanao and Sulu.<sup>115</sup>

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<sup>113</sup>72nd Anniversary Brochure of the Philippine Constabulary Headquarters Philippine Constabulary, Camp Crame, Quezon City, August 8, 1973, pp. 30-31.

<sup>114</sup>Public Information Office, HPC, op. cit., pp. 91-92.

<sup>115</sup>Public Information Office, HPC, op. cit., p. 92.

In the 1920's, the District of Central Luzon was abolished. Pangasinan and Nueva Ecija were transferred to the jurisdiction of Northern Luzon. The other provinces of the deactivated district were placed under the District of Southern Luzon which lost jurisdiction of Leyte and Samar but gained control of the new provinces of Palawan and Mindoro. The District of Visayas gained Leyte and Samar as well as the new provinces of Masbate and Romblon. Nothing was added to the District of Mindanao and Sulu.<sup>116</sup>

In January 1935, the District of Central Luzon was reactivated, but the provinces it embraced were narrowed down to Bataan, Bulacan, Nueva Ecija, Tarlac, Pangasinan and Zambales. The District of Mindanao and Sulu were split into two: the District of Northern Mindanao with headquarters in Camp Kiethley, Lanao, and the District of Southern Mindano with headquarters at Zamboanga, Zamboanga.<sup>117</sup>

#### The Relationship of the Constabulary with Other Military and Civilian Forces

The early years of the 1900's were crucial years in the development of the Philippine Constabulary. Short of trained men and limited in financial resources, the organization was required by the Commission not only to keep peace and order in and outside the towns, but to carry on small field operations against organized rebels in all parts of the Islands. Most of the time it operated independently as a unit, but on several occasions, in conjunction with the army and the scouts.

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<sup>116</sup> 72nd Anniversary Brochure of the PC, op. cit., p. 34.

<sup>117</sup> 72nd Anniversary Brochure of the Philippine Constabulary, op. cit., p. 35.

The military looked at the Constabulary with disfavor for overstepping its legitimate function as a police force. Its successes in the pacification campaign as a military force invited a lot of criticisms.

Towards the end of the period (1903-1905), when real internal peace was about at hand, wild rumours of dissolving this institution were often heard. The argument of those in favor of dissolution was to avoid duplication of the work of the army and the municipal police. There was the Army of the United States with its adjunct, the Philippine Scouts, always ready to maintain internal security; why then maintain a semi-military corps? There was the municipal police to protect the towns; why duplicate their work?<sup>118</sup> To the clamor advocating its abolition, the Philippine Commission gave its official opinion in a report to the Secretary of War in 1905, to wit:

To abolish the Constabulary and transfer the work of maintaining order to the military authorities would be open to two objections. First, the bulk of the work of the Constabulary is of a purely civil nature ... second, it deprives the Governor General of the real control over the officers charged with this duty. He could not discharge army officers or reward them by promotion, and the tour of service of two years would make a continually changing body of men, who would not have the time to learn the native dialects or get that influence over the leading men with whom they are supposed to cooperate that can be had by long association and trust. These same arguments hold good against the use of Scouts for the bulk of the Constabulary service.<sup>119</sup>

The authorized strength of the Constabulary and the small number of policemen in each town did not permit these organizations to carry out for themselves alone the full maintenance of internal peace and

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<sup>118</sup>Emmanuel A. Baja, op. cit., pp. 72-84.

<sup>119</sup>Report of the Philippine Commission to the Secretary of War, 1905.

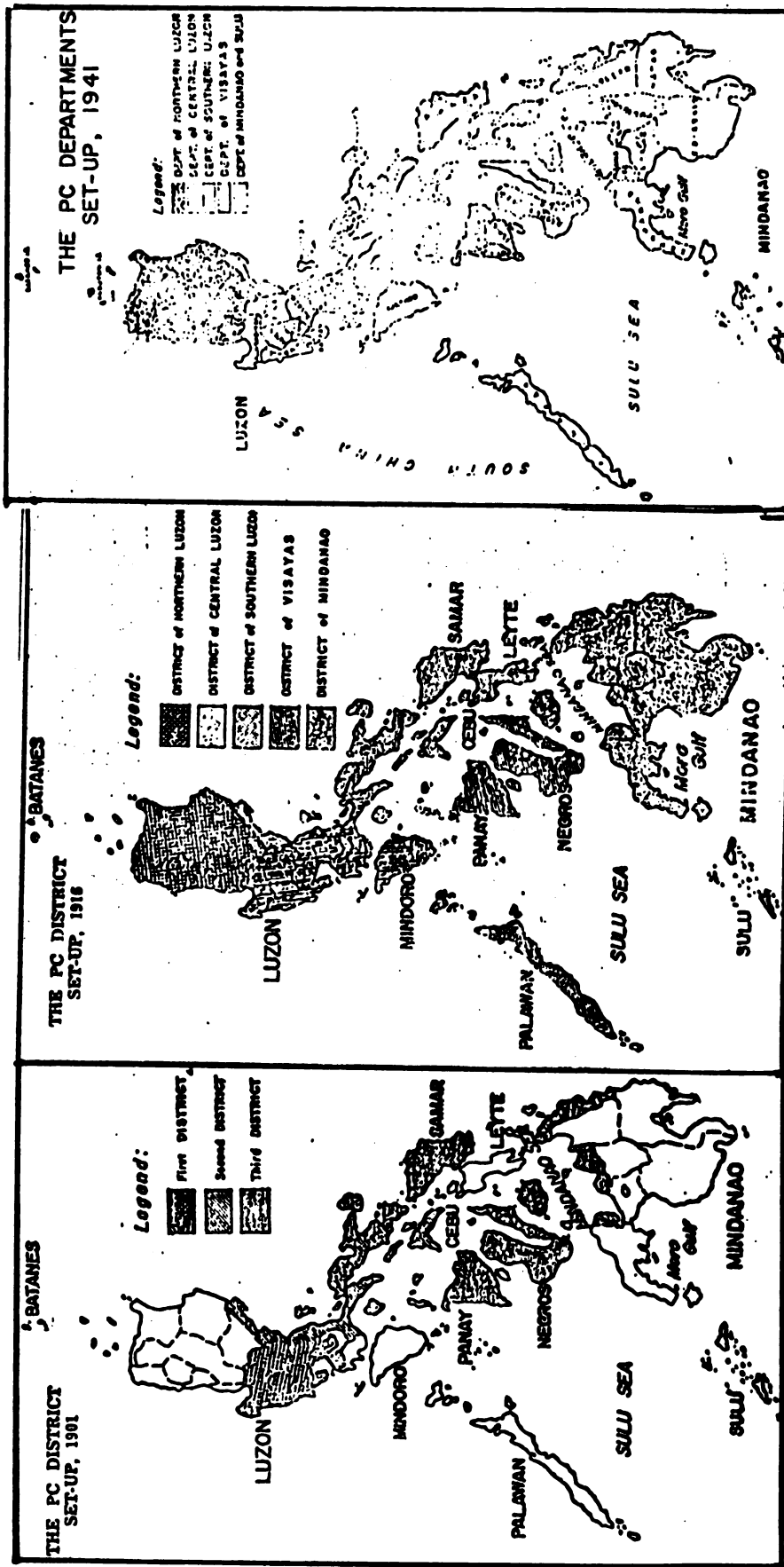


Figure 5. The Organization of the Philippine Constabulary over the years during the American regime.

order in the municipalities and to complete at the same time the pacification campaign in the unsettled regions. These two functions of policeman and soldier were in fact too heavy for the recruited strength, which could not however, be increased for lack of funds. So to effect the policy with the cooperation of the army but without calling on the military arms to establish martial law or some other form of military control surrendering civil rule, the United States Congress passed on January 30, 1903, an act authorizing that Scout companies may be detailed to augment the Constabulary wherever needed, upon the request of the Civil Governor to the Commanding General of the United States Army.<sup>120</sup>

#### Professional Image of the Constabulary

Historian Orville Johnson had this to say about the early Constabulary:

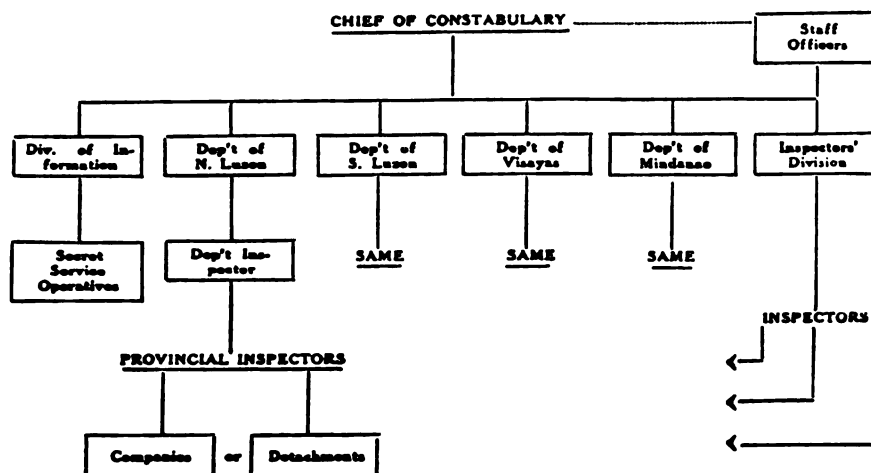
In those days, the Constabulary was confined to experience and hard knocks. There was no time for formal instructions; it was 'Johnnie git your gun' and hit the trail. They did hit the trail and, although their guns were not much to brag about, they had an even break in that respect with the men they went out against. Once in the trail, they kept going until they had out-hiked and outfought every band of law breakers in the Islands.

For this work, a somewhat different type of Constabulary man was desirable. While rough and ready methods were still necessary to some degree, there was more of a need for a combination of the fighting man and the diplomat. It seems that officers and men, in order to accomplish their mission, needed to be trained in the special work required of them.<sup>121</sup>

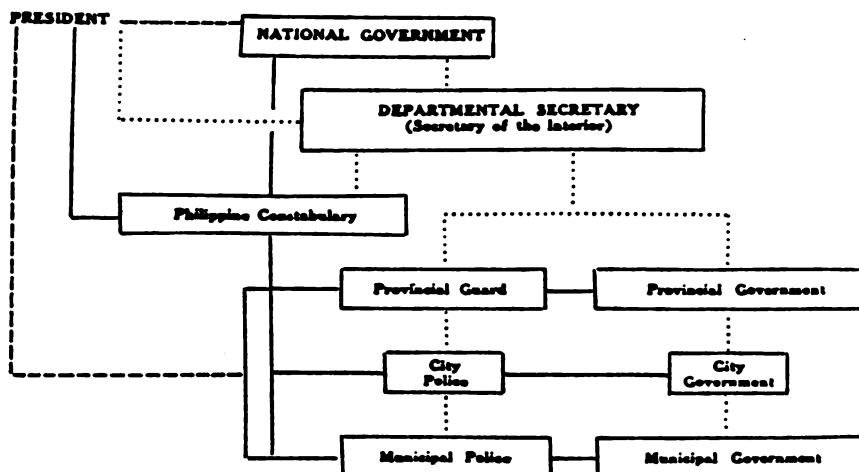
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<sup>120</sup>Emmanuel A. Baja, op. cit., p. 76.

<sup>121</sup>Filemon V. Tutay, "Birth and the Vivid Past: 1901-1946", Philippine Constabulary Diamond Jubilee Brochure, August 8, 1976, p. 12.



Organizational set-up of the National Police showing the general structure of the force, the geographical department, the provincial units, and the staff. The geographical departments have changed several times depending upon transportation facilities, and political-social considerations.



Organizational set-up showing how Executive control over local police forces is exercised through the national police: broken lines show how the President can also reach them directly; dotted lines show the course he may also take through the intermediate local executive offices.

Figure 6. Organizational set-up of the National Police showing the general structure of the force, the geographical department, the provincial units, and the staff; also, the organizational set-up showing how Executive control over local police forces is exercised through the national police.

In 1905, a breakdown in efficiency and discipline among Constabulary officers began to be noted owing to the organization's enlarged responsibilities and expanded jurisdiction. Better men were needed, and so in his 1905 report, General Allen stressed that a Constabulary officer:

... must possess intelligence, education, and tact sufficient to make him the peer or superior of the provincial or municipal officials with whom he has to deal; he must be strong in the law relating to his profession; he must possess sufficient judicial sense to properly decide the various differences that are brought to him in remote barrios where he is often the only American and above all he must be considerate of others and yet have sufficient acumen to avoid the wits of clever mischiefmakers.<sup>122</sup>

At the start of the organization, the Constabulary authorities were confronted with many plans for future development; and one which received serious consideration was the establishment of a training school for the commissioned officers. As a reward for Filipino constables who had amply demonstrated their loyalty and devotion to duty, deserving privates and non-commissioned officers were given a chance to qualify for commissioned ranks. Thus, one of the incentives for constables in active duty to further their careers in the Constabulary service was the establishment of the Philippine Constabulary School at the old Sta Lucia barracks at Intramuros, Manila.<sup>123</sup> Judge Charles Lobingier, writing about the Philippine Constabulary School, narrated:

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<sup>122</sup>Public Information Office, Headquarters Philippine Constabulary, op. cit., p. 93.

<sup>123</sup>Emmanuel A. Baja, op. cit., p. 148.



No sketch of the organization would be complete which should fail to mention this unique and useful institution which aims to give the newly appointed Constabulary officer a special course of instruction before sending him to his post of duty. The course includes, in addition to military drill and Constabulary administration, instruction in Philippine law and Spanish language, both of which are highly serviceable to every officer. The school was originally established in Manila, but in 1908, it was moved to Baguio, the summer capital, where its building occupies a commanding eminence among the pine clad hills of Benguet. Here in a climate of the temperate zone, away from the distractions of a large city like Manila, the young cadet devotes himself to three months of final preparation for his work.<sup>124</sup>

In 1916, with the passage of Act 2605, the Constabulary Academy and the Officers' School were abolished and in their place a single institution was authorized with the designation as "Academy for Officers of the Philippine Constabulary". Under the aegis of the new Academy, a nine-month course was prescribed which, in the school year of 1919 was further increased to two years. Charles Elliott, a former member of the Philippine Commission, elucidated on the objective of the new academy:

The purpose of the enlarged institution is to educate and train officers of the Constabulary or any other similar institution which may be created. Of course this law, is designed to provide a sort of a West Point for the training of officers for the armies of the independent republic of the Philippines when it shall materialize.<sup>125</sup>

On December 8, 1928, Act 3496 was passed by the Philippine Legislature. It changed the name of the academy to the "Philippine Constabulary Academy"; strengthened the faculty, and further readjusted the curriculum to meet a new perspective of the organization. As Charles Elliott added:

... the cadets must for a period of two years pursue a course of study determined by the chief of constabulary ... which must include military art, the constabulary manual, the criminal law

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<sup>124</sup>Charles S. Logingier, op. cit., p. 312.

<sup>125</sup>Charles B. Elliott, op. cit., p. 176.

of the Philippines, military law, international law, topography, equitation, athletics, and the municipal, provincial and insular governments. Upon the completion of the course, cadets will be appointed to fill vacancies in the grade of third lieutenant of the constabulary or in the same grade in any similar organization which may hereafter be created.<sup>126</sup>

With the establishment of the training academy, Constabulary efficiency began to improve and no less than the United States Secretary of War noted the big change, for in his remarks before the Philippine Assembly in 1907, he said:

It gratifies me on my return to the islands to learn that a change has come, that the complaints against the Constabulary have entirely ceased, and that it is now conceded to be discharging with efficiency the function it was chiefly created to perform, of sympathetically aiding the provincial governors and municipal authorities of the islands in maintaining the peace of each province and each municipality, and that there is a thorough spirit of cooperation between the officers and men of the Constabulary and the local authorities.<sup>127</sup>

The quality of the Constabulary service was to improve even more with the years. Thus, in his 1909 annual report, General Bandholtz was to note that "the general spirit of the Constabulary is perhaps better than before." It was to reach a point when "many of the provincial governors have made requests to have the Constabulary in their provinces augmented and on all sides objections have been made when news has been received of the contemplated reduction of the force during the coming year."<sup>128</sup>

Dean C. Worcester, Secretary of Interior and member of the Philippine Commission from 1900-1913, gave a fitting tribute to the

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<sup>126</sup>Ibid.

<sup>127</sup>Public Information Office, Headquarters Philippine Constabulary, op. cit., p. 95.

<sup>128</sup>Ibid., p. 96.

Constabulary's professional image when he cited:

The force known as the Philippine Constabulary was organized for the purpose of establishing and maintaining order. It has established and is maintaining a condition of order never before equalled or approached in the history of the islands. The policy<sup>129</sup> which led to its organization has been a thousand times justified.

### The Establishment of the Municipal Police

The progress of the pacification campaign went hand in hand with the establishment of local municipal governments. This was done mostly under the responsibility of the American military commanders. Among the many provisions found in the municipal organization code was the specific order to establish a police force under the vice president of the municipality who shall be ex-officio Lieutenant of Police. The orders on which that participation rested provided in part that:

3. The president shall be the executive of the Municipal Council to execute decrees issued for the following purposes, viz:

To establish a police force....

4. The senior headman, or one designated by the Council, shall be the Vice President of the same, assistant to the President and shall be ex-officio Lieutenant of Police.

5. The Lieutenant of Police may arrest or order the arrest of persons violating a municipal ordinance, disturbing the peace or accused of crime, but no person shall be held in confinement longer than twenty four hours without the preliminary examination, and no person shall be arrested for nonpayment of tax or for debt.<sup>130</sup>

However, when the civil government was inaugurated under the Philippine Commission, this body, although continuing the policy of the

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<sup>129</sup> Dean C. Worcester, op. cit., p. 399.

<sup>130</sup> Headquarters Philippine Division, General Orders No. 43, Manila, Aug. 8, 1899.

military government, specified that

... the military governor (of the province) is hereby authorized to establish a police force for the maintenance of law and order in such of the cities and towns of the Islands as may by him be deemed desirable and advantageous to public interest. He had the power to appoint, inspect and remove members of the municipal police forces of his province.<sup>131</sup>

From the standpoint of police administration and organization, this act of the Commission was a step backward, for it lessened municipal control in time of peace. Directly responsible in the maintenance of peace and order in his municipality, and yet without full control in the appointment and removal of the members of the police force, the municipal president often found himself at a great disadvantage. Furthermore, as an added aggravation, the Commission promulgated Act No. 83 which purposely diminished the president's control over the municipal police and disproportionately increased that of the provincial executive, by specifically providing that:

Subject to the other provisions of law, he shall have complete control of the local Constabulary or police of the various municipalities of the province; and may, when the public interest require, temporarily withdraw from the municipality in which such police or Constabulary are organized, a part thereof for use in other towns or the province.<sup>132</sup>

Generally the practice of dual control is frowned upon as it militates against efficiency, but military expediency and the general policy of centralized power during an era of political readjustment probably justified for a time such control and supervision.

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<sup>131</sup>Philippine Commission, Act No. 58, December 12, 1900.

<sup>132</sup>Philippine Commission, Act No. 83, February 6, 1901.

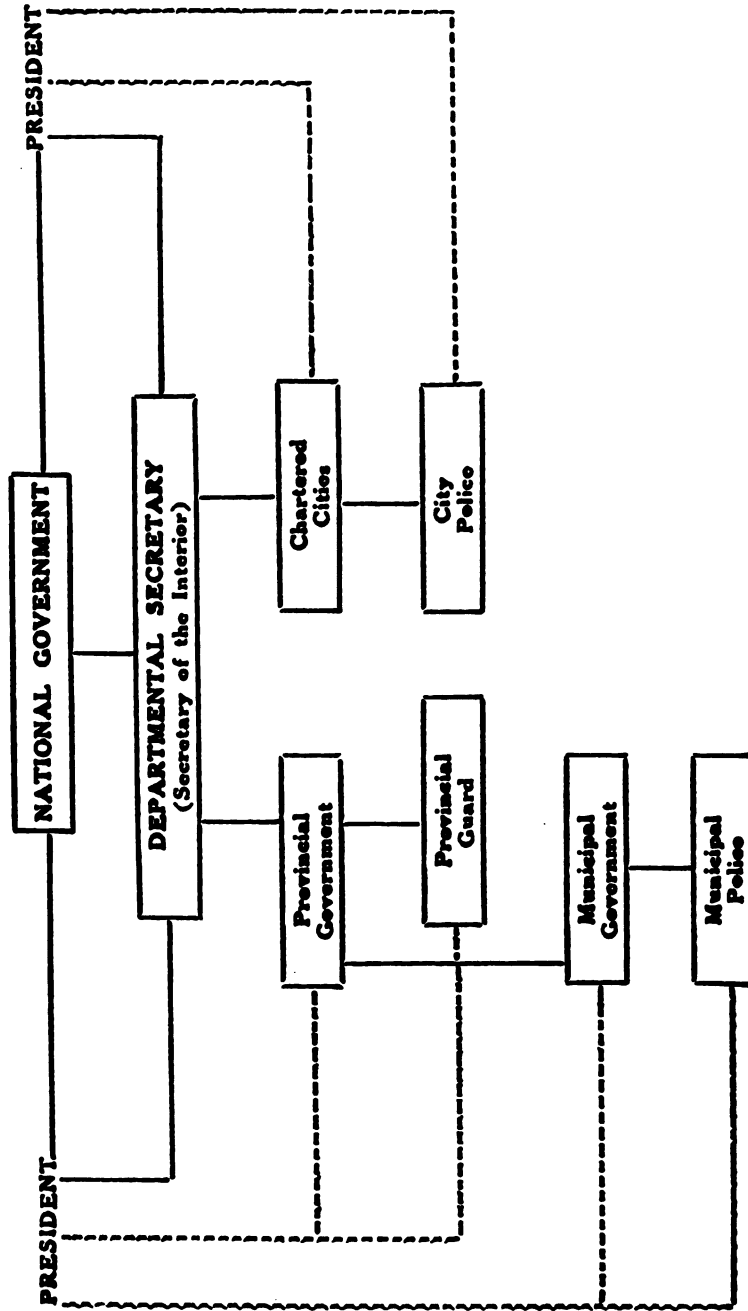
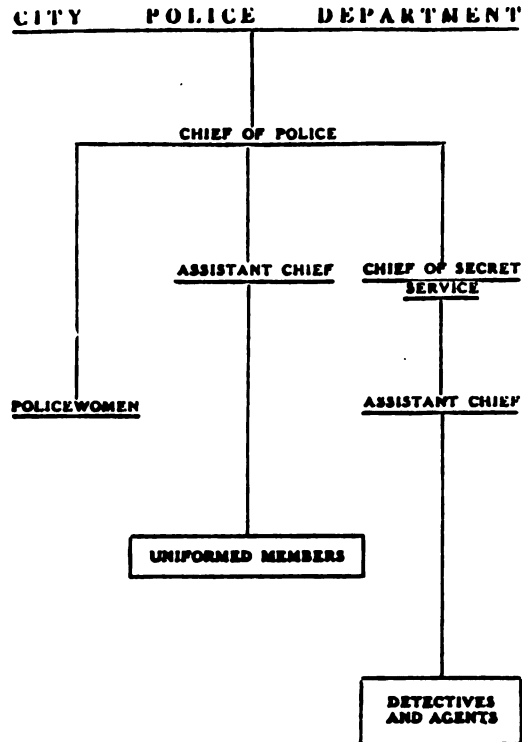
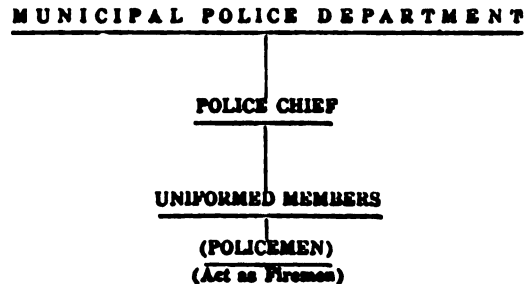


Figure 7. Schematic diagram showing how the President reaches the Provincial Guard, the City and Municipal Police forces, through the Departmental Secretary; broken lines show how he can directly reach them, each independent by itself, or collectively.

Source: Emmanuel A. Baja, Philippine Police System and Its Problems, Book II (Police of the Common wealth), Manila: Pobre's Press, 1940, p. 81.



Schematic diagram of the city police organization. As noted in the chapter on police laws of chartered cities, the Secret Service may not be organized as a division proper. The employment of policewomen is discretionary.



Schematic diagram of the town police organization. Notice its simplicity. This very simple set-up is to be expected considering that the municipal police forces average seven (7) men only; small municipalities have three or four at most.

Figure 8. Schematic diagram of the city police organization; also Schematic diagram of the town police organization.

Source: Emmanuel A. Baja, Philippine Police System and Its Problems, Book II (Police of the Commonwealth). Manila: Pobre's Press, 1940, pp. 83-85.

During the first two decades of the American regime, 1900-1919, the municipalities had been beset with many police problems. Take for instance the question of political partisanship as described by Charles Elliott:

The local municipal police had always been the source of much trouble. They were appointed by the presidents and were generally little more than his personal servants.... The police represented the presidente's patronage and after this appointment they were his henchmen, ready to fetch and carry for their boss. As guardians of the peace they were practically useless. Discipline was unknown. Without arms, they were useless against the ladrones who infested the surrounding country.... The root of the problem was in the method of appointment, control and removal of the policeman.<sup>133</sup>

Another administrative problem which obstructed the early development of the town police was the official relation between the municipal president and the members of the police force. The supervision of the provincial and insular authorities over the municipal police even made that relation more complex and difficult. The insular administration labored under the impression that the municipal authorities were ever ready to exploit their positions as disclosed in a report of the Philippine Commission to the Secretary of War:

The police of each township (municipality) should be subject to the call of the local authorities, but prompt reports of their operations to the central head, and especially of any unusual occurrence, should be required. There should also be some responsible subordinate in charge of the police of each township, not only to secure discipline and efficiency in the force itself, but also as a check against their improper use by the president and other officials of the municipalities.<sup>134</sup>

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<sup>133</sup>Charles B. Elliott, op. cit., p. 180.

<sup>134</sup>Report of the Philippine Commission to the Secretary of War, November 30, 1900.

Added to these aggravating circumstances which worked against the development of the municipal police, was the prejudice and adverse public opinion directed to them all the time. On the one hand, there was the people's early prejudice against any armed institution based on their previous experience with the Guardia Civil; they thought that the police were furthering the interests of American sovereignty and, therefore, inimical to the ultimate objective of the Filipinos. On the other hand, there existed the biased impressions of many Americans that all the town officials were in office to exploit their official positions by abusing their power and influence over the town's policemen.<sup>135</sup>

At this point, it is noteworthy to quote some extracts from past official documents of the Philippine government as well as newspaper commentaries to depict the development of municipal police during the first four decades of the century:

1903. The municipal police have also gone underpaid and in many instances had not been made efficient because they were used as the personal servants of the municipal presidents.<sup>136</sup>

1908. This force, which should cooperate with and supplement the work of the Constabulary, is today practically valueless on account of the method of organization. The entire force of a town goes out of office with the presidents, and the appointment of the new policemen is the prerequisite of the incoming official, so that they are rather servants of the presidents than law officers of the town. There is no uniformity of pay, instruction, discipline, size of the force, or armament. A complete change in the law and the reorganization of the municipal police which should be along the lines of giving permanency to the force and placing it under competent inspection and supervision, would do much to remedy these evils.<sup>137</sup>

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<sup>135</sup>Emmanuel A. Baja, op. cit., p. 211.

<sup>136</sup>Report of the Philippine Commission, 1902.

<sup>137</sup>Report of the Philippine Commission, 1908, part III, p. 332.



1913. Act No. 2169, passed by the Legislature on Feb. 6, 1912, provided for the reorganization, government, and inspection of the municipal police of the municipalities, provinces and sub-provinces and placed the onus upon the Constabulary. The improvement in municipal police has been steadily great. A uniform has been provided for the police in all the provinces. Organization has been effected and defects have been gradually corrected and on the whole progress has been satisfactory. The intelligence of the men now appointed as municipal police is much higher than it has been in the past, which tends to efficiency, but the scarcity of municipal funds prevents sufficient compensation for the duties performed.<sup>138</sup>

1921. Provincial commanders are unanimous in their statements that the municipal police throughout the islands are of poor type and render very inefficient service. As a whole, they are underpaid, inadequately uniformed and equipped, and their moral and physical training is below standard. They have had little or no training in the prevention of crimes, and much less in the investigation and apprehension of criminals. Little improvement can be looked to until a higher rate of pay is provided for to induce men of quality and character to enter the service.<sup>139</sup>

1928. The efficiency of the municipal police forces is a sad commentary upon the ability of local governments to maintain local autonomy.... Politics usually gets the blame for any defective feature of our government. But in the case of the inefficiency of the municipal police forces, politics is pointed to not as a mere scapegoat but as the direct cause of their lack of discipline. Unless this branch of public service is placed beyond the influence of local politics, it is extremely doubtful whether a truly useful and efficient local police force could be maintained.<sup>140</sup>

1936. Although the municipal police had been performing this function (law enforcement), it could not be depended upon because of its well known inefficiency which was but the result of its defective organization. It was under the supervision and control of local elective officials and it is astonishing that it was instantly subject to political interference.<sup>141</sup>

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<sup>138</sup> Report of the Philippine Commission, 1913, p. 177.

<sup>139</sup> Report of the Secretary of Interior, 1921; Governor General's Report, 1921, p. 76.

<sup>140</sup> The Philippines Herald, Editorial, December 30, 1928.

<sup>141</sup> Report of the Secretary of Interior, 1936, p. 14.

### The Short-lived State Police Force

An experiment with a "State Police Force" was instituted in October 1936.<sup>142</sup> It failed and was abandoned two and a half years later. Firstly, was there a need for a state police force? During all the years of the American period, the municipal police were reportedly inefficient and riddled with corruption. In a large majority of cases, they were the political henchmen and in many instances, the personal servants of the presidentes and local bosses. Underpaid, only partly trained and poorly equipped, in some places changed every few months, they often served the reigning local boss rather than the public. Through the Philippine Constabulary, the Department of Interior exercised an ineffective supervision over their affairs. For years, American Governor Generals had desired to place them under the control of the central government. But because the municipal police were cogs in the Filipino political machine, this reform has never materialized.

Furthermore, until the late 20's, in the vast majority of municipalities, an efficient police force was not absolutely necessary for, in most instances, there were no criminal elements. Usury and gambling were the commonest violations of the law which had very little effect upon public peace and order. Offenses like cattle rustling, robbery in band and smuggling of narcotic drugs were frequent but these were problems dealt with by the Constabulary and the secret service of the

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<sup>142</sup> Commonwealth Act No. 88, October 26, 1936, provided for the establishment of the State Police Force and Commonwealth Act No. 343, May 23, 1938, repealed Act No. 88, reestablished and reorganized the Philippine Constabulary as a national police force.

Department of Finance.<sup>143</sup>

In the fourth decade of the century, however, the problem of law enforcement had become more difficult in certain areas, especially in the Central Luzon provinces, where helpless tenant farmers and dispossessed settlers were exploited by landlords and usurers. Some self-professed leaders, a few of whom were trained communists, had started to agitate them to violence. The resulting disorder and unrest created an atmosphere in which the landless were driven to commit crimes. In short, there was a widespread and ominous disintegration of the social forces which, from time immemorial, had made many Filipino communities models of peace and order. With this new situation, the municipal police forces were unqualified to cope. They could not curb the violence to which modern conditions and, in some instances, their own malpractices in the service of the local bosses gave rise.<sup>144</sup>

Months before the Commonwealth was inaugurated in November, 1935, there were numerous threats against the lives of political leaders. The presidential campaign left bitterness that was openly expressed in ways little short of sedition. Violence occurred during labor strikes in several cities. All these conditions added up to necessitate the nationalization of the municipal police forces in the form of the State Police Force.

Commonwealth Act No. 88 which provided for the organization and maintenance of a state police, was promulgated on October 26, 1936.

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<sup>143</sup>Joseph Ralston Hayden, The Philippines: A Study in National Development. New York: The Macmillan Company, 1947, p. 292.

<sup>144</sup>Ibid., p. 293.

Its salient provisions are as follows:

For the proper maintenance of law and order throughout the country, all the duly constituted police forces in all the municipalities and other local political subdivisions, including chartered cities, and all provincial guard organizations in the provinces, ... are hereby consolidated and placed under the immediate charge and direction of the Department of Interior, and thereafter shall be called the State Police and shall assume all the functions and activities now undertaken by the municipal police forces. The members of the State Police shall be peace officers and as such it shall be their duty to preserve order and exercise vigilance in the prevention of public offenses. They shall exercise the powers to make arrests and seizures according to law.... Provided, that in the preservation of peace and order, as well as in the execution of laws, regulations and ordinances, the provincial governors, the city mayors and the municipal presidents shall continue to exercise supervisory powers over the State Police in their respective provinces, cities and municipalities.<sup>145</sup>

In 1935, there was a strong national agitation to "get the police out of politics" that for a time was thought serious enough to demand police reforms. So the next year the National Assembly passed what it believed to be a suitable piece of legislation, Act No. 88. The State Police was then organized but it met strong opposition from municipal and provincial authorities. "Taxation without representation" was the argument against it. The National Assembly was prevailed to repeal it in 1938. The Philippine Constabulary was reconstituted as the national police force, and the municipal police forces were restored to their former status.<sup>146</sup>

Why did the State Police fail? There were varied explanations for its failure. For instance, Baja explains:

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<sup>145</sup>Emmanuel A. Baja, Police of the Commonwealth, Manila: Pobre's Press, 1940, p. 189.

<sup>146</sup>Ibid., p. 110.

This was exactly what happened when the National Assembly without proper study or consultation from authoritative sources, tried to create a "State Police" by merely changing names or creating commissioned ranks or changing uniforms. In that law the only fundamental consideration was the transfer of control from local to national authorities, but even in this item, the solution was unsatisfactory. If the various local police forces were inefficient and unsatisfactory as claimed by those who pretend to know, how could they be turned into an efficient State Police by merely changing the non-fundamental elements? The National Assembly sanctioned Commonwealth Act No. 88 legalizing the wild dream of creating an efficient State Police out of the ruins and debris of the admittedly inefficient town policemen; and worse than that was the expectation of the public and whole government to have this miracle evolve in a short time.<sup>147</sup>

On the other hand, some felt that the creation of the State Police was well-conceived but that politics corrupted the intent and hastened its failure. Joseph Hayden was one of these critics as he cited:

The State Police was well conceived, well planned, and well headed. Yet it failed. When asked why, a leading Assemblyman replied: 'Well, it was a good scheme. But the local people wanted to run their own police forces.' ... The municipal police and provincial guards were vastly improved by Commissioner Guinto's ministrations.... But the day to day enforcement of the law and the preservation of the peace in the thousand Philippine municipalities is a problem which is still solved in a manner which meets the minimum standards of first rate local government. Because the police force is such a vital element in local politics, especially in the Philippines, these standards in law enforcement will not be attained until the general level of local politics and government has been elevated to a point far above that existing in many provinces and localities.<sup>148</sup>

#### The Philippine Constabulary During the Second World War

When the Philippine Army was organized in January 1936, the Philippine Constabulary was consolidated with it and a national State Police was formed to take over the police duties of the Constabulary.

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<sup>147</sup>Ibid., p. 111.

<sup>148</sup>Joseph R. Hayden, op. cit., p. 294.

This arrangement having proved unsatisfactory, the State Police was abolished in May 1938, and the Constabulary Division of the Army was detached and reorganized as a national police force under its old name, the Philippine Constabulary. In his message to the National Assembly in April 1941, President Quezon of the Commonwealth government explained:

My proposal is that we separate the Constabulary completely from the military sections of the Army, and employ it to carry out, under the supervision of the President, these police functions that devolve upon the central government. Thus every officer and man in the Constabulary will be identified with the Army, will receive his basic disciplinary training therein, and will be possessor of those military traditions and customs that place a premium upon personal integrity and hold performance of duty in higher regard than personal gain, and organization as a whole will be separated, theoretically and practically, from the defense forces of the Nation.<sup>149</sup>

It will be recalled that during the inauguration of the Philippine Commonwealth in 1935, President Quezon in his first address to the National Assembly said:

Our program of national defense must serve notice to the world that citizens of these islands are not to be subjugated; that the conquest of this nation cannot be accomplished short of destruction.<sup>150</sup>

In consonance with this pronouncement, the Philippine Constabulary was authorized to increase its armed strength. In July 1941, when war clouds were hanging low over the horizon, the First and Second Regiments of the Constabulary were activated out of the general service troops

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<sup>149</sup>Gwendolyn Pena-Velarde, "72 Years of the Real Glory", 72nd Anniversary Brochure of the Philippine Constabulary, HPC, Camp Crame, Quezon City, August 8, 1973, pp. 34-35.

<sup>150</sup>Filemon V. Tutay, op. cit., p. 15.

and their headquarters was established in Quezon City and Manila respectively. Three months before the outbreak of the war, the Third PC Regiment was activated in Camp Keithley, Lanao, in Mindanao. The immediate assignment of the First and Second PC Regiments was to safeguard public utilities vital to the needs of the population of the Greater Manila area.<sup>151</sup>

When war broke out on December 8, 1941, the 2nd Battalion of the First PC Regiment was ordered to Bataan immediately, while the Second PC Regiment and the remaining units of the First Regiment were ordered to remain in the Greater Manila area to round up all aliens who were suspected to be sympathetic to the enemy. In addition, these units were ordered to secure centers of communications, all public utilities, as well as the metropolitan area against subversive elements.<sup>152</sup>

On January 6, 1942, the Chief of Constabulary was ordered by the United States Armed Forces in the Far East (USAFFE) headquarters to organize the First, Second and Fourth PC Regiments, with the required service elements, into the 2nd Regular Division, Philippine Army.<sup>153</sup> Units of this Division more than acquitted themselves on the different battlegrounds of Bataan where they displayed courage reminiscent of the old Constables:

... who moved around and in and out of the mountainous jungles of northern Luzon chasing ladrones and the head-hunters, who went after the bandits and slave traders in the wilds of Mindanao,

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<sup>151</sup>Ibid.

<sup>152</sup>Ibid.

<sup>153</sup>Ibid., p. 16.

who fought to disperse the Pulajanes and such religious fanatics and subversives as the Colurums, Tangelans and Sakdalistas.<sup>154</sup>

The epic defense of Bataan produced a legion of heroes and the 2nd Regular Division of Constables contributed more than its share to the Roll of Honor. A large number of Constables were killed in battle, in the infamous Death March, and in the concentration camps in Capas, Tarlac. But other war-weary Constables did not understand the meaning of the word "surrender" and went to the hills where they took common cause with resistance fighters.<sup>155</sup>

Men joined the resistance movement however, for a complex of reasons. Their motivation was both noble and base, and often these two strains were combined. Steinberg, writing about the collaboration activities in the Philippines during the Second World War, recounted that

Men who were unemployed and without hope of employment joined (the movement) more readily; severe economic dislocation, starvation and misery abetted participation.... Some guerrillas were really bandits who plundered for themselves under the guise of guerrilla membership.... Membership in guerrilla movements permitted men to settle old grudges and feuds. Violence could be cloaked under the mantle of patriotism and justified accordingly.<sup>156</sup>

After the liberation of the Philippines, PC officers and men who survived the unequal combat at Bataan, the infamous Death March, and the diseases and torture of the concentration camps, returned to military control. The Japanese, by creating and operating a Bureau of Constabulary during their occupation of the country and making them run after the

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<sup>154</sup> Gwendolyn Pena-Velarde, op. cit., p. 36.

<sup>155</sup> Filemon V. Tutay, op. cit., p. 16.

<sup>156</sup> David Joel Steinberg, Philippine Collaboration in World War II. Ann Arbor, Michigan: University of Michigan Press, 1967, p. 93.



guerrillas, had succeeded in destroying the good image of the pre-war police force with the stigma of collaboration with the enemy.<sup>157</sup>

And so, instead of reviving the old Philippine Constabulary, a Military Police Command (MPC) was created as part of the Armed Forces of the Philippines. This command was entrusted with the mission of restoring peace and order out of the chaos which followed the battles of liberation. Later, taking a lesson from historical precedent, it was thought best that the Armed Forces should cease to discharge police duty, which it had been performing through the MPC. This resulted in the reconstitution of the Philippine Constabulary into a separate organization, and just as in the pre-war years, it was placed under the Department of Interior.<sup>158</sup>

#### The Japanese Regime: 1942-1945

By late spring of 1942, only one Philippine government and one colonial power remained in the Philippines, yet, dual government never really ended, since two groups of Filipinos, the Commonwealth government in exile in Washington and the Japanese sponsored Executive Commission in Manila, continued to speak out seemingly diametrically opposed messages to the nation. The majority of the nation, however, started counting the days until the return of Quezon and MacArthur to the Philippines would herald liberation. Armed guerrilla resistance exacerbated an endemic military problem for the Japanese. The Japanese army

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<sup>157</sup> Filemon V. Tutay, op. cit., p. 17.

<sup>158</sup> Ibid., p. 18.

was not able to pacify the Philippines, with the result that in the political sphere, the struggle for the nation's allegiance continued unabated.<sup>159</sup>

Obviously dissatisfied with the condition of peace and order, the Japanese authorities, on the pretext of training men for the reorganization of the police system of the country, established in Manila in May, 1942, the Constabulary Training Academy. The Japanese Director General, in his speech during its opening ceremonies, underlined the objective of the Academy as "the cultivation of a rigorous spirit suitable for policemen and a capacity for handling (your) duty satisfactorily, in order to establish a new police system ... under the military administration ... for the maintenance of law and order."<sup>160</sup>

The majority of the Filipinos viewed the creation of the Constabulary Academy as a preparation for retaliatory measures against the guerrillas by the Academy alumni upon the instance of the Japanese. Later, suspicion was justified for the Academy alumni were used by the Japanese to fight the guerrillas and suppress what they considered the disturbances of peace and order. To strengthen their hold on the Constabulary, the Japanese Military Administration created the Department of Peace and Order. This Department had direct supervision over the Constabulary forces in charge of maintaining peace and order in their respective localities.<sup>161</sup>

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<sup>159</sup> David Joel Steinberg, Philippine Collaboration in World War II. Ann Arbor, Michigan: The University of Michigan Press, 1967, pp. 34-35.

<sup>160</sup> Manila Tribune, June 2, 1942.

<sup>161</sup> Teodoro A. Agoncillo, The Fateful Years: Japan's Adventure in the Philippines 1941-45, Vol. 1, Quezon City: R. P. Garcia Publishing Co., 1965, pp. 351-352.

In order to reduce the size of the Japanese garrison troops in the Philippines and divert them for combat elsewhere, the Japanese decided to increase the use of the Philippine Constabulary as a second tier of their defense. Jose Laurel, the President of the Japanese-sponsored Republic, was well aware of the unpopularity of using Filipino troops against other Filipinos, but had to yield to the Japanese demands, partly because he had no choice and because the blatant challenge of the guerrilla movement was leveled at his regime.<sup>162</sup> So in early 1943, he directed the increase of the Constabulary strength to 40,000 and ordered the establishment of regional training schools to improve their quality of service. Though the goal was set for a strength of 40,000, nevertheless, the actual strength did not exceed 15,000. Furthermore, Laurel issued an order for the direct appointment or free enlistment of qualified persons into the commissioned and non-commissioned service of the Constabulary. This order provided for the immediate commission of former officers of the Philippine Army and the Commonwealth Constabulary in order to accelerate the pacification campaign.<sup>163</sup>

The Constabulary under the Japanese regime was never an effective force. The Japanese were always apprehensive to arm these men lest the arms supplied to them slip into the hands of the guerrilla units since the Constabulary felt a close affinity to the guerrillas. Besides there was a tacit understanding that the Constabulary would not take patrols into guerrilla hideouts, and would, in turn, not be ambushed by the

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<sup>162</sup>Manila Tribune, November 4, 1942.

<sup>163</sup>A. V. H. Hartendorp, The Japanese Occupation of the Philippines, Vol. 1, Manila: Bookmark, 1967, p. 124.

guerrillas.<sup>164</sup> Constabulary troops were always slipping into the ranks of the guerrillas. In fact, even before the American landing in Leyte, a number of whole companies in Luzon had deserted; and by the end of 1944, from 75 to 80 percent of the Constabulary had abandoned service without leave.<sup>165</sup>

Dissatisfaction, inflation, underemployment, guerrilla sympathies, and anti-Japanese sentiments all combined to undermine the regime. Lawlessness rose to heights previously unimaginable. Shootings, hold-ups and assaults were daily occurrences in Manila and were reported as such by the press. A newspaper headline announced that the public will be subject to search for guns:

Because most of the shootings, assaults, and other illegal acts being committed in Manila are due to the fact that many people carry with them unlicensed firearms, the Philippine Constabulary ... will from now on exert a more rigid and strict vigilance by searching people in public places ... the public is warned that anybody who is ordered to stop or to hold up his arms by Constabulary soldiers ... must immediately obey, otherwise he may be arrested ... or shot by the agents or peace officers giving the order.<sup>166</sup>

The Constabulary was also involved in the enforcement of the circulation of the newly issued military notes (Japanese occupation money), for it was announced in October 1942 that the Metropolitan Constabulary had received instructions "to arrest those who refuse to accept the new notes."<sup>167</sup> There was evidence furnished by news reports that the

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<sup>164</sup>David Steinberg, op. cit., p. 95.

<sup>165</sup>A. V. H. Hartendorp, op. cit., p. 379.

<sup>166</sup>Manila Tribune, April 16, 1943.

<sup>167</sup>*Ibid.*, October 27, 1942.

Constabulary took over the duties of municipal police forces in various parts of the country, "in line with the new policy for efficiency and quality of service in police work".<sup>168</sup>

To bolster the morale of the Constabulary, Laurel issued an order to provincial governors and city mayors "not to interfere in matters of internal discipline or with military operations of the forces of the Constabulary, or contravene any regulations or rules promulgated by the Chief of Constabulary".<sup>169</sup>

Not satisfied with the injury and humiliation imposed on the Filipino people, Japan forced the Philippines to declare war against her former mother country, the United States. The Japanese had begun systematically to disarm the Constabulary shortly after the "declaration of war" against the United States, and between October and November 1944, a number of ranking Constabulary officers were arrested and executed.<sup>170</sup>

The world thought of the war in the Philippines merely as defensive operations against the Japanese invasion in 1941 and the return of the American liberation forces in 1944. Little was known of the exploits of the courageous men who continued fighting in the mountains even after the fall of Bataan and Corregidor. These men were dismissed as bandits by the Japanese. But as guerilla units in the Philippines became numerous and better organized, the Japanese, realizing the firepower and

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<sup>168</sup> Ibid., September 1943.

<sup>169</sup> A. V. H. Hartendorp, op. cit., p. 259.

<sup>170</sup> Ibid., p. 379.

strength of the resistance, reacted with characteristic ruthlessness. There were many Constabulary officers who distinguished themselves as guerrilla leaders and many Constables who performed incredible deeds of heroism during the years of guerrilla warfare.<sup>171</sup> Soon after he landed in Leyte, General MacArthur said in a tribute to these guerrilla warriors:

As our forces of liberation roll forward, the splendid aid we are receiving from guerrilla units throughout the immediate objective area and adjacent islands ... at this time (I) pay public tribute to those great patriots, both Filipinos and Americans, who have led and supported the resistance movement in the Philippines since the dark days of 1942.<sup>172</sup>

#### Post-Independence Period: 1946-1975

The death and destruction wrought by the Second World War in the Philippines turned the country into a vastly ravaged land of social and economic shambles. The magnitude of damage was outlined for the Philippine Congress on June 3, 1946 by Manuel Roxas, first President of the Republic, in these words:

Our productive facilities have been pitifully destroyed.... Our transportation and communication facilities completely disrupted.... Epidemic is a constant threat.... Famine is a strong possibility ... the central fact of our economic condition is the tragic destruction of the productive economy.<sup>173</sup>

Moreover, with so many loose firearms left behind by the war, the peace and order situation deteriorated. The local police were still

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<sup>171</sup>Public Information Office, HPC, op. cit., p. 269.

<sup>172</sup>Charles Willoughby, The Guerrilla Resistance Movement in the Philippines. New York: Vantage Press, Inc., 1972, p. 251.

<sup>173</sup>Public Information Office, HPC, op. cit., p. 295.

disorganized and could not cope with the frenzied stage of vice and criminality that the war's aftermath brought to bear upon the populace. The situation demanded for a national police organization, similar to the pre-war Constabulary to assist the local police forces in maintaining law and order.

After the American liberation of the country, an insular police force called the Military Police Command (MPC) was created and entrusted with the mission of restoring the deteriorating peace and order which followed the battles of liberation. But the war had spawned an even more serious problem, one that was to bedevil the nation for decades after its independence. There was such a strong resurgence of the Communist party that it was able to organize and operate an army called the HUKBALAHAP (Army of the Nation against the Japanese) during the Japanese occupation and which was later renamed HMB (Army to Liberate the Nation) after the American liberation of the country. This armed group originally fought side by side with the guerillas in subduing the Japanese. After independence was granted, they opposed the existing governmental system and advocated its overthrow. Its leadership challenged the President of the Philippines to take up such serious issues that faced the nation as the feudal economic structure, American imperialism in the political and economic setup and other socialist concerns. Thus the MPC bore the brunt of the initial impact of the Communist subversion and insurgency in the country.<sup>174</sup>

This situation led to the revival of the Philippine Constabulary on July 1, 1947. It was placed under the Department of Interior and was

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<sup>174</sup>Ibid., pp. 297-300.

reconstituted as the national police force. All the functions of the MPC except those of military character were thereafter exercised and assumed by the Philippine Constabulary.<sup>175</sup>

The short-lived separation of the PC from the Armed Forces came at the height of the Huk campaign<sup>176</sup> when the Huk armed elements were almost knocking at the gates of Manila, the capital city.

The transfer of the PC from the military establishment to the Department of Interior steered a lot of confusion. Under the existing government-to-government agreement at that stage, the PC as part of the Armed Forces, was recipient of military ordinance from the United States through programming made by the Joint United States Military Advisory Group (JUSMAG) in the Philippines. The Joint Chiefs of Staff of the United States approved allocating part of the United States military aid to the PC because:

Since one of the principal purposes of military assistance to the Philippines is the maintenance of internal law and order, the United States should support the organization performing this function even though they are not members of the armed forces of the Philippines.<sup>177</sup>

By this time, the Huk organization had spread its tentacles not only to northern and central Luzon, but also to southern Luzon and the Visayas. The end result arising from the internal pressure, was

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<sup>175</sup>Ibid., pp. 300-301.

<sup>176</sup>Huk is the shorthand for HUKBALAHAP.

<sup>177</sup>Joint Staff Planners, JPS 756/6, 17 January 1946, United States Military Assistance to the Philippines, Appendix B, RG 218, CCS 686.9 Phil. Is. (11-7-43) sec. 2.



the return of the PC to the Department of National Defense. It was made one of the four major services of the Armed Forces of the Philippines. Stephen Shalom presents one version of this "pressure":

The JUSMAG drew up recommendations which were accepted by Philippine officials for a thorough reorganization of the anti-dissident campaign.... JUSMAG felt that the Constabulary units were too small, with poor discipline, training, and leadership. Therefore the United States 'insisted' that the Constabulary be combined with the Armed Forces of the Philippines under the office of the secretary of national defense and that this merged armed forces be given the task of fighting the Huks.<sup>178</sup>

Because of the new order, Constabulary manpower was diminished to its pre-war strength. Even with a small organization, however, the PC proved effective in reducing the armed units of the communist movement and in exposing its leaders and members. Their supporters and sympathizers were discovered and their defiance of government authorities checked.<sup>179</sup>

With the HMB military units substantially decimated, the PC together with other elements of the Armed Forces, decided to win over the communist movement's non-active supporters through friendly means. The effort consisted of counterpropaganda and direct assistance addressed to communist supporters in the rural areas who had not been thoroughly ideologized. More schoolhouses were built and roving military medical and dental units were provided the rural folks of dissident-affected areas. Mobile teams projected films about the pitfalls of communism.<sup>180</sup>

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<sup>178</sup> Stephen Roskamm Shalom, The United States and the Philippines: A Study of Neocolonialism. Philadelphia: Institute of the Study of Human Issues, 1981, p. 75.

<sup>179</sup> Public Information Office, HPC, op. cit., p. 304.

<sup>180</sup> Ibid., p. 306.

As the "friendly approach" was being pursued, the PC operations against armed HMB bands were pushed on without let-up. Inspired by this development, the PC took the opportunity to launch an operation intended to wipe out the dissidents. Based on a policy called Left-and-Right-Hand, the operation took an "all-out-friendship and all-out-force" drive. The PC undertook the effort by organizing rallies in the barrios where counter-propaganda against the communist was disseminated. These activities proved effective in the collection of loose firearms and in the gathering of information about the dissident hideouts.

This series of operations broke the back of the communist movement and resulted in a lull in communist activities in the midfifties. The HMB were heavily decimated and were engaged mainly in foraging, propaganda and agitation operations. Such dissident operations, although not considered a grave threat to national security, nevertheless, required continued PC counteroperations.<sup>181</sup>

In December 1968, the new Communist Party of the Philippines (CPP) was established. Peking-oriented and rural based, the new CPP espoused armed struggle as the only means of social change. To carry out the party's program of armed struggle, the new CPP maintained a military outfit, the New People's Army (NPA), which was founded in March 1969. The NPA was given the task of establishing an independent regime in the countryside on the working basis of an agrarian revolution. It was intended to become the focus of an ever-expanding wave of guerrilla zones

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<sup>181</sup> Ibid., p. 338.

throughout the country.<sup>182</sup>

An aftermath of these developments was the rivalries that emerged between the HMBs and the NPAs. In the progressive intellectual circles within the academe, heated debates and denunciation ensued between the Peking-oriented NPAs and the Moscow-oriented HMBs. But even as the two factions warred, communist infiltration into the ranks of students and laborers went unabated. Communist fronts emerged within the student and labor sectors. Demonstrations became more marked with violence. Thus 1970 was greeted by cries of revolution heard openly in the public squares.<sup>183</sup> The incumbent Constabulary chief graphically described the situation at this period with a skeptic tone:

License was mistaken for freedom, free-wheeling acts for militancy and vigilance. Destructive critics and opposition lists were misconstrued as dynamic fiscalizers, subversives as progressives, and endless and violent political partisanship as supposed sign of a virile two-party system. There was no limit then to the chaos and irregularities produced in a situation of wholesale hypocrisy where everything appeared to have a price tag. The privileged were smug and even exploitative; an anemic middle class was usually opportunistic if not indifferent; and the underprivileged majority hostile and restive. Justice emerged from the barrel of a gun or the point of a knife and uncertainty was the only factor certain; insecurity the rule of the day.<sup>184</sup>

### Roles and Functions of the Constabulary

A thorough consideration of the Philippine Constabulary during the post-independence period cannot be made without presenting its

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<sup>182</sup>Ibid., p. 339.

<sup>183</sup>Ibid., p. 340.

<sup>184</sup>Alex D. Allan, "Helping Build a New Society", Philippine Constabulary Diamond Jubilee Brochure, August 8, 1976, p. 24.

multiplicity of tasks and the environment in which it discharged its roles. It is possible that during this period, the PC might have been overcommitted in terms of the scope of its tasks and undersupported in terms of logistics and training.

The dual role of the PC as a national police force and a military organization finds its basis in a legal statute promulgated by the Philippine President a few years after the Second World War. In December 1950, the Armed Forces of the Philippines was reorganized pursuant to Executive Order No. 389 which made the PC one of the major services. The Philippine Constabulary, however, remained as the national police force "which is organized, trained and equipped primarily for the enforcement of law and order in the Philippines." In times of emergency, the PC "may be employed to perform home defense responsibility in rear areas and such other service as the Chief of Staff (of the AFP) may direct."<sup>185</sup>

This dual role generates the following functions and duties:

1) general police duties; 2) special police duties; 3) miscellaneous police duties, and 4) national police duties.

Systematically arranged, the functions of the PC can be classified as follows:

#### General Police Duties

- (1) Preservation of public order and enforcement of the law;
- (2) Crime prevention and suppression; and
- (3) Enforcement of the criminal law.

#### Special Police Duties

- (1) Administration of Firearms and Explosives laws; and

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<sup>185</sup> Section 11 (a) & (c), Executive Order No. 389 dated December 23, 1950.

- (2) Inspection and control of local police forces.

#### Miscellaneous Police Duties

- (1) Enforcement of the Motor Vehicle Law, Fishing Law, Games Law, Anti-Dummy Law, and Nationalization of Retail Trade Law;
- (2) Enforcement of the Tenancy Law, Law on Scrap Iron, Metal and Gold, and the Carabao Ban Law by direction of the President of the Philippines;
- (3) Enforcement of the Immigration Law, Customs Law, Forestry Law; Quarantine Law, and Election Law by deputation;
- (4) Enforcement of the Labor Law, Amusements Law, and Uniform Units of Volume or Weight Law on Rice and Palay upon request by proper agency;
- (5) Assistance to other agencies during disasters or calamities; and
- (6) Civic action.

#### National Defense Duties

- (1) Home defense duties in rear areas during a national emergency; and
- (2) Other defense duties assigned to it by the Chief of Staff of the Armed Forces of the Philippines.<sup>186</sup>

### Maintenance of Law and Order

During the period before martial law, the PC operated within an atmosphere of extreme criminality and lawlessness which have become so severe as to constitute a serious social and economic threat to national security. A historical treatise dismally portrayed the situation as:

The productive sectors of the economy have grounded to a halt. Many schools have closed down. Many of the businessmen, traders, industrialists, producers and manufacturerers have stopped their operations. In Greater Manila alone, tension and anxiety have reached a point where the citizens are compelled to stay at home. Lawlessness and criminality like kidnapping, smuggling, extortion, blackmail, armed robbery, illegal traffic

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<sup>186</sup>Paciencio S. Magtibay, Crime and Society in the Philippines: An Analysis. Manila: Peace and Order Coordination Council, 1969, pp. 81-82.

of drugs, gunrunning, hoarding and manipulation of prices have increasingly escalated beyond the capability of the local police and civilian authorities.<sup>187</sup>

As the national police force, the PC continued to play the central operational and managerial role in law enforcement and domestic security. Operating as a national gendarmerie having units dispersed throughout the country, the PC concerned itself mainly with large-scale crimes, wide-area operations, insurgency and subversion, and enforcing peace and order in remote areas where local police forces were non-existent or ineffective. Special Constabulary units or task forces were assigned to such crime prevention missions as the land and close-offshore aspects of smuggling and piracy, drug traffic, kidnapping for ransom syndicates, "carnapping", and patrolling of national and other highways.<sup>188</sup>

The PC conducted special operations against criminal and dissident elements as directed by the President or as intelligence information identified targets. Where the gravity of the situation warranted, special task forces were formed with military elements or with other national or local agencies. The participation of the PC with special operations and with a multitude of local involvement in inspection activities over the local police had limited its resources in basic patrol functions. PC activities observed during this period were too often in response to reported criminal activity and other after-the-fact actions than to crime prevention.

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<sup>187</sup>David A. Rosenberg (ed.), Marcos and Martial Law in the Philippines. Ithaca, New York: Cornell University Press, p. 221.

<sup>188</sup>Nena Vreeland et al., Area Handbook for the Philippines. Second Edition, Washington, D.C.: Government Printing Office, 1976, pp. 386-387.

The PC utilized a sizeable portion of personnel and equipment in an intensified anti-smuggling campaign in coordination with the Bureau of Customs, the Philippine Navy, and other national agencies. Special operations were also conducted during elections to maintain a state of calm during the period and PC units were required to increase police presence in many potentially explosive areas.<sup>189</sup>

The primary and most widely acknowledged function of police agencies is the preservation of a stable context for society by the enforcement of the rules and laws established by the political authorities. The Philippine Constabulary, though organized as a paramilitary outfit, performs this role as it is fundamentally charged with prevention and detection of crime, the apprehension and prosecution of offenders, the maintenance of public order, and the protection of citizens and property.

#### Paramilitary Operations

Even in its formative years when the PC was divided into districts, the company was the command's mainstay in policing the numerous islands. These companies strategically located in many parts of the country were further broken down to detachments or outposts and located in isolated or farflung areas for more effective police coverage. Whenever a need arises in a major field operation, PC companies merge to form battalions. When a campaign or operation is completed, the PC battalion is broken up and its elements returned to being components in their respective company

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<sup>189</sup> Frank E. Walton et al., op. cit., pp. 146-147.

stations. This has occurred time and again in the long history of the Constabulary.

Philippine history records the protracted campaigns on diehard bands of lawless elements such as the "colorums", the "sakdalistas" and other allegedly "pseudo-religious zealots" in Luzon and Visayas and on the pacification campaign in Mindanao. Of more recent historical vintage was the campaign in 1948 against a famous Moro bandit names Kamlon. In these long-drawn operations, PC companies were merged to form battalions. In its peace-keeping missions, the Constabulary rarely used a battalion-size element and often employed only squads or a company, depending on the situation. Most often, crack units are fielded. The earliest reaction force of the PC involved the General Service Troops which were deployed in the field to provide support to PC companies unable to cope with peace and order problems in their localities.<sup>190</sup>

The subsequent population explosion and rapid modernization in the country multiplied peace and order problems. The PC had to generate more men and develop a level of organizational permanency to support other field units such as the task forces. As subversion and insurgency became major threats to the peace and order condition and the national security of the country, more PC battalions had to be formed and fielded to problem areas.

By the 1970s, the PC had waged continuous counter insurgency operations against the HMBs which, despite the serious blows it suffered in the early 1950s, continued to menace certain areas of the country with

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<sup>190</sup> The PC Brigade Brochure, August 1978, pp. 1-2.



their plundering activities. The PC units likewise engaged in counter-insurgency operations against the Peking-oriented New People's Army in numerous encounters which had resulted in the neutralization of many of their members and the recovery of a great number of assorted fire-arms.<sup>191</sup>

A major internal peace and security problem was the secessionist movement in the southern Philippines encompassing certain areas of Mindanao, Sulu and Palawan. Already brewing several years prior to the proclamation of martial law, the conflict in the south escalated to alarming proportions in 1973 after the establishment of the Moro National Liberation Front (MNLF). This prompted the government to mobilize its political, economic and social resources to stave off the threat. The PC, with the other major services of the Armed Forces, was tasked to stabilize the peace and order condition and prevent its further deterioration. At the outset of the conflict, the government subscribed to the principle that the problem could not be solved by a military campaign alone but rather by a coordinated all-out government program of political reforms and relating economic and social development.<sup>192</sup> In his assessment of the peace and order situation in the South in 1975, the incumbent Chief of Constabulary cited three factors that contributed to the easing up of the Mindanao crisis, namely:

Firstly, the decrease in mass-base support for the secessionist movement ... has been more of a socio-economic and political accomplishment,... through the government's policy

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<sup>191</sup>Philippine Constabulary/Integrated National Police Brochure, 1978, pp. 36-37.

<sup>192</sup>Ibid., p. 38.

of attraction and accommodation, instead of a hardline military campaign, and the massive thrust of the reconstruction and development program in the south.

Secondly, the considerable reduction in rebel strength is a result of increasing defections and surrenders of rebel leaders and followers ... brought about through negotiations and dialogues conducted with rebel groups who have expressed willingness to return to the folds of the law and uncompromising military actions against strongholds of the rebel hard-core....

Lastly, the current logistical difficulties encountered by the secessionists as a result of diminishing material assistance from foreign supporters.<sup>193</sup>

The PC had been principally involved in the pacification campaign. They have contributed to the return to the law of thousands of Filipino Muslims who had joined the ranks of the MNLF. The PC, likewise, had accounted for the neutralization of a great number of hard-core elements in various encounters with the MNLF.

Aside from the fact that the Philippine Constabulary is uniformed, armed, equipped, trained, disciplined, and administered as an infantry force, it has also acquired, since the early days of its organization, certain well-defined paramilitary duties. These include intelligence gathering, riot control, and containment and eradication of local insurgency and subversion. It should be noted that the PC normally takes the initial brunt of rebel attacks, since it is the component of the Armed Forces that usually deploys small units to every part of the country. Recently, the PC has made strides away from its small unit police role. Ten PC mobile battalions have been formed to parallel that of regular Army battalions. Another PC battalion has been trained and outfitted for coastal and riverine warfare.

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<sup>193</sup>Public Information Office, HPC, op. cit., pp. 380-381.

## Regulatory Activities

In addition to its functions, the Philippine Constabulary has to perform a great number of extra-departmental tasks belonging primarily to other departments of government, either by deputation, on request, or by direction of the President. Most of the functions are only "supportive" to the primary responsibility of some other agency. Because it is the only visible force of law and order in every nook of the archipelago, people look to the PC for direct action.<sup>194</sup>

By express provision of law, the PC enforces the following laws: the Motor Vehicle Law for the Land Transportation Commission, the Fishing and Games Law for the Ministry of Agriculture and Natural Resources, the Nationalization of the Retail Trade Law for the Ministry of Trade, and the Alien Law for Registration and Fingerprinting for the Bureau of Immigration.

By direction of the President, the PC enforces the Tenancy Law (tenants of agricultural lands), the Law on Scrap Metal, Iron and Gold, the ban for the slaughter of carabaos, etc.

By deputation, the PC enforces the Immigration Law, Customs Law, Forestry Law, Quarantine Law, Election Law, Public Service Law, Amusement Law and Law on Weight and Standards of Rice and Palay.

These regulatory functions had become so absorbing that very limited resources were left for crime control activities. Bruce Smith aptly described the situation as follows:

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<sup>194</sup>Paciencio S. Magtibay, Crime and Society in the Philippines: An Analysis. Manila: Peace and Order Coordinating Council, 1969, pp. 121-122.

Here the interplay of two forces produces a condition that ultimately weakens, and may even destroy, police effectiveness. The essential business of protecting life and property has thereby lost a part, and sometimes a considerable part of the manpower upon which it once relied.<sup>195</sup>

The shifting of Constabulary roles and functions has been keenly observed by some of those who were in a position to compare the original duties of the organization with its present day activities. Speaking in a similar vein, Louis Van Schaick, a former Constabulary officer, stated in very terse language:

If I were to sound a note of warning to its directing heads, it would be that the demands upon the organization must not be allowed to become so universal and diversified as to imperil its primary mission of maintaining law and order. The record shows that whatever the Constabulary is ordered to do so will be done joyfully, willingly and thoroughly because it is a duty assigned, but this spirit in which the manifold duties are performed does not justify submerging the organization in work that will make it impossible for it to live up to its established efficiency in the maintenance of law and order.<sup>196</sup>

Likewise, a public safety team that had conducted a survey of Philippine policing in 1966 observed that many of the PC's difficulties in overall effectiveness and in maintaining a positive public image stem from their participation in the enforcement of special laws. The team was concerned with adequate personnel training necessary to properly perform all such tasks and avoid attendant legal and political pitfalls. The survey report concluded that: "the PC would perform with greater efficiency if its responsibilities were not diffused into so many areas

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<sup>195</sup> Bruce Smith, Police Systems in the United States. New York: Harper and Bros., Publishers, 1960, p. 16.

<sup>196</sup> Emmanuel A. Baja, op. cit., p. 105.

of interest and if its jurisdiction were better defined."<sup>197</sup>

In a study of comparative police practices, David Bayley presents a diverse view on the matter as he points out:

A police force by its nature has capacities that can be used for a variety of community serving purposes. To fail to use these capacities in appropriate circumstances out of rigid conception of the proper role of police represent a serious waste of unique governmental resource.... Assuming that law enforcement and crime prevention represent the core police preoccupation in any society, activities of other kinds are so closely related to those that police officers can not avoid engaging in them without effecting their prime functions.<sup>198</sup>

### Social Service Activities

The restoration of the people's faith and confidence in the PC and its outstanding achievement in helping bring about law and order throughout the country were feats won through sincere efforts in "home defense" activities.

Home defense connotes a versatile program of action formerly used by the PC command as an effective counterinsurgency weapon and later utilized as an excellent instrument in bringing forth the creative potentialities of the organization. It is aptly described as a program to bring the government closer to the people, to win widespread support and cooperation for policies meant for the public good and, generally, to make the concept of bayanihan or teamwork really work for the attainment of national community.<sup>199</sup>

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<sup>197</sup> Frank E. Walton et al., op. cit., pp. 142-144.

<sup>198</sup> David H. Bayley, op. cit., p. 5.

<sup>199</sup> Cicero C. Campos, "Home Defense Effort: A Unifying Catalyst", 73rd Philippine Constabulary Anniversary Brochure, August 1974, pp. 23-25.

The PC's primary contribution to the task of development was most keenly felt in its conduct of civil assistance. The supportive nature of these activities reinforced the efforts of the civil agencies in the discharge of their functions. These activities included disaster control, relief and mercy operations, emergency civil support, civil works and law enforcement support. These tasks ranged from the construction of feeder roads, concrete fences and prefabricated schoolhouses and the maintenance and security of basic utilities during emergencies to the utilization of PC facilities and services for evacuation, treatment and rehabilitation of disaster victims during typhoons, floods and fires.<sup>200</sup>

Hence, today's constable is not just a peace-keeper; he is also a peace-builder. As De Vera wrote in his article, "Rebirth of a Free Nation":

The constables, while chasing bandits and armed outlaws, also build roads. They open trails, supervise and help in the construction of markets, barrio medical centers, schoolhouses, playgrounds, docks, bridges, culverts, and telegraph and telephone lines.

In protecting life, they fight all forms of threat to human existence. They are disease fighters, pest control workers and during epidemics like cholera, smallpox and rinderpest, they act, especially in far flung areas, as health and quarantine officers, helping the people survive the disease. In the event of floods, typhoons and volcanic eruptions, the constables are there spearheading the relief work.<sup>201</sup>

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<sup>200</sup> Ibid., pp. 26-27.

<sup>201</sup> Jose V. De Vera, "Rebirth in a Free Nation", Philippine Constabulary Diamond Jubilee Yearbook, August 8, 1976, pp. 18-19.

### Regime Representation

During the period under study, the Philippine Constabulary played a significant role in making the government closer to the people. Because of the Constabulary's ubiquitous presence, the continual nature of its contact with the people, and the crisis orientation of its work, it is in the best position to influence more people on a daily basis than any other governmental institution. The PC Home Defense Program is the means by which it relates itself to the civil sector of society. Through its Left Hand Effort, representing the entire range of non-military activities--productive efforts geared toward national development--the PC identifies itself with the endeavors and aspirations of the civilian population. It seeks to accomplish its goals through multifaceted activities that range from civil relations, civil assistance, agro-military activities, reserve affairs, to manpower development.<sup>202</sup>

The PC is not merely part of the socio-economic advancement of the vast rural populace who have divergent creeds and cultures, it has served as an instrument of government in uniting the people together. As De Vera, a noted PC chronicler, puts it:

The Constabulary men have always been missionaries of civilization. They blazed trails into the hinterlands for doctors, the engineers, the businessmen and educators. On top of that, the PC men singly or in groups mingle with the people in the rural areas to win them to the ways of peace, teaching them the blessings and values of popular government, education and improved methods of agriculture and industry.<sup>203</sup>

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<sup>202</sup> Philippine Constabulary/Integrated National Police Brochure, August 1976, p. 43.

<sup>203</sup> Jose V. De Vera, op. cit., p. 19.

There are at least some indications of the PC's contribution to the social and political development of the Philippines. With a few notable exceptions--the Huk uprising of the 1950s, the Muslim secessionist movement and the NPA guerrilla activities of the present--the country has on the whole enjoyed many decades of relative tranquility and security.<sup>204</sup>

The Constabulary, whose time honored motto has been "Always outnumbered but never outfought", has projected itself as a protector of the community and as a deterrent to crime. Beyond this, it has supported many community development efforts and has assisted in emergency situations.<sup>205</sup>

In many rural communities, the Constable is the most visible agent of the government. The PC, therefore, could be credited with helping provide a peaceful environment which allows for social, political and economic betterment.<sup>206</sup>

### Police Accountability

Because the police system of the Philippines bears a strong influence of the Spanish theory of government in the maintenance of internal peace, it is relevant to quote one of Raymond Fosdick's theories on the

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<sup>204</sup>J. Rod Farinas, "Prologue", Philippine Constabulary Diamond Jubilee Yearbook, August 8, 1976, p. 8.

<sup>205</sup>Hermil Bunao, "The Ramparts We Defend", 76th Anniversary PC/INP 2nd Anniversary Brochure, August 1977, p. 39.

<sup>206</sup>Reynaldo San Gabriel, "Call Him 'Mr. Government'", 72nd Anniversary of the PC Brochure, August 1973, pp. 21-22.



fundamental concept of police service in its relation to the community:

In sharp contrast is the Continental theory, which, evolved from the necessity of autocratic government, makes of the police force the strong arm of the ruling class. The Continental policeman is the servant of the Crown or the higher authorities....<sup>207</sup>

In a general sense, the Philippine police system, national and municipal, partakes the political nature of the police of Continental Europe in that it is the right arm of the government, and also in that it is responsible to the executive branch of government and not to the people as in the case of the English police system.

The basis of police accountability in the Philippines is rooted in the Philippine Constitution of 1935. Article VII of the Constitution provides that the President of the Philippines control all executive departments, bureaus or offices. It likewise provides that he is the Commander-in-chief of the Armed Forces of the Philippines of which the PC, as a national law enforcement agency, is a part.<sup>208</sup> At the local level, the Provincial Governor and Municipal and City Mayors are also responsible for the maintenance of peace and order in their respective provinces, municipalities and cities. Figure 9 depicts the framework of government in the Philippines before integration. It places police administration squarely within the ambit and influence of the executive branch of government in all levels.

The power components of the following figure are hereby delineated. The Chief of Constabulary is appointed by the President of the Philippines

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<sup>207</sup> Raymond Fosdick, European Police Systems. New York: The Century Company, 1915, p. 17.

<sup>208</sup> Section 2, Article VII, Constitution of the Philippines, 1935.

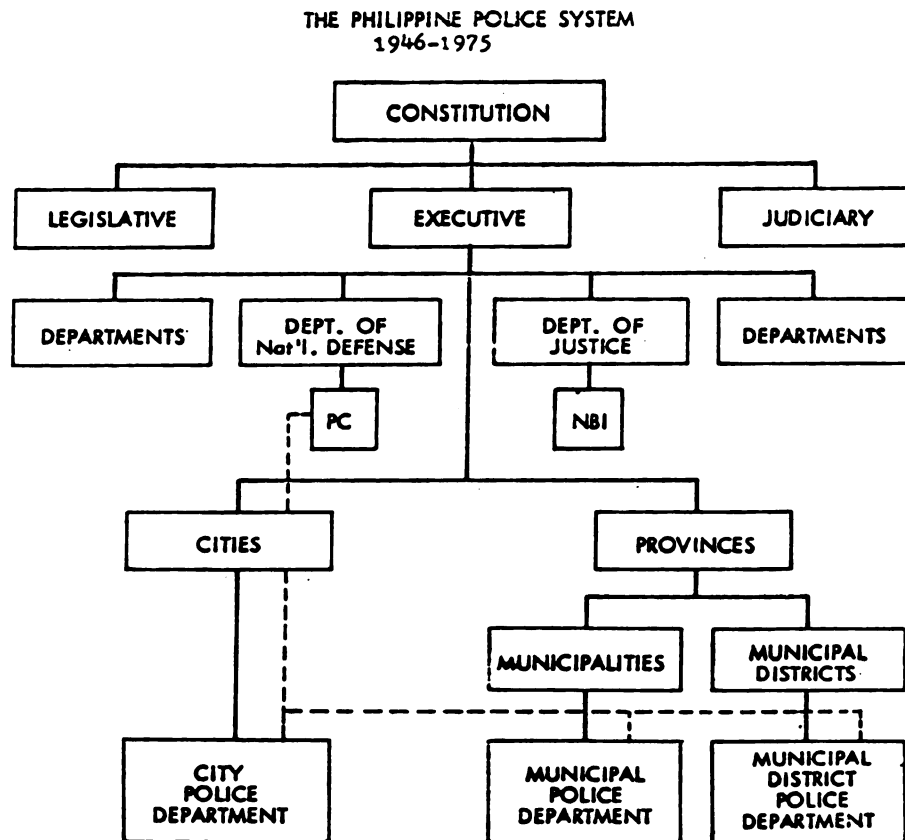


Figure 9. The Philippine Police System: 1946-1975.

Source: Frank E. Walton et al., Survey of Philippine Law Enforcement. Office of Public Safety, Agency for International Development, Department of State, Washington D.C., 1966, p. 70.

through the recommendation of both the Armed Forces Chief of Staff and the National Defense Secretary. This appointment, subject to the confirmation by the Commission on Appointments of the Congress of the Philippines, specifies no predetermined tenure of office and serves subject only to removal by the President. Thus he is directly accountable to the President through corresponding intermediate levels of authority.

One of the most serious problems that confronts a complex organization like the PC is discipline intertwined with police accountability. It is almost inconceivable to field several thousand armed men throughout the length and breadth of the archipelago and expect every one of them to comport himself according to the highest norms of behavior. Like all organizations, the PC is a fallible organization. It takes only one misdeed of a man in uniform to jar the image of the whole organization.<sup>209</sup> In this connection, nowhere is the task of monitoring more thoroughly and vigorously pursued than in the Philippine Constabulary. The incumbent Chief of Constabulary has to be unequivocal in his policy against undesirable elements in his command and as such, needs to periodically summon his key officers and field commanders for command conferences to exhort them to lead by example and "to spare no rod" in punishing misfits and violators of the law. Among malpractices that he is concerned with is "abuse of discretion and power, arrogance, aloofness,

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<sup>209</sup> Meliton Goyena, "Discipline: A Continuing Concern", 78th PC Anniversary/INP 4th Anniversary Brochure, August 1979, pp. 81-85.

discourtesy, influence peddling, unwarranted solicitation of money or material things from the public, and coddling by superiors of their subordinates."<sup>210</sup> The PC Chief is particularly stern with commanders who tended to be excessively protective of their men, right or wrong, because such actuation did not only weaken morale but also adversely reflected on the discipline of their respective units.

To get rid of the misfits and undesirables and those who did not contribute productively to the accomplishment of the PC missions, the administrative machinery had been honed to react faster and more deliberately against delinquent officers. The PC Chief had ordered strict implementation of the rules and regulations embodied in an Executive Order which created the PC Efficiency and Separation Board. This Board had jurisdiction to pass upon the discharge or separation of officers on active duty who failed to demonstrate satisfactory behavior and efficiency. The Board had been the nemesis of PC officers found guilty of willful failure to perform official duties, of intemperate use of drugs or alcoholic drinks, or of immoral habits.<sup>211</sup>

The rank and file of the PC, on the other hand, were accountable to their immediate superior officers in the organizational hierarchy. Adjudication of cases against erring members of the enlisted ranks for actions taken in line of duty was handled by the administrative courts like the General, Special and Summary Court Martial. The Inspector General Service of the PC investigated complaints and allegations of malpractices lodged against officers and enlisted personnel of the PC by

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<sup>210</sup>Hermil B. Bunao, "Enforcement of Discipline", 73rd PC Anniversary Brochure, August 1974, p. 37.

<sup>211</sup>Ibid.

civilians. It also conducted investigations of similar nature which was raised by military personnel.

### Organizational Structure

As part of the Armed Forces of the Philippines, the PC is charged with military duties of which foremost is the defense of rear areas in times of emergency. To accomplish its role of law enforcement and maintenance of peace and order, the PC specified subordinate units to cover specific political subdivisions of the country. As shown in Figure 10, the PC was composed of four regular PC zones and a Metropolitan Command. The seventy-two provinces composing the archipelago were regrouped and assigned to respective zones. The operating arms of the command were one hundred forty-seven PC Companies distributed to the Provincial Commands and deployed to reach the centers of population in the different cities and municipalities of the country. A separate command equivalent to a zone has been established in the Metropolitan Manila area. This was the PC Metropolitan Command (METROCOM) which was organized to meet problems unique to the premier urban center of the Philippines. Eleven PC combat battalions attached to the zones and the PC Brigade support regular PC units for combat-type missions.<sup>212</sup>

Command of the PC was exercised by the Chief of Constabulary and four zone Commanders and subordinate commanders. The chain of command as projected in Figure 10 was very distinct and well-delineated.

The PC Zone Commander exercised administrative and operational control, direction and supervision within the Zone and over provincial commands and separate units in carrying out the mission of maintaining peace and order. Below the zone level, command and control was

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<sup>212</sup>The Philippine Criminal Justice Fact Sheet, 1977, p. 5.

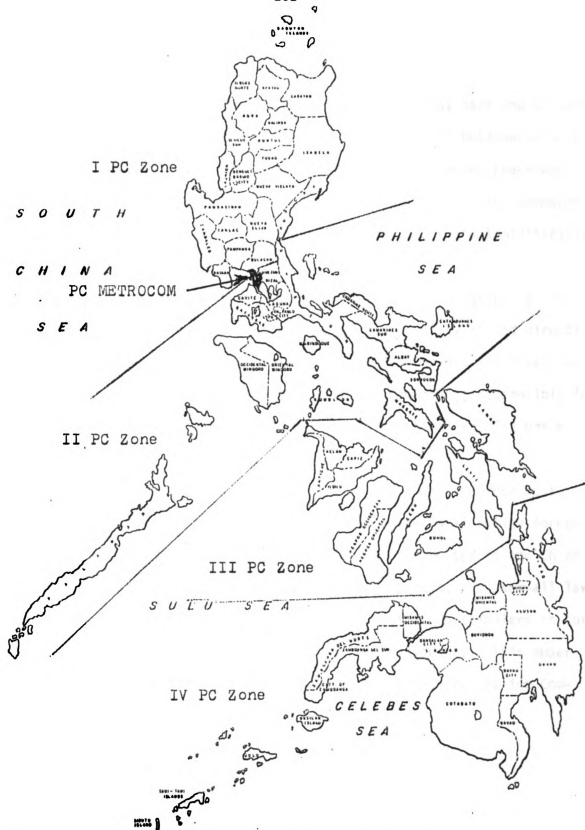


Figure 10. Regular PC Zones and Metropolitan Command.

Source: Philippine Constabulary 78th Anniversary & Integrated National Police 4th Anniversary Brochure, Camp Crame, Quezon City, 1979, p. 89.

exercised through the PC Provincial Commanders who may have one or more PC Companies. The companies were usually divided into headquarters and detachment elements, all depending upon the local terrain, peace and order situation, and population of the locality. The Company Commander commanded, controlled and administered the operations and administrative activities of the company.<sup>213</sup>

Operations of the Constabulary in the field was centered around the PC Provincial Commander. The Chief of Constabulary issued directives to the Zone Commander, who in turn issued corresponding directives and implemented instructions to the PC Provincial Commanders responsible for planning, organizing, and executing the mission of maintaining peace and order.<sup>214</sup>

Prior to the passage of the Police Act of 1966, the Provincial Commander, under his power of supervision over the local police forces provided for in the Revised Administrative Code, reported to the Chief of Constabulary on local police efficiency, equipment, and over-all law and order conditions in his province. The Chief of Constabulary in turn rendered this report to the President of the Philippines. This supervisory function has since been taken over by the National Police Commission.

#### Professional Image

Historically, the PC has been identified by law as the national police agency for the maintenance of internal peace and order. It is

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<sup>213</sup>Edgardo M. Abenina, op. cit., pp. 26-27.

<sup>214</sup>Ibid.

a matter of record that over the years prior to the early forties, it has won the esteem and respect of the public. However, from the Second World War to the period before the marital law, its image was considerably tarnished because of its identification with partisan politics as explained later in this section.

The press contributed to the disparagement of the PC. It was quick to publicize and escalate anomalous and irregular behavior even when such actions appeared without foundation or largely confined to a minor segment of the organization. Some investigations of charges and countercharges that have been aired publicly indicate instances where irregularities were by no means representative of the whole truth or the total organization. That a degree of corruption existed among PC personnel was clear from investigations processed by both the PC inspection system and agencies outside of the PC. It was also clear however that the corruption and other illegal activities had not been confined within PC ranks and that such had the willing cooperation and assistance of many unscrupulous individuals in the government and the private sector.<sup>215</sup>

A major disruption of the PC image was the insidious practice of Constabulary "public relations", a term used to describe the practice of Constabulary personnel asking for fuel, maintenance services, spare parts, etc., from logging camps, mines, and other commercial concerns. This practice was related primarily to the lack of logistics support for vehicles. It was a necessary contingency allegedly in the interest of mission accomplishment since without it, many PC vehicles would not be roadworthy and many operational requirements would not be met.

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<sup>215</sup> Frank E. Walton et al., op. cit., pp. 166-168.



However, the practice did not help to improve the PC image since it was imposed on the private sector by the armed and uniformed branch of the national government. It served to negate the atmosphere of public service the PC sought to generate. At lower levels of the command, it tended to proliferate in a continuing search for gratuitous handouts in the guise of assistance to law enforcement tasks.<sup>216</sup>

The pernicious practice that also helped erode the professional image of the PC was the existence of political influence on PC enforcement and personnel actions. The most affected PC personnel were the Provincial and Company Commanders. The existing PC policy then called for a normal three-year tour in these positions. Most of the transfers of PC commanders were usually done for reasons other than discipline or meeting peace and order requirements. Many transfers were described as "political" transfers. Some commanders were moved because they were not personally acceptable to the provincial governor or congressman or some other government official. Others were transferred when they were unwilling to accommodate infractions of the law. If a policy of strict enforcement were followed by some commanders, it would be an almost certain route to a transfer to some other sector. Additionally, criminal and political elements had caused the removal of efficient PC officers by initiating rumors and defaming their character in the press. This situation, although incompatible to professionalism, often predictably caused the continued erosion of effective law enforcement.<sup>217</sup>

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<sup>216</sup>Ibid., pp. 169-170.

<sup>217</sup>Ibid., pp. 170-171.

The foregoing instances depict an atmosphere of corruption within which the PC had been thrust to operate. It was apparent that provincial and company commanders were exposed to graft and other human weaknesses that tend to erode innate integrity even among the morally strong. The PC had multiple chances for illegal actions and as such, became willing supporters of corrupt and easy-going officials and commercial interests.

In sum, the environment appeared to contravene the primary purpose of establishing a stable enforcement system by introducing a large segment of uncertainty and instability. Following is an excerpt from a Public Safety team survey report on Philippine policing. It presents a gloomy picture of policing in the Philippines during this period:

In all enforcement agencies, Philippine Constabulary National Bureau of Investigation and the local police performance is substandard; training is inadequate; political interference is common; inspection procedures are non-existent or unsatisfactory; morale is low.<sup>218</sup>

### The Local Police Force

The largest conglomerate police agency before 1975 was the local police, composed of multi-structured, diverse, autonomous, and totally fragmented organizations whose strengths may vary from a police department of only two personnel to a more complex department of several thousands. By 1975, there were 1,611 municipal police forces and 62 city police forces with an aggregate strength of 33,865.

The existence of the local police forces was covered by the Revised Administrative Code which provided "that each municipality should

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<sup>218</sup>Ibid., p. 1.

have a chief of police and a number of policemen as may be determined by the local council and as approved by the provincial board. The members of the local police force were police officers. They exercised general powers to make arrest and seizure according to law."<sup>219</sup> The Police Act of 1966 further established a minimum number of policemen for municipalities and cities based on the latest official census at the rate of at least one policeman for every one thousand population.<sup>220</sup>

City and municipal police forces were controlled by the mayors and elected councils of their respective administrative units. The municipality is generally a rural area containing a number of barrios or village. Although they were charged with the protection of the entire municipality, the municipal police were normally concentrated in the poblacion, or municipal center. The presence of elements of the Constabulary and the National Bureau of Investigation (NBI) and the barrio lieutenants minimized enforcement problems otherwise encountered by the police in outlying areas.

Each barrio was under the supervision of a barrio lieutenant who was appointed by and responsible to the municipal councilor for his barrio. His main function as the personal representative of the councilor was to maintain law and order in the barrio. He normally accomplished this task with the aid of "rural policemen" who are barrio citizens deputized by him. The rural police and the barrio lieutenants

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<sup>219</sup> Section 2248, Revised Administrative Code of the Philippines.

<sup>220</sup> Section 19, Republic Act No. 4864, September 8, 1966.

were nearly always unarmed, unpaid, and untrained in police work.<sup>221</sup>

All the police departments operated on a twenty-four hour basis. This was done on three shifts of eight hours each although policemen were subject to call any time a need arose. In many police departments the fire service and all jails were integrated with the police service; it was only in a few cities that the warden service was separated from the control of the police.<sup>222</sup>

The local police performed all the basic police functions: patrol, traffic control, vice control, juvenile delinquency control and criminal investigation. Added to these were duties during strikes, demonstrations and riots, and assistance to other government agencies during natural calamities and disasters. Police manpower was oftentimes utilized to provide escorts in funerals and weddings or security to politicians and high government officials.

While the local police forces were primarily responsible for the maintenance of peace and order in their respective areas, the PC and NBI had powers to acquire concurrent jurisdiction over crimes committed in these areas. These agencies had full enforcement authority that duplicated and overlapped those of the municipal authorities. This sometimes led to confusion as to how and by whom a criminal was to be brought to justice. At times all three police forces were involved in the same criminal case and all three found different solutions to it. Or, none of

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<sup>221</sup>M. Ladd Thomas, "Philippine Police Systems", The Journal of Criminal Law, Criminology and Police Science, Vol. 46, No. 1, May-June, 1955, p. 121.

<sup>222</sup>Frank E. Walton, op. cit., p. 12.

the three may have shown interest in a case, expecting one of the others to take action. In this confusion, there were instances when crimes went unsolved and criminals escaped with impunity.<sup>223</sup>

Prior to the enactment of Republic Act No. 4864, the chief of police, his assistant chief and the chief of detectives in chartered cities used to be appointed by the President with the consent of the Commission of Appointments. After the passage of said law, the prerogative to appoint these officials was transferred to the city mayors. Municipal chiefs of police were appointed by the municipal mayors.

Before the police integration, the police appeared to be the weakest link in the Philippine police system because its development had been practically neglected in favor of a premium on a strong national police force. Its administration, organization and operations were controlled by the local mayor and the local chief of police, who in most instances, lacked the proper background and training for police work.

The structural weakness was further aggravated by poor personnel selection and staffing. The qualification required under the Police Act of 1966 were rigid and demanding to a point where one could expect a highly efficient and professional police force to be attained. Ironically, this had not been faithfully followed. This staffing malpractice placed types of policemen who were lacking in aptitude, loyalty and know-how. Many were unqualified and untrained but are retained in the service because their tenure of office had been assured by their loyalty to their political benefactors. This resulted in poor police service, inferior

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<sup>223</sup>Frederic H. Chaffee et al., Area Handbook for the Philippines. Washington, D.C.: Government Printing Office, 1969, pp. 356-357.

quality of leadership, and low morale. In a report of the Police Commission to the President on May 3, 1968, the police problem has been described as follows:

Undoubtedly, one of the most serious deterrents to the professional growth of our local police forces is the intrusion of political power or undue political interference on purely police matters. Such influences are mostly felt in the selection, promotion, assignment, and transfer of policemen which are effected not in consideration of merit of the officer concerned but for pure selfish, personal interest of both the politician and officer. The state of affairs had resulted in double loyalty of the police officer to his profession and to his political benefactor.<sup>224</sup>

Another vital aspect in the development of competent policemen is training. However, the lack of funds for the establishment of training centers, the inability of local governments to support their police trainees, the inadequacy of trained instructors, and the absence of training facilities, have continuously deterred the effective training of a great number of local policemen. The survey report of the Public Safety team indicated that the training capability of the local police forces was limited. In 1966, except for a few large departments, the bulk of the training of local policemen was provided from outside sources. Training conducted in local police departments varied from the reasonably adequate basic police course given by Manila and other larger police departments to those in municipalities which provided no training of any kind.<sup>225</sup> The report went on to say that 8% of the 29,262 local police were graduates of the National Bureau of Investigation Academy and 23% were

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<sup>224</sup> Report to the President of the Police Commission, May 3, 1968.

<sup>225</sup> Ibid., pp. 223-224.

PC Police School graduates. The bulk of the PC training had been undertaken by the provincial commands with decidedly inadequate teaching staff and facilities.<sup>226</sup>

One other shortcoming of the local police was its low compensation scale. The net effect of this disincentive was the attraction of only poorly qualified men to the force. More damaging consequences included the tendency of policemen to compromise their duties for certain considerations, or to take side jobs in between their duties.

The major organizational problem of the local police forces was inadequacy in such essentially needed equipment and facilities as communications and transportation, armaments, and investigative equipment. A study of the state of readiness and capability of the local police forces conducted before the police integration took effect disclosed that their armament capability was only 60%, mobility 4%, communications capability 8%, and investigative capacity 4%. This poor state of readiness was due mainly to the low budgetary allocations given for this purpose by the local governments which themselves were plagued with deep financial constraints.

#### The National Police Commission

As early as the middle fifties, some national leaders had felt a strong necessity to coordinate, strengthen and professionalize the local police service through centralized direction and management. This thought was conceptualized and finally initiated September 8, 1966 with the passage of Republic Act No. 4864, otherwise known as the Police Act of 1966.

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<sup>226</sup> Ibid., pp. 179-180.

The purpose of the Police Act was "to achieve and attain, with a high degree of efficiency, the organization, administration, and operation of local police agencies with the end in view that peace and order may be maintained more effectively and the laws enforced with more impartiality."<sup>227</sup> The Act likewise specifies the need to upgrade the status of the local police service. The National Police Commission was created by the same law and was charged with the responsibility of implementing the provisions of this law.

Republic Act No. 4864 created the National Police Commission as an advisory body to the President on all matters affecting local police administration. In addition, it was charged with the following powers and functions: examine and audit the performance, activities and facilities of all local police agencies throughout the country; organize and develop police training programs and operate police academies; prescribe minimum standards, arms, equipment, uniform, etc.; approve the appointment of special agents of governors and mayors; establish a system of Uniform Crime Reports; recommend an annual crime prevention program; prepare a police manual prescribing rules and regulations for the efficient organization, administration, and operation of the local police, including their recruitment, selection and promotion; and submit a study on the feasibility of organizing a national police agency which shall be nonmilitary and civilian in character.<sup>228</sup>

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<sup>227</sup> Section 2, Republic Act No. 4864, September 8, 1966.

<sup>228</sup> Section 4, Republic Act No. 4864, September 8, 1966.



In collaboration with police experts from various law enforcing agencies, the National Police Commission developed the Police Manual which details the rules and regulations in the organization, administration and operation of city and municipal police agencies throughout the country. In 1970, the Commission was granted the authority to conduct examinations for policemen at all levels. With the enactment of the Peace and Order Special Account Act, the Commission was authorized to grant salary and other subsidies to local police forces.<sup>229</sup>

The Public Safety Division (PSD) of the United States Agency for International Development (USAID) worked closely with the newly created Police Commission to set up ten regional training centers strategically located throughout the Philippines. Together they established a communication system to interconnect outlying areas with law enforcement agencies headquartered in Manila. This network linked field offices of national police agencies with local police establishments and provided teletype services at local levels. Additionally, they installed local police communication facilities in selected locales and assisted some municipal police departments in improving their operations and effectiveness. Thus, included in the USAID fiscal report to the United States Congress, were the following accomplishments in the Philippine program in 1972:

Training in eleven different courses conducted at seven new training centers was received by 10,540 policemen. Technical assistance in the fields of organization and administration, records and identification, criminal investigation, technical operations and logistics was provided ... communication systems

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<sup>229</sup> Philippine Yearbook 1978, National Census and Statistics Office, National Economic Development Authority, Manila, pp. 308-309.

had been established in twelve provinces. In addition 60 communication technicians and 1,895 operators have been trained.<sup>230</sup>

One of the major results of the cooperation between the Police Commission and the Public Safety Division was the creation of the PC Metropolitan Command (METROCOM) for greater Manila. This organization functioned as a centralized command with jurisdiction over all riot control and internal security operations for the area of Manila and its immediate vicinity. USAID supplied METROCOM with a modern police telecommunications system and a computerized record system.<sup>231</sup>

For almost a decade, the National Police Commission was the supervising agency tasked to oversee the training and development of the local police forces. Directly under the Office of the President at the time of its inception, the Commission was later transferred to the Department of National Defense after police integration went into effect. Two of its original branches, the Police Training and Communications, were transferred to the Integrated National Police. It retained the powers and functions relating to the attestation of appointments, examination, investigation, adjudication and review of police administrative disciplinary cases, adjudication and grant of compensation for permanent disability and death benefits, and staff inspection and audit of police forces, which was later extended to the fire and jail components of the Integrated National Police.

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<sup>230</sup> Geoffrey Arlin, "The Organizers", Far Eastern Economic Review, Vol. 81, No. 26, July 2, 1973, pp. 16-18.

<sup>231</sup> Ibid., pp. 19-21.

### The Prelude to Police Integration

It would be remiss to present the discussion of current issues without reference to corresponding past history. Prior to 1966, the Philippine police system included localized and independently organized police forces. By virtue of the Revised Administrative Code and city charters, the organization of these police forces, the appointment of personnel, their operational deployment, training, and logistical support were almost exclusively the concern of local governments.

The Philippine Constabulary, which has been existing as the insular police force since August 8, 1901, was constituted as a national police force to support local police forces by Commonwealth Act No. 343 dated June 23, 1938.

While the local police setup served to provide a degree of protection to the populace, it had many defects which prevented or obstructed the professionalization of the police service. The situation at that was best summarized by the incumbent Chief of Constabulary, when he said:

Except for the police forces in big cities and towns which were gradually being professionalized, the great majority of our police departments at that time were too inadequately manned, ill-trained and lacking in equipment as to be able to effectively respond to the increasing sophistication of criminals. Furthermore, other factors conspired to prevent and obstruct the professionalization of the police service; the insidious role of partisan politics in almost all aspects of police personnel management; the 'tayo-tayo' system; double standards of justice; rivalries existing among police forces; jurisdictional problems that limited the operations of police forces within their respective municipalities or cities; and the inadequate incomes of most local governments.<sup>232</sup>

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<sup>232</sup>Fidel V. Ramos, "New Perspectives in the Fight Against Crime", Diamond Jubilee Issue of the Philippine Constabulary, 1976, pp. 40-41.

There were of course, many other disadvantages of the system. As considerable number of government agencies were also involved in law enforcement, concurrent jurisdictions over crimes led to inevitable confusion caused by duplicatory authority. While local police forces had original jurisdiction over the enforcement of local ordinances, they also had general law enforcement functions in the same way as the national police officers. These, and other defects of the old system were demoralizing and caused disunity among policemen. Scattered police forces engendered irritants among the various police agencies to the detriment of public interest and these long term misunderstandings resulted in jurisdictional disputes and jealousies. However, the defects noted of the old system were mere reflections of a more basic difficulty belaboring Philippine society at that point in time. For as Casamayor opines:

A police system cannot be an object of admiration detached from the society in which it functions.... (It) cannot be transformed from top to bottom unless the society it serves is transformed as well.<sup>233</sup>

The Police Act of 1966, for all its merits, and its purpose of providing the legal guidepost in initiating at the national level the much needed reforms in police service, fall short of expectations. It did not fully eliminate the various negative factors that had been plaguing the system for years.

The marked preponderance of political warlord's private armies over the police forces and the use of policemen by unscrupulous politicians continued to aggravate the situation. In 1971, Torsten Ericksson,

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<sup>233</sup> George E. Berkley, The Democratic Policeman. Boston: Beacon Press, 1969, p. 197.

a United Nations expert in social defense, observed:

To be taken into account in this respect is the great number of armed body guards of politicians, rich private citizens and others, most of whom were reported to be completely untrained for the semi-police duties they fulfill. To my utter amazement, I have learned that these guards are not controlled by the local chief of police. Thus, it is highly probable that the regular police unit of a city could be outnumbered by a system of guards under the control of one ruthless man.<sup>234</sup>

In the years 1970 through 1972, the state of corruption, hooliganism and gangsterism had become so pervading that it was seriously affecting every aspect of Philippine political and social life. The atmosphere of the country became rife for upheaval and conspirators and subversives took advantage of the dire peace and order situation. Public utilities, including power, telephone, water and transport lines, were bombed or otherwise sabotaged. Anarchy was the order of the day and unbridled violence and riots drove the citizens from the streets.

To stave off the grave threat of mounting criminality which had virtually gripped Philippine society in fear and insecurity, the crisis government had to act in time. In January 1973, the President promulgated Proclamation No. 1102 certifying and proclaiming that the Constitution proposed by the 1971 Constitutional Convention had been ratified by the Filipino people and therefore had come into effect. With the effectivity of the new Constitution, the mandate for the integration of the police forces also became effective. The Constitution of 1973 provides that "the State shall establish and maintain an integrated national police whose organization, administration, and operation shall be provided by law."<sup>235</sup>

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<sup>234</sup> Edgardo M. Abenina, op. cit., p. 43.

<sup>235</sup> Section 12, Article XV, Constitution of the Philippines, January 17, 1973.

In March 1974, the President signed Presidential Decree No. 421-- the first landmark in the nation's police integration program--which made possible the formation of a unified command, which included police, fire safety and jail services over the whole of Metro-Manila. It was conceived as a pilot project in view of the peculiar situation in the area being the seat of government and where more than two-thirds of the total crime volume in the country was being committed.

Other decrees which served as the pilot coverage to integrate the various local police forces in the provinces soon followed. Spurred by the initial success of the program in Metro-Manila, police integration all over the country became a reality in a year's time.

#### The Integrated National Police

To fully comply with the Constitutional provision, Presidential Decree No. 765 was promulgated on August 8, 1975. Provisions included the activation of the Integrated National Police (INP) with the Philippine Constabulary as the nucleus and the local police forces, city and municipal fire departments, and jails as components, under the Ministry of National Defense. In the interest of unity of command and to obviate possible confusion in the issuance of orders and instructions, the National Police Commission was transferred from the Office of the President to the Ministry of National Defense, the same ministry under which the INP has been established.<sup>236</sup> Figure 11 shows the command relationships of the PC and INP with other agencies.

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<sup>236</sup>Section 1, Presidential Decree No. 765, dated August 8, 1975.

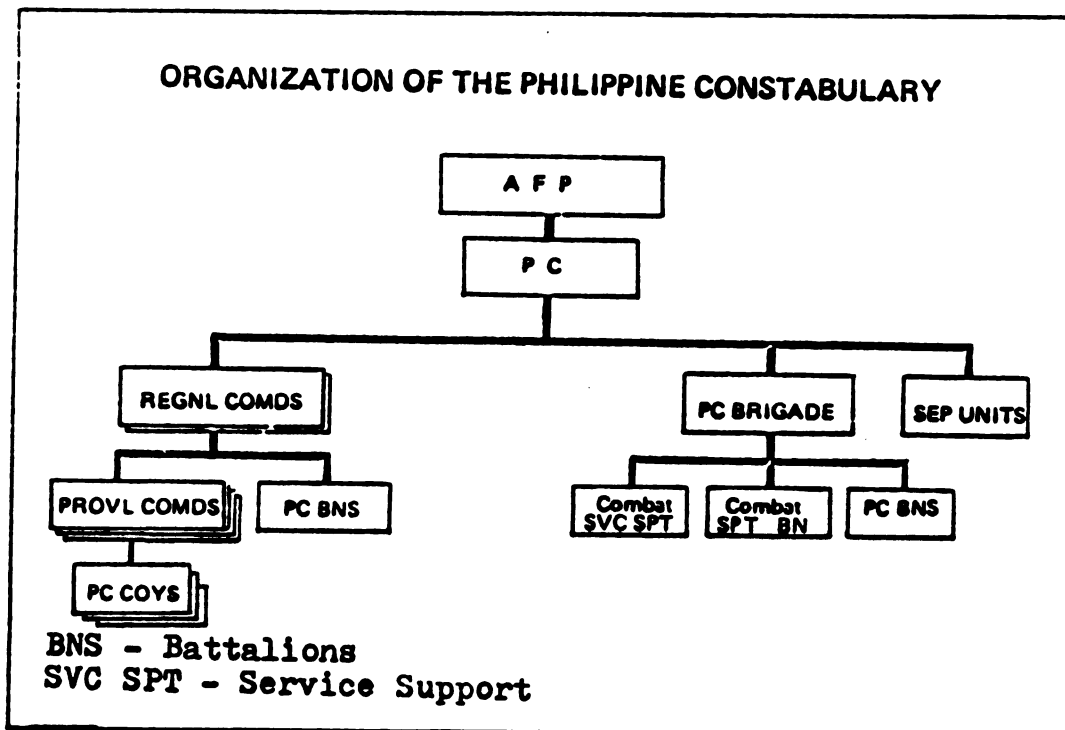
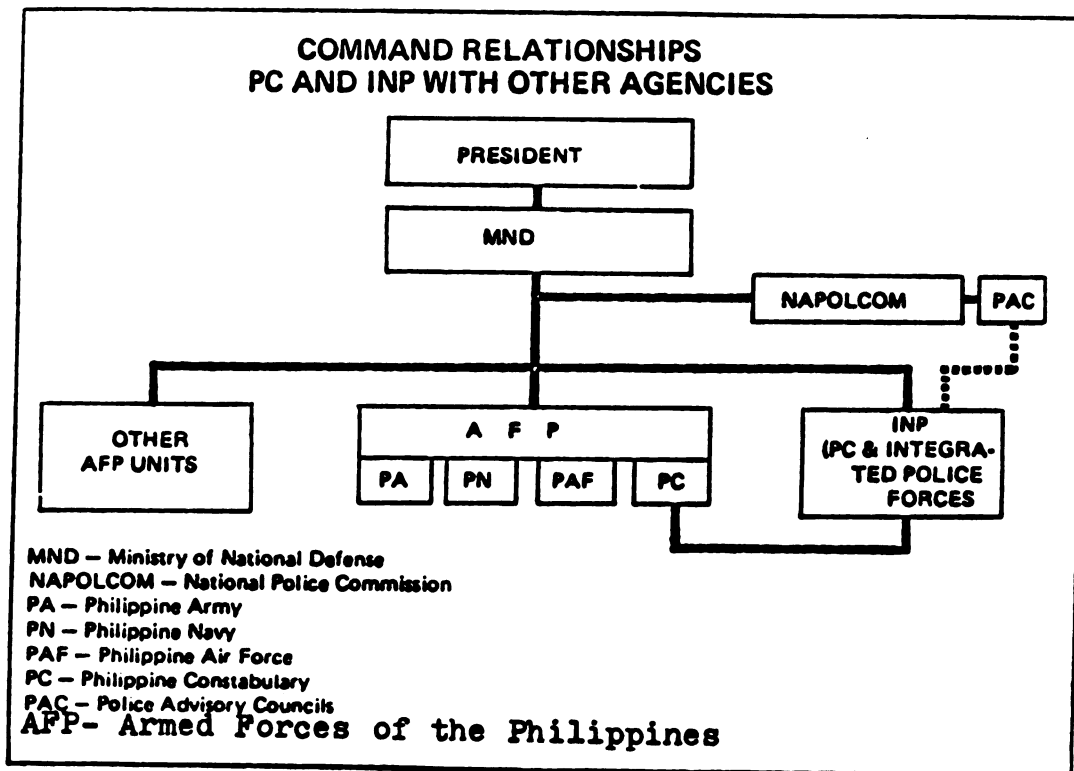


Figure 11. The Philippine National Police System.

Source: The National Police System of the Philippines. A Brochure published by the Headquarters, Philippine Constabulary/Integrated National Police, Camp Crame, Quezon City, 1980.

By January 1976, the Philippine Constabulary assumed the national administrative and operational control over the local police. The Constabulary chief was named the Director General of the INP on a concurrent capacity since the PC, as organized, remained and continued as a major service of the Armed Forces of the Philippines.<sup>237</sup>

Integration, within the context of national policy, means the establishment of one cohesive police organization with national jurisdiction, and involves the consolidation of manpower resources, equipment, physical facilities, etc., for maximum efficiency and effectiveness.

It likewise involves the standardization of systems and procedures and the creation of an overreaching organizational structure linking previously separate and independent units. It hastens the professionalization of the police all over the country, as well as minimizes the administrative complexities in the police system.

The principal objectives of the INP were all aimed towards the minimization of the defects that heretofore afflicted the police and the revitalization of their capability and proficiency to perform the role required of them by society, namely:

1. To provide for a system of effective law enforcement and public safety unhampered by political considerations and territorial boundaries;
2. To remove unit rivalries, conflicts and indifferences among police forces;
3. To provide for a cohesively organized, better coordinated and effectively directed police force;
4. To provide for a uniform and standardized system of administration, compensation and equipage of police forces, jails and fire departments; and

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<sup>237</sup>Section 3, *ibid.*



5. To maximize the utilization of manpower and other resources.<sup>238</sup>

Presidential Decree No. 765 specifically defined the jurisdiction and functions of the INP:

1. To protect lives and property, enforce laws and maintain peace and order within the territorial limits of the Philippines;
2. To prevent crimes, effect the arrest of criminal offenders and provide for their detention and rehabilitation;
3. To take necessary measures to prevent and control fires;
4. To investigate the commission of all crimes and offenses and bring offenders to justice; and
5. To take necessary steps to insure public safety.<sup>239</sup>

Integration was executed in two phases: first, the operational phase whereby the PC exercised operational control, supervision and direction over the integrated police forces especially in their mission and utilization in the preservation of peace and order within their respective jurisdiction; second, the administrative phase whereby all administrative matters such as personnel management actions on appointments, promotions, suspensions, separation and disciplinary action as well as logistical support became the responsibility of Headquarters, INP.<sup>240</sup>

Thus, barely three years after the Constitutional mandate for the State to establish and maintain an integrated national police force, the

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<sup>238</sup>The National Police System of the Philippines. A brochure published by Headquarters, Philippine Constabulary/Integrated National Police, Camp Crame, Quezon City, 1980, pp. 11-12.

<sup>239</sup>Section, 2, *ibid.*

<sup>240</sup>Accomplishment Report of the Integrated National Police for CY 1976, HPC/INP, January 12, 1976, p. 3.

INP emerged as a streamlined corps under a centralized command charged to insure law enforcement and public safety in the entire archipelago. The country's previously scattered police forces had been transformed into a single organization that facilitated cooperation among those engaged in public safety.

In the integration scheme, the Philippine Constabulary as the national police component of the Philippine military establishment was made the nucleus of the INP and given control over the more than 1500 previously autonomous local police forces in the country. These local police forces had long served as the bases of power of rural political elites.<sup>241</sup> Understandably, the consolidation of police forces did not take place without the resentment and vehement objection of the local executives who, in the process, completely lost their control and supervision over the local police. The governors and mayors felt that they were charged responsible for the maintenance of peace and order within their respective jurisdiction but that because of police integration, had been deprived of the authority even to discipline erring policemen within their own localities.

What was the rationale behind the constitutional mandate to create an integrated national police? The main thrust of all the resolutions considered by the constitutional convention of 1973 was that the system then in existence was deeply permeated by politics and that law enforcement efforts were hopelessly fragmented and misdirected. One solution

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<sup>241</sup>Merlin Castro, "Toward a Garrison State", Pahayag, May/June 1974, p. 2.

would be the integration of all police agencies into one constitutional body. In the deliberations of the convention, there was the consensus on the elevation of the Police Commission as a constitutional body to superintend over the PC, the NBI and local police forces as an integrated national police force. The PC would be nonmilitary and separated from the Armed Forces and the National Bureau of Investigation from the Department of Justice. In the turn of events, however, and with the imposition of Martial Law, the idea of an independent constitutional body became untenable as the condition did not warrant an independent posture set apart from the influence and command of the President who is the commander-in-chief. Some minority views generated in the convention include that of politics as inherent in a democracy and that of law enforcement and the maintenance of peace and order as responsibilities of the executive branch of government. The consideration that the adoption of various constitutional bodies may become unwieldy and cumbersome became the majority view.<sup>242</sup>

Ko-wang Mei, writing about comparative criminal justice systems, observed that after the Second World War, it became imperative for the new emerging nations to develop powerful central governments in order to hold the new nation with different tribes, religions and languages together. Those who opted for decentralization usually found themselves in a precarious social dilemma. Mei cited the Philippine experience as an example:

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<sup>242</sup>Pedro V. Malit, A Critical Analysis of the Constitutional Convention Proposals in Law Enforcement. Thesis in Master in National Security Administration, NDCP, 1973, pp. 60-74.

Upon visiting the Philippines in 1968, I found her law enforcement structure patterned after the U.S., a highly fragmented one. There were half a dozen police agencies in parallel to each other; neither unity of command nor chain of command existed among them. Streets were unsafe; crimes ran wild. People were compelled to arm themselves for protection.... The disorganized police agencies could do nothing to improve the hopelessly pathetic situation. People were scared. Law and order were in shambles.

Martial law, declared by President Marcos in 1972, followed by the centralization of police control, changed all that. The National Constabulary was given power to command all law enforcement agencies in the Republic. Duplications, interdepartmental conflicts and rivalry, inactivation in each force, as well as 'buck-passing' were eliminated. The centralized force was able to combat crimes and social disturbances effectively. Now streets are safe. No rifleman is needed to guard the stores and crime is under control. Probably martial law is a contributing factor toward social peace and public order. But no one can deny the effectiveness of a centralized police set up.<sup>243</sup>

#### Organizational Set-up of the Integrated National Police

In giving effect to the provisions of the law, the machinery and expertise of the PC, which has been the existing national police agency, were utilized to achieve economy of resources and promote organizational effectiveness. By such arrangement, the INP became readily operational upon the effectivity of the enabling legislation. Barely a year after police integration took effect, the Bulletin Today, one of the country's leading newspapers, came out with an editorial titled, "Merits of Police Integration" excerpts of which included a frank assessment of the integration program hereon cited:

Present experience is proving the advantages visualized by the integration of the police forces all over the country. Integration has removed territorial considerations from law enforcement

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<sup>243</sup> Ko-wang Mei, Comparative Criminal Justice Administration. Tao-yuan, Republic of China (Taiwan): Central Police College Press, 1982, pp. 206-207.

by the police. Rivalries between police forces have likewise been removed. The integrated force has a uniform and standardized system of administration, compensation and equipment. The utilization of manpower and other resources has been maximized.

Because of the integration of police forces it is no longer possible for policemen of affluent local governments to receive relatively higher pay than the policemen in the remotest municipalities. For the same reason, the police forces in the rural areas are given the equipment which their governments could not have acquired under the old system.<sup>244</sup>

At the national level, the INP is headed by the Director General who is concurrently the Chief of Constabulary. The headquarters of the PC is also the nucleus of the national headquarters of the INP, where appropriate fire service and jail management units and staff were established to attain the objectives of the entire police integration program.

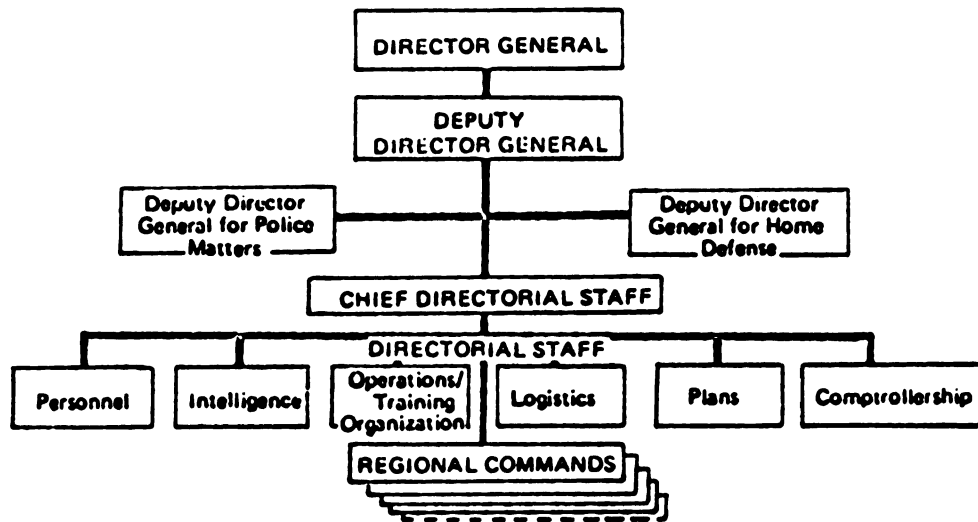
The PC chief of staff and the assistant chiefs of staff for personnel, intelligence, operations, logistics, plans and controllership, were designated acting chiefs of directorial staff and acting directors, respectively, of their corresponding staff functional areas to assist the Director General in exercising command over the INP.

In like manner, the zone commander and the commanding general, PC METROCOM, were designated zone directors and director of the Metropolitan Police Force, respectively. In addition to their other duties, the PC provincial commanders became police superintendents of the INP. Figure 12 depicts the national, regional and provincial organization of the INP.

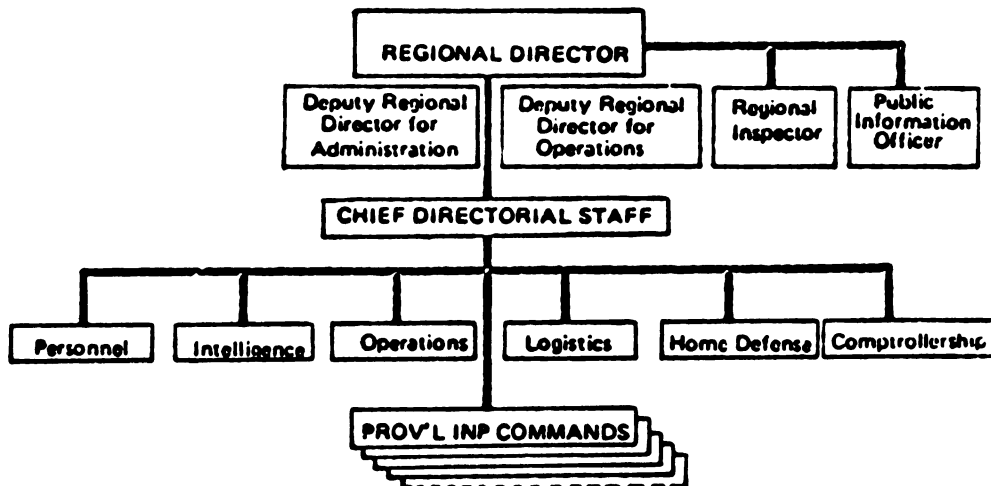
After 1975, the existing four PC zones were phased out to give way to the reorganization of the PC and the INP into 13 regional commands whose areas of jurisdiction coincide with the 13 regions of the government. This presented a logical set-up for a police organization since

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<sup>244</sup> The Bulletin Today, Manila, July 28, 1976.



## REGIONAL ORGANIZATION



## PROVINCIAL ORGANIZATION

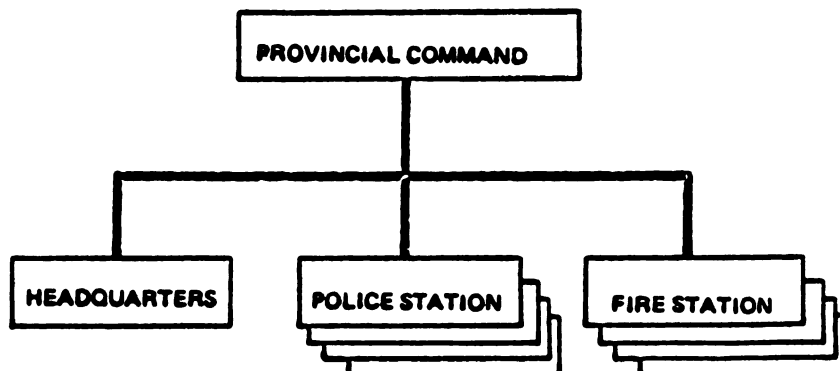


Figure 12. The National Police System of the Philippines (National, Regional, and Provincial)

Source: The National Police System of the Philippines. A brochure published by the Headquarters, Philippine Constabulary/Integrated National Police, Camp Crame, Quezon City, 1980.

the INP needs to follow political boundaries to facilitate its law enforcement missions. The regionalization scheme was aimed to improve the police service. The needs of the different communities in a given area could be attended to more effectively with the realignment of personnel as situations warrant. Figure 13 shows the 13 PC/INP regional commands.

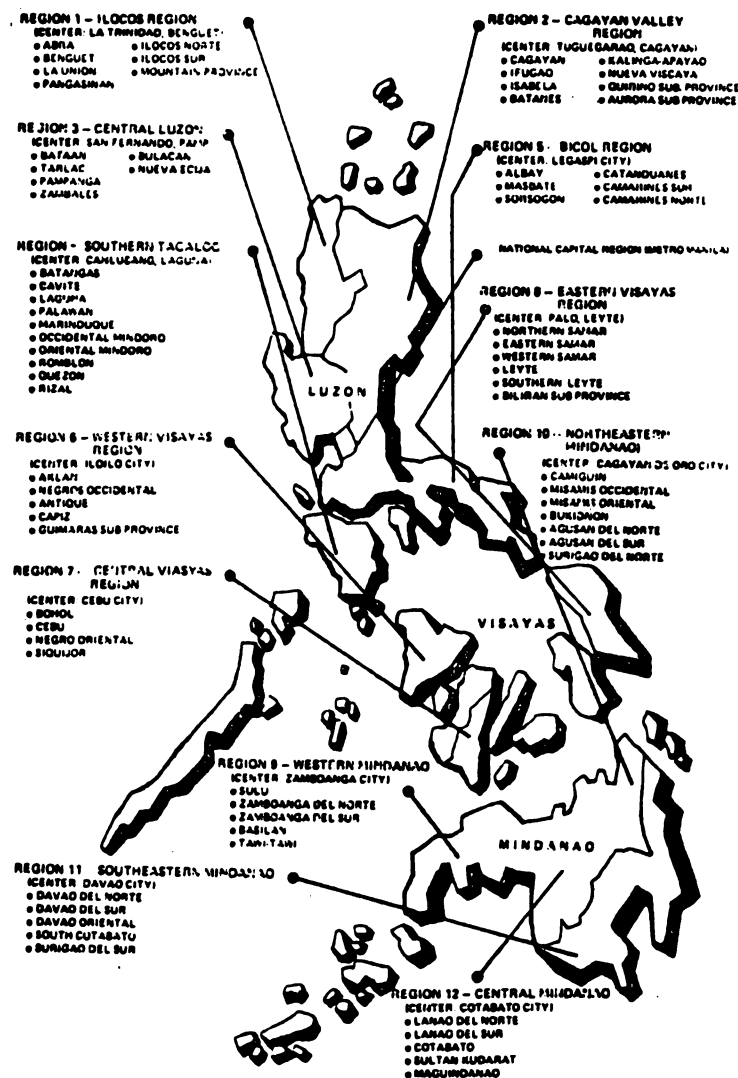


Figure 13. PC INP Regional Commands.

Source: The National Police System of the Philippines. A brochure published by Headquarters, Philippine Constabulary/Integrated National Police, Camp Crame, Quezon City, 1980, p. 18.



## CHAPTER IV

### COMPARATIVE ANALYSIS OF CONTEMPORARY ROLES AND STRUCTURE OF THE POLICE IN SOME SELECTED THIRD WORLD COUNTRIES

Variations on such themes as culture, time and place nonetheless, the fact that the police in different countries have met analogous problems indicates underlying similarities. These problems range from the maintenance of an adequately staffed force in terms of quantity and quality of recruitment and positive relationship of the police with the public, lack of technological support and general organizational relationship of police with other governmental bodies to the more critical problem of security and terrorism. The different approaches used by these countries in seeking their solutions offer great potentials for comparative studies. A survey of studies that look at policing at several places or times can very well lead to the development of credible and relevant generalizations. This chapter is intended to compare and contrast police roles and structure in the Philippines with those of some selected countries of the Third World. This comparative analysis will focus on some central salient attributes of police systems, namely:

- 1) roles and functions; 2) structure of the national system; 3) nature of accountability; 4) internal organization; and 5) professional image of the police.

The Third World countries whose police systems are the subject of this inquiry have one characteristic in common: they are former colonies of Western colonial powers and gained independence after the Second World War. It would indeed be of great interest to the student and practitioner of policing to identify traces of influence left by former colonizers on the feature and structure of the police systems of erstwhile colonies. To validate the study, representative samples of police systems from developing countries which were former colonies of Great Britain, France, the United States, Spain and the Netherlands were determined. These selected countries are generally multi-lingual, multi-racial and multi-religious. They have inherited police forces which were earlier subjected to colonial police traditions. Table 1 provides the aforementioned descriptive information about the countries involved in the study.

Evidence indicates that colonial policies of former colonizers have left imprints on the police systems of their former colonies. A case in point shows that England, France, Italy, Spain, Portugal, and the Netherlands had their own particular policy on colonial policing yet subscribed to the general concept of employing native manpower for the local armed force or police. The general policy, common to all, gave the colony a semblance of home rule although this in reality lent the most direct yet the weakest involvement in local government. It was a very pragmatic colonial policy for, while they kept the peace and maintained order among their millions of colonial subjects, the European colonizers were likewise able to ensure the external security of their colonies. They took advantage of the excessive manpower of their

Table 1. Descriptive Information About the Selected Third World Countries

Country	Former Colonial Power	Independence	Location	Official Language
Philippines	United States	1946	Southeast Asia	Filipino & English
Indonesia	Netherlands	1945	Southeast Asia	Indonesian
Malaysia	Great Britain	1957	Southeast Asia	Malay, Chinese & English
India	Great Britain	1947	South Asia	Hindi & English
Nigeria	Great Britain	1960	East Africa	English & Hausa, Ibo, Yoruba
Algeria	France	1962	North Africa	Berber & French
Senegal	France	1958	East Africa	French & Wolof, Pulaar, Diola

Source: Background Notes Series published by the Bureau of Public Affairs, United States Department of State: Philippines, August 1981, Indonesia, May 1981, Malaysia, November 1973, India, May 1978, Nigeria, May 1980, Algeria, February 1981, Senegal, December 1981.

colonies which usually exceeded that of the mother country by recruiting the natives to do police work in the colonies while at the same time relieving their colonial armies to secure their far-flung empires. Furthermore, the British and Spanish colonizers adopted the policy of utilizing native troops as constabulary in districts other than those from which they were drawn, thereby taking advantage of tribal antagonism at the same time avoiding the embarrassment incident to dealing with their immediate friends and neighbors.<sup>1</sup> In contrast, the Americans, in their Philippine colonial experiment, thought that substantial benefits would be derived from pursuing the opposite course. It was their belief that if the native policemen were properly officered and trained, there should be no fear of treachery. They also contended that there were many advantages in having the police familiar with the terrain and the people of the place in which they were operating.<sup>2</sup> It is noted, however, that at the time of American colonization of the Philippines, the United States had enough manpower and resources to provide external security and maintain law and order internally. This adequacy prevented the utilization of the indigenous manpower for military consideration or colonial stability.<sup>3</sup>

It would be a fallacy to assume that everything the Americans did in their first decade in the Philippines bear a peculiarly American stamp.

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<sup>1</sup> Emmanuel A. Baja, Philippine Police Systems and Its Problems, Manila: Pobre's Press, 1933, pp. 60-63.

<sup>2</sup> Charles Burke Elliott, The Philippines: To the End of the Commission Government. Indianapolis: The Bobbs-Merrill Company, 1917, p. 173.

<sup>3</sup> Emmanuel A. Baja, op. cit.

On the contrary, colonization was by itself considered outside of American experience, and was regarded as an outright imitation of European practice. From the Spaniards, the Americans virtually copied the office of the governor general, and the genial William Howard Taft wielded the powers like almost that of an imperial viceroy. From the Dutch in the nearby East Indies, and from other colonial powers, the Americans copied the economic philosophy of utilizing their colony as a source of raw materials. It is apparent, however, that Americans borrowed more from the British imperial practice.

The emphasis on law and order, an incorruptible and impartial justice, the prompt creation of an insular police force as the Philippine Constabulary ... all these, were British priorities<sup>4</sup> which the Americans adopted in their first Oriental possession.

Two types of legal systems seem to have profoundly influenced the kinds of policing in the erstwhile colonies: the common law (English) and civil law (French) systems. Sir Charles Jeffries, the English historian of the colonial police of the British Empire, cited three stages in the development of the English system, namely: 1) the first stage called "improvisation stage" was the period in which the original police system of the country or those introduced by the colonizer were adopted or modified to suit the conditions in the nineteenth century; 2) the second stage was the period during the later part of the nineteenth and the early part of the twentieth century wherein the police was organized along semi-military lines patterned after the Royal Irish Constabulary; and 3) the third stage was the period characterized by the conversion of the

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<sup>4</sup> Delia and Ferdinand Kuhn, The Philippines Yesterday and Today. New York: Holt, Rinehart and Winston, Inc., 1966, p. 99.

semi-military police to civil police similar to those prevailing in Great Britain.<sup>5</sup> The extent to which the English police system was adopted by former British colonies depended partly upon the date at which they established their own police forces and the nature of the colonial territory. Such former British possessions as India and parts of Africa rejected the British system as a model in favor of the Royal Irish Constabulary system of pre-1921 days. The Royal Irish Constabulary was centrally controlled, had an officer cadre, provided quasi-military training, and had a code of discipline considered more suitable for those territories.<sup>6</sup>

The main characteristics exhibited by all the former British colonies in Africa were that they were all originally raised to protect primarily British personnel and their administrative and commercial interests. They are now essentially centralized police forces organized along military lines to help reduce cost of operation and to facilitate administrative convenience. These police forces are organized as national services along British lines, are trained to British standards, and, in their operations and relations with the people, conform to British concepts of law enforcement.<sup>7</sup>

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<sup>5</sup> Philip John Stead (ed.), Pioneers in Policing. Montclair, N.J.: Patterson Smith, 1977, pp. 249-258.

<sup>6</sup> Working paper prepared by the Secretariat, Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, Switzerland, 1-12 September 1975, p. 10.

<sup>7</sup> Patrick Edobor Igbinovia, "The Pattern of Policing in Africa: The French and British Connections". The Police Journal, Vol. 54, No. 2 (April to June 1980), p. 126.

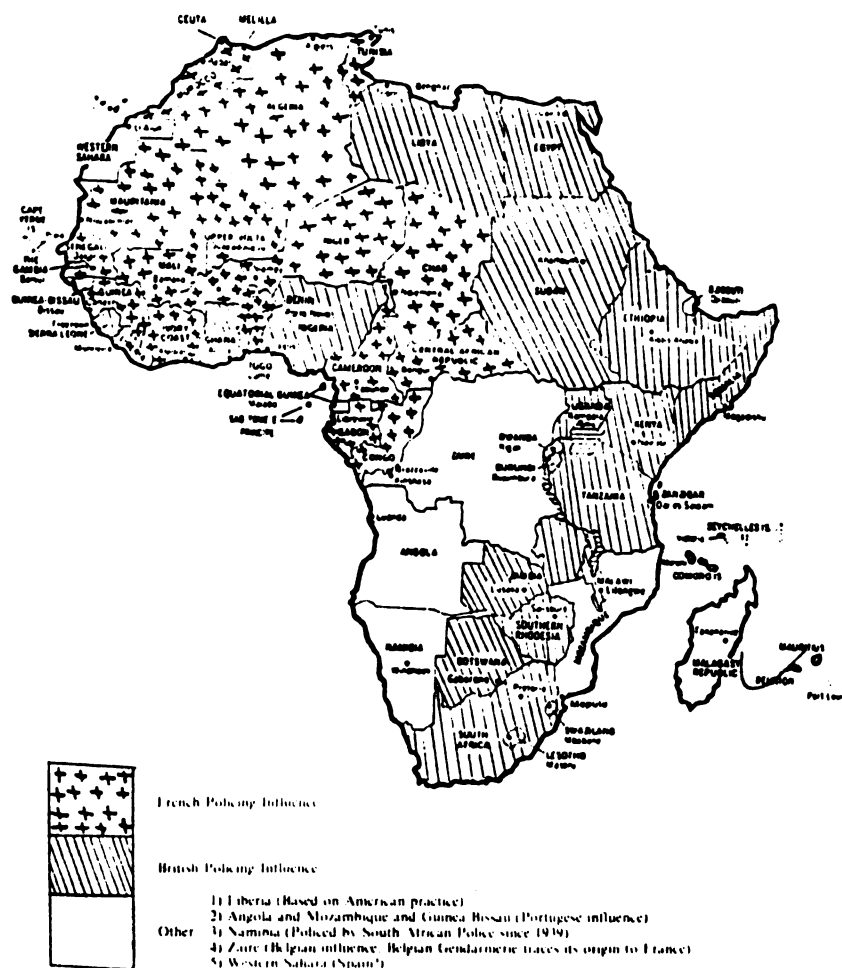


Figure 14. The Police in Africa: The Colonial Ties.

Source: Patrick Edobor Igbiovvia, "The Pattern of Policing in Africa", The Police Journal, Vol. 54, No. 5, April to June 1981, p. 132.

According to Bayley's account, the colonial influence on the Indian police still lingers and the situation has not materially changed:

One can understand that the British might not have felt much urgency about reforming the Indian police during the last hundred years of their rule especially during the twentieth century when they were preoccupied with containment or political self-assertion. But the philosophy of containment and passivity, quite proper as far as it goes, has endured after independence. ... The effect has been predictable. In the words of one recent police commission, the situation 'appears to have remained more or less the same since independence'.<sup>8</sup>

In the later years of the Empire and the British Commonwealth of Nations, other countries followed suit. A study by a Nigerian scholar described what has happened in his country:

Despite the stresses and strains of the period October 1961-December 1965, the Nigerian police force remained faithful to the traditions inherited from its colonial past. A colonial force, unlike the Metropolitan Police tradition, not only enforced law and order, prevented, detected, and prosecuted crime but also maintained and supported the established government.... The government which the Nigerian Police Force was required to maintain and support was British up to September 30, 1960 and Nigerian from October 1 of the same year. Though the government had changed, the police functions and traditions survived.<sup>9</sup>

The second type of police system is the French (civil law) or continental model which is characterized by a unified command and a strong paramilitary capability. This model is made up of tightly coordinated structural units under the centralized direction of the Ministry of Interior. There are usually a variety of divisions, with duplication of efforts characteristic among them. The French prototype, which features were later less pronounced in the former French colonies, became the

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<sup>8</sup>David H. Bayley, The Police and Political Development of India. Princeton, N.J.: Princeton University Press, 1969. p. 422.

<sup>9</sup>Tekena N. Tamuno, The Police in Modern Nigeria 1861-1965. Ibadan, Nigeria: Ibadan University Press, 1970, p. 287.



adapted system in the Francophone countries of Africa, where policing is based on French lines with two national police forces, the Surete Nationale and the Gendarmerie Nationale. Patrick Igbinovia traced the strong influence of the French model on the policing of Francophone states of Africa when he said:

It is apparent that in the Francophone countries, the police force was largely a creation of the French colonizers like their British counterparts. These former French colonies also took over the structure and personnel of the colonial police organization. The forces were patterned closely after the police of metropolitan France, are organized along French lines, trained to French standards, are guided by French doctrines and practices and their outlook and performance adhere closely to the attitude of the French forces.<sup>10</sup>

Most Francophone countries of Africa like Algeria, Gabon, Senegal, the Ivory Coast, and Mali follow the French model by using local security forces in the areas under their control along with a paramilitary force, the gendarmerie, for large scale disorders.<sup>11</sup>

Generally, the colonial police were introduced largely to protect the persons and property of colonizers. This type of police usage holds true in the former colonies of Africa and elsewhere. Furthermore, the colonial background of the police imparted an image that alienated the force from the citizenry and created an unpopular institution. The Indian police developed a stigma that they bear up to the present day because they represented the repressive arm of the colonial government. Speaking on this aspect, David Bayley's commentary is significant:

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<sup>10</sup> Patrick Edobor Igbinovia, op. cit., p. 127.

<sup>11</sup> Christian P. Potholm, "The Multiple Roles of the Police as Seen in the African Context", The Journal of Developing Areas, Vol. 3, No. 2, January 1969, p. 153.

The Indian struggle pitted police institution against national movement, Indian policeman against Indian freedom fighter. Because the police bore the brunt of repressive activities, memories were planted in the minds of the people that even today fundamentally affect relations between the two.<sup>12</sup>

It can also be said that at present, some police do not contribute adequately to the national development of countries previously under colonial rule, largely because "they are greatly influenced by the ideologies and police practices of the colonial administration".<sup>13</sup>

### Roles and Functions of the Police

The literature reviewed discussed a myriad of roles and functions with which policing has been changed in a number of countries over time. The constraints of time and space preclude the use of all these as the bases of comparison with that of the Philippines nor with those of all other countries in similar situations and circumstances. To facilitate manageability of the analysis, attempts were made to limit roles and functions to those most common to many of the countries involved.

Of the literature reviewed, it appears that Christian Potholm's model is the most applicable for the purposes of the study. In a recent study, Potholm claims that the police in Africa perform the following roles and functions:

1. Maintenance of law and order--This refers to the traditional primary roles of the police by Western standards to include the protection

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<sup>12</sup>David H. Bayley, op. cit., p. 49.

<sup>13</sup>Marshall B. Clinard and Daniel Abbott, Crime in Developing Countries: A Comparative Perspective. New York: John Wiley & Sons, 1973, pp. 217-249.

of life and property, enforcement of laws and the maintenance of law and order, prevention and detection of crimes, apprehension and prosecution of criminal offenders.<sup>14</sup>

2. Paramilitary operations--This role overlaps with functions that are typically military activities like riot control, the gathering of intelligence, conducting counterespionage, border patrol operations, and containment or suppression of local insurgency.<sup>15</sup>

3. Regulatory activities--This role refers to a variety of activities not normally included in routine law enforcement or internal security operations. It includes the issuance of licenses and permits, currency protection, passport and immigration control, supervision of trade, management of prisons, making of ordinances, monitoring of elections and inspection of facilities. Generally, the police share this authority with other government agencies.<sup>16</sup>

4. Regime representation--This role calls for the legitimization of the central government by the police through the relationship with the public they serve. This aspect is often labelled as "community relations" in the Western World.

Heretofore, we will refer to these roles and functions as the elements of the Potholm Model. Potholm further suggested that in the process

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<sup>14</sup> Christian P. Potholm, "The Multiple Roles of the Police as Seen in the African Context", The Journal of Developing Areas, Vol. 3, No. 2, January 1969, pp. 143-149.

<sup>15</sup> John P. Harlan, Jr. and Charles P. McDowell, "The Role of Police in Post-Colonial Sub-Sahara Africa", Police Studies: The International Review of Police Development, Vol. 4, No. 2, Summer 1981, pp. 21-27.

<sup>16</sup> Ibid.

of creating a bond between the government and the people, the police must play the important role of encouraging mass-elite integration, by acting as modernizing agents, serving as channel of upward mobility, and formulating positive rule adjudication.<sup>17</sup> To establish a frame of reference the primary elements of the role of regime representation are hereby elucidated:

1. Mass-elite integration--In heterogenous and geographically separated societies, the police may provide the linking of political authority with those who are governed, particularly in geographical areas where the central government is weak. If organized on a national basis and provided adequate training, the police would represent a potentially strong force for integration. The police are spread out throughout the length and breadth of the country. They often times serve to link the political elites located at the center to the masses at the periphery.

2. Modernizing agent--In transitional societies, the police may act as role models for the public to emulate. For instance, if neatly dressed, well-trained, punctual and efficient, the policeman may encourage by example the development of these qualities. They may likewise serve as the links between the old, traditional culture and the new modern central government.<sup>18</sup>

3. Channel of upward mobility--Police work as an occupation may have far more appeal in many developing countries than in the United States. This is largely because it often shares an elevated social status or

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<sup>17</sup>Ibid.

<sup>18</sup>Christian Potholm, op. cit., p. 147.

material rewards commensurate to those of some bureaucratic or white collar jobs. Police work may likewise provide a high paying and secure position.<sup>19</sup>

4. Rule adjudication--By employing the traditional discretionary latitude in police work which is especially true in the developed world, the police in a sense act as quasi-adjudication agents since they make the decision to act or not to act on a given case.

In the ensuing comparative analysis of the police in the selected Third World Countries, Potholm's paradigm of roles and functions has been adapted. To these has been added a fifth role, that of social services activities. This role would include emergency medical care, assisting the helpless, eliminating physical hazards, giving directions, counselling of juveniles, providing legal aid, relief and mercy operations, and disaster control.

#### Maintenance of Law and Order: Some Comparisons

In the urban neighborhoods and rural areas of Indonesia, the regular police operate out of police stations or posts. They perform many police and guard duties for the control and prevention of crime and the protection of property. In addition to traffic and highway patrolling, the traffic police are assigned mainly in urban areas. The criminal investigation division plays a major role in the investigation of criminal activity of non-local nature as kidnapping, prostitution, counterfeiting,

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<sup>19</sup>Ibid.

<sup>20</sup>Ibid., p. 148.

organized thievery, and criminal activities involving foreigners.<sup>21</sup>

In Malaysia, the main responsibilities of the Royal Malaysian Police (RMP) are the maintenance of law and order, the preservation of peace and security of the country, the prevention and detection of crime, the apprehension and prosecution of offenders, and the collection of security intelligence.<sup>22</sup>

In India, the prevention and detection of crime, apprehension of criminals and the maintenance of public order are primarily the responsibility of the states and the state police which play a key role in the Indian administrative structure. A number of states encourage their quasi-police reserve bodies to alleviate the load of the regular police. The rural police are village watchmen who assist the village headman in patrolling the village and reporting public unrest, crime, or suspicious situations to the nearest police station.<sup>23</sup>

In Nigeria, the Police Act outlines the scope within which the Nigeria Police Force (NPF) is expected to perform, and these in essence, as follows: 1) prevention and detection of crime; 2) apprehension of offenders; 3) protection of life and property, and 4) preservation of law and order.<sup>24</sup>

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<sup>21</sup> Nena Vreeland et al., Area Handbook for Indonesia. Third Edition, DA Pam 550-39, U.S. Government Printing Office, 1975, pp. 388-391.

<sup>22</sup> Nena Vreeland et al., Area Handbook for Malaysia. DA Pam 550-45, U.S. Government Printing Office, 1977, pp. 379-391.

<sup>23</sup> Richard F. Nyrop et al., Area Handbook for India. Third Edition, DA Pam 550-21, pp. 525-533.

<sup>24</sup> Femi Odekunle, "The Nigerian Police Force: A Preliminary Assessment of Functional Performance", International Journal of the Sociology of Law, 1979, 7, pp. 61-83.

In Algeria, the Gendarmerie Nationale has the chief responsibility of maintaining law and order in the rural areas while the Surete Nationale is the primary authority in the principal cities and other urban centers. It is charged with the maintenance of law and order, the protection of life and property, the investigation of crimes, and the apprehension of offenders. In addition, it performs other routine police functions, including traffic control.<sup>25</sup>

In Senegal, the Surete Nationale primarily acts as an urban law enforcement agency. Protection of people and property constitutes its function. The Surete Nationale polices the towns, directs traffic, enforces vice laws, guards railroads, and provides other general law enforcement functions.<sup>26</sup>

In the Philippines, the Integrated National Police is assigned the responsibility for public safety, protection of life and property, enforcement of the laws and maintenance of peace and order throughout the national territory. To carry out these responsibilities, it is given the powers "to prevent crimes, effect the arrest of criminal offenders, and provide their detention and rehabilitation, prevent and control fires, investigate the commission of all crimes and offenses, bring the offenders to justice, and take all necessary steps to ensure public safety".<sup>27</sup>

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<sup>25</sup> Harold D. Nelson (ed.), Algeria: A Country Study, Foreign Area Study, The American University, October 1978, pp. 359-368.

<sup>26</sup> Harold D. Nelson et al., Area Handbook for Senegal, DA Pam 550-70, 1974, p.347.

<sup>27</sup> Nena Vreeland et al., Area Handbook for the Philippines. Second Edition, DA Pam 550-72, 1976, p. 385.

There appears to be some unanimity in the official declarations regarding the roles of the police in the seven countries studied. Maintenance of law and order was the first priority for the police in these countries; other principal concerns include prevention and detection of crime, apprehension of offenders, protection of life and property and traffic control. Again, it must be emphasized at this point that these policy statements express the present regimes' perceptions of police roles in each country but may not necessarily reflect the actual responsibilities performed by their respective police forces.

#### Paramilitary Operations

In Indonesia, the Mobile Brigade of the National Police is organized along military lines. Its component battalions are equipped and trained for operations in the manner of an army infantry. Since the early 1970's, the brigade has included a parachute battalion equipped with light armor and a complete telecommunication system. The security division of the National Police has activities that include the compiling of documentation about political parties and personalities, demonstrations, strikes and disorders, and the mass media.<sup>28</sup>

In Malaysia, the Police Field Force (PFF) is the operational reserve of the Royal Malaysian Police. It is designed, trained and equipped to seek out and destroy terrorists and criminals who seek refuge in the jungles, to patrol large tracts of sparsely settled and isolated areas, to assist regular police in public order situations beyond the local ability to control, and to provide guards and escorts for official personnel and

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<sup>28</sup>Nena Vreeland, Area Handbook for Indonesia, op. cit., p. 388.



state visitors.<sup>29</sup> The Federal Reserve Units (FRU) are charged to suppress riots, disperse unlawful assemblies, and control potentially unruly crowds. The Special Branch is responsible for all aspects of security intelligence in the interest of internal security and defense. The Sabah Border Scouts is a paramilitary organization used to patrol the remote border areas with Indonesian Kalimantan. The Auxiliary Police of Sarawak conducts anti-subversive duty and jungle fighting operations.<sup>30</sup>

In India, the armed police are garrisoned in cantonments at key locations throughout the states. They are sometimes referred to as the state constabulary and provide a reserve striking force available to the state inspector general for emergencies. They act only on orders from the command channel; they may be detailed to guard duties, but they do not perform daily routine police duties and are not in contact with the public until they are committed to reestablish public order.<sup>31</sup> The Border Security Force has the responsibility of patrolling the international border. Security arrangements have to be made for important personalities including members of the government.<sup>32</sup>

In Nigeria, one of the important functions which the Nigeria Police Force is expected to perform under the Police Act concern paramilitary duties within and without Nigeria as may be required of them under the

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<sup>29</sup>John W. Henderson et al., Handbook for Malaysia, DA Pam 550-55, October 1970, pp. 535-540.

<sup>30</sup>Leslie Chin Seng Lee, "Malaysia". Criminology: A Cross-Cultural Perspective, Vol. II, Dae H. Cheng (ed.) Durnham, North Carolina: Carolina Academic Press, p. 711.

<sup>31</sup>Richard F. Nyrop et al., Area Handbook for India, op. cit.

<sup>32</sup>Makeish Dutta Diksit, "Roles and Functions of the Police in a Changing Society: The Case of India", UNAFEI Resource Material Series No. 10, Fuchu, Tokyo, Japan, October 1975, pp. 38-40.

authority of the Act or any other laws. The NPF can be proud of its record with regard to the performance of its paramilitary function. Within Nigeria, the police successfully carried out the "mopping up" and policing of newly liberated areas during the civil war. Outside Nigeria, it had distinguished itself under the auspices of the United Nations "peace-keeping" force in the newly independent Congo Republic, now called Zaire.<sup>33</sup>

In Algeria, the main rural police is the Gendarmerie Nationale, a component of the Armee Nationale Populaire (National People's Army). Operationally, it has been described as a combination security force and a national guard always in active duty. Because of its size, training, equipment, and tactical deployment capability, it is regarded as a versatile and competent paramilitary force. Elements of the Surete Nationale also play a role in countering threats to the government that arise from political subversion. It has the primary responsibility for countersubversive action.<sup>34</sup>

In Senegal, the Gendarmerie Nationale constitutes the rural police force vested with other duties and capabilities. They are used in the control of riots and other forms of violence in urban areas. They guard the presidential palace, other government buildings, airports, harbors, and key border points. The gendarmes are considered a dependable and effective force available for defense of the government against

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<sup>33</sup>Femi Odekunle, op. cit.

<sup>34</sup>Harold D. Nelson (ed.), Algeria: A Country Study, op. cit.

insurgency. Its mission also includes counter-intelligence matters.<sup>35</sup>

In the Philippines, the organization of the Philippine Constabulary is similar to that of the army and corresponds to a light infantry force. Operating as a national gendarmerie having units dispersed throughout the country, the constabulary has concerned itself mainly with large-scale crime, wide-area operations, insurgency and subversion, and enforcement of national laws in remote areas, where local forces are non-existent or ineffective.<sup>36</sup>

All the countries involved in the study substantiate paramilitary operations as a function of the police. This element of Potholm's Model received general support. In particular, the Mobile Brigade of the Indonesian National Police, the Gendarmerie Nationale of Algeria, and the Philippine Constabulary are organized along military lines. Most of them are involved in such typical military activities as riot and demonstration control, collection of security intelligence, counter-espionage operations, border patrol operations and suppression of local subversion and insurgency.

In Algeria, the political regime had to build internal security and paramilitary forces from the limited resources that the colonial government had left behind because of the prolonged military struggle prior to independence. The rise of the paramilitary in the Philippines provides another striking example of the heavy reliance on paramilitary

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<sup>35</sup> Harold D. Nelson et al., Area Handbook for Senegal, op. cit.

<sup>36</sup> Nena Vreeland et al., Area Handbook for the Philippines, op. cit.

forces as the Philippine Constabulary had played a decisive role in suppressing the Communist-dominated revolt after World War II, and has been continuously engaged in policing the dissident Moslem group in the south. Likewise, as one of the nations which have experienced a successful military coup in the Asian region, Indonesia has to rely on a strong paramilitary force in order to perpetuate its regime consolidation.<sup>37</sup>

### Regulatory Activities

In Indonesia, the traffic police supervise the licensing of vehicles, inform the public on traffic safety and traffic codes and complete traffic statistics. The women police are concerned with the control of obscene literature, and the inspection of orphanages, charity houses, institutions for the blind, hospitals and rest houses. The sea police is charged with curbing smuggling at ports and upholding maritime laws in territorial waters.<sup>38</sup>

In Malaysia, the general mission of the Royal Malaysian Police is the licensing of vehicles and privately owned weapons. The Marine Branch of the RMP has the mission to patrol the Malaysian waters to detect and prevent smuggling, piracy, illegal immigration, and traffic of firearms and contrabands. It is also tasked to enforce certain shipping ordinances and to protect Malaysian fishing craft from hijackers and fishing grounds from poachers.<sup>39</sup>

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<sup>37</sup> Morris Janowitz, Military Institutions and Coercion in the Developing Nations. Chicago: The University of Chicago Press, 1977, pp. 33, 62-63.

<sup>38</sup> Nena Vreeland et al., Area Handbook for Indonesia, op. cit., pp. 388-391.

<sup>39</sup> Nena Vreeland et al., Area Handbook for Malaysia, op. cit.

In India, the attention of the police to criminal activity is diverted somewhat by enforcement activities connected with the prohibition and to a lesser extent laws against improper trading, particularly in food grains. Police perform very few regulatory functions outside of the scope of police duties narrowly defined. They serve summonses, maintain elementary demographic records and issue various kinds of licenses. Policemen are increasingly engaged in investigating the improper activities of civil servants. The Central Bureau of Investigation has investigative authority over all central government departments and enterprises.<sup>40</sup>

In Nigeria, the planning of ways to ease traffic congestion in the towns, the promotion of safety (e.g., devising new safety measures, giving lectures on road safety precautions), the testing of commercial vehicles for roadworthiness and, in some places, the testing of persons wishing to obtain driving licenses, are all parts of the regulatory duties of the police.<sup>41</sup>

In Algeria, although the Ministry of Interior operates a customs service, the Surete Nationale assigns the police contingent to work with customs inspectors at all legal points of entry in an attempt to control illegal activities. Their main concern is to apprehend undesirable immigrants and traffickers in contraband. Police assigned to the country's seaport precincts operate under the control of the National Port

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<sup>40</sup>David H. Bayley, The Police and Political Development of India. Princeton, N.J.: Princeton University Press, 1969, p. 412.

<sup>41</sup>Cyprian O. Okonkwo, The Police and the Public in Nigeria. London: Sweet and Maxwell, 1966, p. 4.

Office, which is responsible for security in the maritime zones.<sup>42</sup>

In Senegal, the administrative component of the Surete Nationale has the general responsibility for special activities affecting public welfare. These include sanitation and surveillance of aliens. Routine functions not directly concerned with crime are considered "general" police matters. These include such activities as identification and issue of credentials, control of passports, relation with the press and liaison with foreign police forces.<sup>43</sup>

In the Philippines, the Constabulary is required to perform a great number of regulatory tasks belonging primarily to other departments of government. These extra-organizational tasks include the enforcement of fishing law, games law, anti-dummy law, nationalization of retail trade law, customs law, immigration law, election law, labor law, amusement law, etc.<sup>44</sup>

Less direct support was noted for this aspect of Potholm's Model with the exception of the Philippines. Some of the regulatory activities performed by many of the selected police forces include the issuance of licenses and permits, passports and immigration control, supervision of trade and inspection of facilities. Generally, the police are deputized by other government agencies to perform these functions.

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<sup>42</sup>Harold D. Nelson (ed.), Algeria: A Country Study, op. cit.

<sup>43</sup>Harold D. Nelson et al., Area Handbook for Senegal, op. cit.

<sup>44</sup>Frank E. Walton et al., Survey of Philippine Law Enforcement, Office of Public Safety, Agency for International Development, Department of State, 1966, pp. 142-144.

It appears that the police forces of the different countries under scrutiny differ substantially in the nature and degree of regulatory activities they choose to emphasize. In India, for instance, the primary function of the police is to enforce criminal law. Hence, the police is seldom tasked for wider social regulation or for monitoring the general activity of its citizens. The Indian police is bound by law, by freely competing political forces, and specifically, by the nature of their charge under the law.<sup>45</sup>

On the other hand, the local police in the Philippines (before 1976) were required to perform regulatory services which kept on increasing year after year as more ordinances were enacted and approved by local governments. The same thing is true with the Philippine Constabulary as it has to perform a multitude of extra-departmental tasks belonging primarily to other departments of government in addition to its normal statutory functions. The rationale behind the "overburdening" of the PC is its organizational size and ability to function as such because its members are vested with the power of arrest in all provinces, cities and municipalities.<sup>46</sup>

It has been argued that regulatory activities of police forces often enhance the authority of the police, allowing them more successfully to maintain control and prevent conflict in potentially explosive situations. This is true for example, of the licensing of firearms or

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<sup>45</sup>David H. Bayley, op. cit., p. 413.

<sup>46</sup>Paciencio S. Magtibay, Crime and Society in the Philippines, Peace and Order Coordinating Council, Manila, 1969, p. 121.

businesses that serve alcoholic beverages. Besides, a police force by its very nature has capacities that can be used for a variety of community-serving purposes. The use of the police for regulating certain kinds of activities bearing closely to law enforcement may be an example of effective utilization of human resources.

### Social Services Activities

In Indonesia, the primary function of the Women Police is to deal with all cases in which women and children are involved, either as offenders or victims. Specifically, their duties are: 1) training, suppression and prevention of crimes by and against women and children; 2) controlling and protecting women and children workers; 3) taking care of uncared for women and children; 4) controlling of bawdy houses, orphanages, hospitals, rehabilitation centers, and other social institutions, and 5) cooperation with governmental bodies and other social agencies that deal with the prevention and suppression of crime against women and children.<sup>47</sup>

In Malaysia, the Royal Police is involved in social services activities which include tracing of missing persons, recovery of missing articles, assistance in major disasters like floods, earthquakes, train derailment, etc., the escorting of valuables and money, traffic control and crowd control during holidays, census assistance, manning of information centers at public meets, and arranging for casualty evacuation in remote areas. Secondary police services include: 1) advice to the public

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<sup>47</sup>R. Wahjindi B.S.W., "The Women Police of Djakarta", International Criminal Police Review, No. 198, May 1966, pp. 135-137.



on crime prevention techniques; 2) cooperation with prisons and social services to rehabilitate criminals and drug addicts; 3) assistance to youths searching for job opportunities and some form of vocational guidance; 4) use of police communication in remote areas on urgent and compassionate grounds, and 5) dissemination of certain information of public interest when required, like fasting, etc.<sup>48</sup>

In India, the chief function of the rural police is to provide information and to assist the local officials in such administrative acts as registry of births and deaths and collection of revenue. The Indian police are entrusted with the enforcement of social legislations, for example, suppression of criminal traffic of women, prostitution prohibition, the Untouchability Act, election laws, etc.<sup>49</sup>

In Nigeria, the police force has a "First Aid" District, a "Missing Person" section, and an undeclared juvenile division. Policemen display their first aid and rescue abilities in their "Police Day" celebrations. Notwithstanding all these, the NPF has no pervasive structure or system for the provision of most social services. They think of themselves as "crime fighters", not as "social workers". They handle wandering children as if they were delinquents, and reported missing persons, if found, are usually found by accident rather than by design. It is seldom that they are found at the scenes of fires or disasters.<sup>50</sup>

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<sup>48</sup> T. T. Rajasingam, "Roles and Functions of the Police in a Changing Society: The Case of Malaysia", UNAFEI Resource Material Series No. 10, October 1975, pp. 45-55.

<sup>49</sup> Mahesh Dutta Diksit, "Roles and Functions of the Police in a Changing Society: The Case of India", UNAFEI Resource Material Series No. 10, October 1975, pp. 38-44.

<sup>50</sup> Femi Odekunle, op. cit., pp. 63-71.

In the Philippines, it is in the conduct of civil assistance where the Philippine Constabulary has contributed to the task of national development. Being supportive in nature, the activities pursued under civil assistance seek to reinforce the efforts of civil agencies in the discharge of their functions. These activities include disaster control, relief and mercy operations, emergency civil support, civil works, and law enforcement support. These tasks range from the construction of feeder roads and schoolhouses to the utilization of PC facilities and services for evacuation, treatment and rehabilitation of disaster victims during typhoons, floods and fires.<sup>51</sup>

In the Francophone countries of Algeria and Senegal, there is a dearth of evidence to refute or confirm the existence of this aspect of police role. This finding gives credence to Bayley's assertion that "police in more traditional agrarian societies stress enforcement more because the community is tight enough to handle conflict-mediation and provision of social services through informal means."<sup>52</sup> With the exception of Malaysia and the Philippines, little emphasis has been placed on social services activities by the police forces of Indonesia, India and Nigeria.

There are two sides of the issue with regards to police involvement in social service activities. In India, the police officers would contend that they do not have adequate strength and resources to discharge their day-to-day enforcement activities. They can, therefore, ill-afford

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<sup>51</sup>Philippine Constabulary/Integrated National Police Brochure, August 1976, p. 40.

<sup>52</sup>David H. Bayley, op. cit., p. 8.

to expand the area of their responsibility. They also argue that they are a specialized agency and money has been spent on their training; that their specialization will be a waste if they are put on such social service jobs.<sup>53</sup> Likewise, it is the view in Indonesia that the police should not dominate areas that are more approximately covered by other government agencies, lest the basic purpose for which the police is set up is neglected. Police services should be confined to primary areas of police responsibility with possible assistance being given only wherever it is compatible with its objectives.<sup>54</sup>

On the other hand, there are countries like Malaysia and the Philippines where the police are involved in providing social services of one form or another, particularly in sparsely populated regions where law enforcement agencies are the only full-time public service that is normally available. The police are expected to fulfill a partly social role by responding to most community emergencies, especially in areas where it is neither practical nor economically feasible to maintain social services on a full-time basis.

#### Regime Representation

In Indonesia, the police, in addition to their law and order functions, partake in and are represented in regional consultative bodies which are responsible for the coordination of various government agencies. Civic activities include leadership in local community organizations in which resident police personnel act as leaders, promoters,

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<sup>53</sup> Mahesh Dutta Diksit, op. cit., p. 43.

<sup>54</sup> Mochammad Hindarto, Report of the Seminar by the UNAFEI Staff, UNAFEI Resource Material Series No. 10, 1975, p. 83.

stabilizers, and the dynamic force in all aspects of the activities of the local community.<sup>55</sup>

In Malaysia, the main police system is the Salleh system of policing, whereby each police station area is divided into sectors with a police base established therein. Such beat bases are established in suitable residential areas and are manned by personnel who live and work in the community they serve. They thus get to know the local people, who then develop a sense of protection because a guardian of the law lives within the community. They also feel that the local police can be called upon for assistance when necessary. From these beats they perform their normal functions. They not only get to know the local community but they also take an active part in local community activities.<sup>56</sup>

In India, the passivity of the police is particularly evident. The public contacts the police for service; the police do not, as a rule seek out individuals in order to serve them. On the other hand, the Indian police influence community life by example. The police are supportive of technological innovations like chemical and serological laboratories or wireless communications, which in turn generate demand for skills or products of particular kinds. For instance, they continually urge government to improve the quality of forensic laboratories and distribute these and related skills into every district of the country. The police of India is a modern social force in itself, and particularly at the Indian Police Service level, it acts to develop an able, responsible group of

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<sup>55</sup> Ibid.

<sup>56</sup> T. T. Rasingam, op. cit., p. 84.

policemen who represent the nation as a whole.<sup>57</sup>

In Nigeria, the police as enforcers of law and suppressors of riots, demonstrations and various types of agitations, have the function of protecting the "establishment" or maintaining the "status quo" and their beneficiaries. This function is more pronounced in Nigeria because, unlike the British for instance, the NPF did not grow or emerge from the community; it was conceived, established, and imposed by the colonial administration for its own purpose. The NPF has consistently performed this function well and as noted by Tamuno, it has "generally buttressed the existing government, which was at first British, and later, Nigerian."<sup>58</sup>

In Algeria, the Gendarmerie Nationale symbolizes the authority of the government in remote areas where tensions and conflicts have occurred periodically.<sup>59</sup> Generally neutral in their political views, the Gendarmerie of Senegal were considered the most dependable and effective force available for defense of the government against insurgency and subversion.<sup>60</sup>

The Philippine Constabulary Home Defense program is the means by which the government relates itself to the civil sector of society. Through its Left Hand Effort, representing the entire range of non-military

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<sup>57</sup>David H. Bayley, op. cit., pp. 414-419.

<sup>58</sup>T. N. Tamuno, The Police in Modern Nigeria. Ibadan, Nigeria: Ibadan University Press, 1970, p. iv.

<sup>59</sup>Harold D. Nelson (ed.), Algeria: A Country Study, op. cit.

<sup>60</sup>Harold D. Nelson et al., Area Study for Senegal, op. cit.

activities--the productive efforts geared toward national development--the PC identifies itself with the endeavors, hopes and aspirations of the civilian population. It seeks to accomplish its goal through its multifaceted activities ranging from civil relations, civil assistance, agro-military activities and reserve affairs to manpower development. Through all of these involvements in various phases of Home Defense activities, one fact emerges very clearly: the PC is an agent of the socio-economic advancement of the vast rural populace who have divergent creeds and cultures.<sup>61</sup>

With respect to the use of police for national integration, Indonesia, Malaysia and the Philippines were reflected as being deeply involved in this function. For example, the Indonesian police performed the functions of a social-political force actively taking part in various civic activities of the state. In addition, they provide leadership and act as "promoters, stabilizers and the dynamic force in many community activities."<sup>62</sup> On the other hand, the Philippine Constabulary, through its home defense efforts, is an agent of the socio-economic advancement of the vast rural populace who have divergent creeds and cultures.<sup>63</sup>

There is less support for the contention that the police are used as modernizing agents. However, the Indian police stands out in this role as they influence community life by example. As Bayley observes,

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<sup>61</sup> Cicero C. Campos, "Home Defense Effort: A Unifying Catalyst", 73rd Philippine Constabulary Anniversary Brochure, August 1974, pp. 23-27.

<sup>62</sup> Mochammad Hindarto, op. cit., p. 83.

<sup>63</sup> Cicero C. Campos, op. cit.

"they create external economies ... with chemical and serological laboratories or improved wireless communications, they generate demand for skills or products of particular kinds."<sup>64</sup>

With respect to the issue of the police as a channel of upward mobility, police forces of five countries offer support to this function: Indonesia, Malaysia, Nigeria, Algeria, and the Philippines. In these countries, the compensation of the police is comparable to those of some white-collar positions. Furthermore, entry into the police service is seen as a form of social advancement. For example, in Malaysia, "the living conditions (of the police) are good and pay is comparable to what members might expect in civilian life." And because "police work was the first, and for a long time almost the only government career open to Malays, recruitment of an adequate Malay force has never been difficult."<sup>65</sup> In Nigeria,

... the security offered the police personnel in terms of pay and other amenities provided adequate incentives as compared with the wage levels in the civilian sector. The conditions of service were sufficiently attractive to assure more applicants for enlistment than could be accommodated financially.<sup>66</sup>

The Algerian police service continues "to attract recruits who prefer the security of government jobs to the uncertainty many face in the civilian sector with high unemployment rate."<sup>67</sup> India, on the other hand, presents

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<sup>64</sup>David H. Bayley, op. cit., p. 418.

<sup>65</sup>Nena Vreeland et al., Area Handbook for Malaysia, op. cit., p. 386.

<sup>66</sup>Harold D. Nelson et al., Area Handbook for Nigeria, DA Pam 550-157, 1972, p. 396.

<sup>67</sup>Harold D. Nelson (ed.), Algeria: A Country Study, op. cit., p. 300.

a negative view as "pay of ungazetted grades below deputy superintendent is low ... a constable can not support a family even at the low national level of household expenditure."<sup>68</sup> The conditions of the Indian police service are such that "constables are always kept at a level lower even than that of a unskilled worker because they thought the officer has other advantages (such as) free uniforms, free accommodations, etc."<sup>69</sup>

In the case of rule adjudication, the police forces of Indonesia, Malaysia, Algeria, Senegal and the Philippines do not offer any categorical support for this role, although it is implied in all of them. In Indonesia, for instance, "official policy stressed the need to regularize procedures for search and seizure, the treatment of evidence, ... aimed at curbing arbitrary use of police power and promoting respect for law by the public and law enforcement agencies themselves."<sup>70</sup> In support of this function, it was noted, however, that police discretionary power is exercised explicitly in India "when police use force against crowds, they may be acting as much from intelligent apprehension of the needs of a situation as from a deep-seated delight in using force."<sup>71</sup> Or in Nigeria where "both the central police forces as well as the native authority forces have acquired a reputation for arbitrariness, corruption

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<sup>68</sup> Richard F. Nyrop et al., op. cit., p. 531.

<sup>69</sup> Anandswarup Gupta, "The Plight of Police in India", Law Enforcement News, September 24, 1979, pp. 10-12.

<sup>70</sup> Nena Vreeland, Area Handbook for Indonesia, op. cit., p. 387.

<sup>71</sup> David H. Bayley, op. cit., p. 415.



and misuse of powers."<sup>72</sup> To emphasize the wide latitude of police discretion, Wasikhongo cited the findings of a recent survey of policing in Africa:

The police frighten instead of reassure ... sometimes giving the impression that they hold a legal claim over some of the public, or that their discretionary power is without appeal.<sup>73</sup>

### Summary

The elements of Potholm's Model were compared with corresponding data provided in the most current Army Area handbooks. Likewise, available documents on the activities and functions of the police in the selected countries subjected to inquiry have been used to confirm the findings revealed in the area handbooks. In the process, the writer encountered some constraints in the collection of adequate materials about the police systems of Algeria and Senegal. Firstly, because there is a dearth of material dealing with their police and more importantly, because whatever materials available are usually printed in French. Table 2 provides a checklist on the information collected from resource materials. Where information on some elements of the Model was not available in the reference materials, that factor is noted; where the available material implied confirmation or rejection on the Model, that factor is recorded.

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<sup>72</sup>Marshall Carter and Otwin Marenin, Police Culture in Cross Cultural Perspective. Paper delivered at the Annual Meeting of the Academy of Criminal Justice Sciences, Oklahoma City, 1980.

<sup>73</sup>Joab M. N. Wasikhongo, "The Role and Character of Police in Africa and Western Countries: A Comparative Approach to Police Isolation", International Journal of Criminology and Penology, 1976, 4, p. 393.

In the process of comparative analysis, the most critical question that had to be resolved was the levels of emphasis that have to be given to the different roles and functions of the police at different times and places. The element of time as a determinant for levels of emphasis was not considered since the analysis was premised on the assumption that the base line will focus only on contemporary police systems. Table 2 summarizes the comparative analysis on the roles and functions of the police in the selected Third World countries:

1. All seven countries subjected to inquiry indicate that maintenance of law and order is the primary charge of their police systems. This function includes basically: 1) preservation of law and order; 2) protection of life and property; 3) prevention and detection of crimes; and 4) apprehension of offenders.

2. All the police systems are involved in paramilitary operations in varying intensity. These include military-type activities that range from riot control, gathering of intelligence, border patrol operations, conducting counterespionage to containment and suppression of local subversion and insurgency. With the exception of Nigeria, there are units within each country's police forces that are "militarized", e.g., a field force or garde mobile which are directly involved in paramilitary operations like the Mobile Brigade of Indonesian National Police, the Police Field Force of the Royal Malaysian Police, the Border Security Force of the Indian police, the Gendarmerie Nationale of Algeria and Senegal, and the Philippine Constabulary Brigade.

3. The police forces studied differ substantially in the degrees of regulatory activities they choose to emphasize. It appears that the

Table 2. Examination of Potholm's Model in Selected Third World Countries

Country	Functions and Roles of the Police*							
	1	2	3	4	5a	5b	5c	5d
Philippines	+	+	+	+	+	X	+	X
Indonesia	+	+	X	X	+	X	+	X
Malaysia	+	+	X	+	+	X	+	X
India	+	+	X	X	0	+	-	+
Nigeria	+	X	X	X	X	X	+	+
Algeria	+	+	X	0	0	0	+	X
Senegal	+	+	X	0	0	0	0	X

Source: John P. Harlan and Charles P. McDowell, "The Role of Police in Post-Colonial Sub-Sahara Africa", Police Studies: The International Review of Police Development, Vol. 4 No. 2, Summer 1981, p. 25.

Note: \*Roles and Functions of the Police

1. Maintenance of Law and Order
2. Paramilitary Operations
3. Regulatory Duties
4. Social Services Activities
5. Regime Representation
  - a. Integration
  - b. Modernizing agent
  - c. Channel of upward mobility
  - d. Rule adjudication

Explanation of symbols

- (+) evidence in support of the model
- (0) no evidence either in support or non-support of the model
- (-) evidence of non-support of the model
- (X) implied support but not emphatic

Philippine Constabulary perform more extra-departmental activities.

The PC is deputized by other government agencies to perform regulatory activities because of the nature of its law enforcement function and its capacity for a variety of community service purposes. On the other hand, the Indian police is seldom tasked with regulatory activities because it is confined mostly to the enforcement of criminal laws by the nature of its charge under the law.

4. With the exception of Malaysia and the Philippines, little emphasis has been placed on social services activities by the police of Indonesia, India and Nigeria. There is no evidence of either support or non-support of this function by the police forces of Algeria and Senegal.

5a. With respect to the use of police for national integration, Indonesia, Malaysia and the Philippines are reflected as being deeply involved in this function. Again, there is no evidence of either presence or absence of this function with the police systems of Algeria and Senegal. The Indian Police Service through its centralized training institutions, implies providing support to this role.

5b. Except for the Indian police which provide ample evidence in support of the role of modernizing agent, the police forces of Indonesia, Malaysia, Nigeria and the Philippines provide only implied support. Again, no evidence either in support or non-support of this function is provided by the Algerian or Senegalese police.

5c. In the case of rule adjudication, the police forces of Indonesia, Malaysia, Algeria, Senegal and the Philippines do not offer any categorical support for this role, although it is implied in all of them. India and Nigeria have ample evidence of explicit support for this role.

### Structure of the National System

The second aspect of differentiation among national police forces is the structure of the system. Two aspects are important in this analysis: The extent of centralization and the depth of military involvement in domestic policing. Centralization, for the purposes of this study, will focus on the location of police command authority over operations; whether it is located in one or several places in the total governmental hierarchy. Degrees of centralization will be determined by the distance of authority from the central or highest level of the power structure. The second aspect of the police structure that will be examined is the extent of "militarization" of police institutions, i.e., the degree in which the police agencies in quite distinct ways are acquiring military characteristics. Finally, it will be worthwhile to explore the relations between militarization and centralization of police structures. Is it really true, as Bayley posits, "that militarization will impel centralization but centralization is irrelevant to militarization?"<sup>74</sup>

### Centralization/Decentralization

It has been mentioned earlier that, while legal structures are few, the systems of policing throughout the world are many, with local conditions and circumstances affecting the interpretation and administration of justice. In some areas, the police forces are fragmented and dispersed among local authorities with little central control; in others,

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<sup>74</sup> David H. Bayley, "The Police and Political Development in Europe" in Formation of National States in Europe, Charles Tilly (ed.), Princeton, N.J.: Princeton University Press, 1975, p. 367.

there is a national authority for the police; and in federal systems there are federal police forces as well as state or provincial police and city police agencies.<sup>75</sup>

Varying degrees of centralization are found in the police systems of the Third World countries subjected to this analysis. For example, the Police of the Republic of Indonesia is a national police force financed and directed by the central government. There are no local police forces in Indonesia. Under the armed forces reorganization of 1969, the police rank with the three military services, the army, navy and air force, as one of the four military services comprising the Armed Forces of the Republic of Indonesia under the Department of Defense and Security Affairs. The commander in chief of the national police force is directly subordinate to the defense minister and, like his counterparts in the regular armed forces, sits as a full member of the joint Chiefs of Staff.<sup>76</sup>

In Malaysia, the Ministry of Home Affairs in the federal government is responsible for police activities throughout the nation. These responsibilities are carried out in accordance with the Police Act of 1967, which consolidated the police organizations of West Malaysia, Sabah and Sarawak into a unified force called the Royal Malaysian Police (RMP). Control, administration and direction of the RMP are exercised

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<sup>75</sup> Working paper prepared by the Secretariat, UN Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, Switzerland, 1-12 September 1975, p. 12.

<sup>76</sup> Nena Vreeland et al., Area Handbook for Indonesia, op. cit., p. 388.

through the national police headquarters at Kuala Lumpur under the command of the inspector general of police, who is the senior police official of the nation.<sup>77</sup>

In India, police organization and operations are in part under central control and in part under local control. The prevention and detection of crime, apprehension of criminals, and maintenance of public order are primarily the responsibility of the state police forces. The union (central) government is also a major participant through the Indian Police Service (IPS), one of the two all-Indian services retained, in modified form, from the colonial days by the framers of the Indian Constitution. In addition, the union government has two other forces, the Central Reserve Police (CRP), used to assist the states in emergencies, and the Central Bureau of Investigation (CBI). The IPS, CRP, and CBI are organized under and responsible to the union government's Ministry of Home Affairs.<sup>78</sup>

The Nigeria Police is a federal force operating throughout the Federation of Nigeria. It is established under the country's Constitution and its control is vested on an Inspector General in Lagos. He is responsible to the Prime Minister of the Federation for the maintenance of law and order throughout the country. Under the Inspector General are Commissioners of Police with headquarters in the regional capitals who are responsible to the Premiers of their respective regions for local

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<sup>77</sup>John W. Henderson et al., Area Handbook for Malaysia, DA Pam 550-45, 1972, p. 532.

<sup>78</sup>Richard F. Nyrop et al., Area Handbook for India, DA Pam 550-221, 1975, p. 525.

maintenance of law and order. The force is financed entirely by the federal government and its organization and administration are under a Police Council presided by the Prime Minister. The other members of the Police Council are representatives of each regional government, the Inspector General, and the chairman of the Police Service Commission.<sup>79</sup>

In Algeria, primary responsibility for the maintenance of law and order and for conducting internal security police organizations are vested in the Gendarmerie Nationale and the Surete Nationale. Both elements were constituted after the Algerian independence in 1962 and have been modeled on counterparts in the police system of metropolitan France. The Gendarmerie is a component of the People's National Army and is Algeria's main rural police force. The Surete Nationale is the primary policing authority in the principal cities and urban centers. It is subordinated administratively to the Ministry of Interior and commanded by a director general. The Surete is believed to be organized generally along the lines of its French counterpart. It consists of operational and investigative branches and supporting services.<sup>80</sup>

In Senegal the Gendarmerie Nationale is controlled by the President through the minister of state for the armed forces. It maintains units known as legions in each of the country's seven administrative regions. These legions are divided into smaller units called brigades stationed at key positions throughout the country. The Surete Nationale is centrally

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<sup>79</sup> James Cramer, The World's Police. London: Cassell and Co., Ltd., 1964, p. 163.

<sup>80</sup> Harold D. Nelson (ed.), Algeria: A Country Study, op. cit., p. 366.



directed from Dakar by the Minister of Interior, who controls activities nationwide through regional centers.<sup>81</sup>

### Summary

The foregoing description specifies the location of command in terms of centralization and decentralization. The structures of the national systems of the police forces under scrutiny ranges from a partially decentralized organization based on local administration but subjected to a measure of national control to marked centralization with the total absence of local control. The Indian police system best typifies the former wherein police organization and operations are in part under central (union) control and in part under local control, as the state police agencies are under the control and supervision of the state governments. To provide proper coordination and supervisory authority over the state police forces, the Indian Police Service has been created. Additionally, centralized servicing facilities are provided by the Central Bureau of Investigation and the Central Reserve Police.<sup>82</sup>

On the other extreme, the police systems of Indonesia, Malaysia and the Philippines are highly centralized with a national police authority controlling vital aspects of organization, personnel management and, if occasion requires, the smallest detail of daily operations. The Nigerian police system provides the combined features of both models. While operating as a federal police force controlled by the Inspector

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<sup>81</sup> Harold D. Nelson et al., Area Handbook for Senegal, DA Pam 550-70, 1974, p. 447.

<sup>82</sup> Richard F. Nyrop et al., op. cit., p. 525.

General who is responsible to the Federal Prime Minister for the maintenance of law and order, the Nigerian Police Force is supplemented by some local police forces controlled and maintained by the various local administrators in the Northern and Western regions. The Francophone countries, Algeria and Senegal, have centralized but bifurcated police systems with a paramilitary force, the Gendarmerie Nationale and the Surete Nationale, a civil police force organized and operating at the same time.

Statements about differences in centralization would be fairly inaccurate unless the geographical scale of the units compared is specified. A police system that is centralized in a small country may be smaller than one part of a decentralized system in a larger country. Referring to Table 3, it would not be accurate to compare the centralized police structure of the Philippines, with an area of 115,707 square miles spread out in 7,100 islands, to that of a partially decentralized police structure like that of India, a country with a span of 3,136,475 square miles within a solid land mass.

The concept of centralization is generally assumed to be related to the character of government, especially the quality of police relations with its citizens. Contrary to the popular belief, centralized police systems are not necessarily authoritarian. For instance, the divisions within the police service of the Francophone countries, and the separate ties that their units have with local administrators, suggest that, though centralized, their police are far from monolithic. There are opportunities for one police body to check upon the activities of another and to prevent any one organization from being unduly corrupted

Table 3. Geographic and Demographic Information

Country	Size in Square Miles	Population Estimate	Percent Annual Population Growth
Philippines	115,707	49,400,000 (1981)	2.5
Indonesia	736,000	147,400,000 (1980)	2.0
Malaysia	128,553	13,000,000 (1977)	2.9
India	3,136,475	629,000,000 (1977)	2.01
Nigeria	357,000	80,000,000 (1980)	2.5
Algeria	918,497	18,500,000 (1980)	3.2
Senegal	76,000	5,600,000 (1981)	

Source: See Table 1.

by its powers. Furthermore, arguments for a link between centralization of command and character of government often confuse where control is located with who exercises control.<sup>83</sup> In Nigeria, for instance, the central government exercises no direct control on the local police forces, but should the local force be working against the best interest of the country, the federal government could withdraw the federal support and make conditions so difficult for the local force that it would unlikely be able to carry out its duties effectively.<sup>84</sup>

In summary, a comparative study on centralization of police structures has to consider such significant factors as countries of scale, character of government, and performance indicators of police activities.

#### Militarization of the Police

The police have likewise attracted some analytical attention because of the interdependency of police and military roles in many instances in developing countries. Invariably, the police attract attention from observers concerned chiefly in military questions like: At what instance does an army have to be called into play in an essentially domestic conflict? What is the proper division of labor between the police and military in a given situation? What is the effect of this increasing contact between the military and the police in each

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<sup>83</sup> Harold D. Nelson et al., Area Handbook for Senegal, op. cit.; Harold D. Nelson, Algeria: A Country Study, op. cit.

<sup>84</sup> James Cramer, The World's Police. London: Cassell & Co., 1964, p. 164.

institution?<sup>85</sup> In summation, nations differ considerably with respect to the amount of military involvement in domestic policing. In this connection, Bayley cites three factors that account for the extent of military participation in internal policing, namely: "(1) the presence of a large standing army; (2) the earliness of formation of the standing army in state experience, and; (3) the existence of large-scale and persistent strife."<sup>86</sup>

For instance, there is no information that indicates a paramilitary function on the part of the Nigerian police; however, it was noted that Nigeria has increased the size of its national army twentyfold between 1966 and 1970 and that one of the army's primary missions was to support the police in maintaining internal security.<sup>87</sup>

It is usually observed that if domestic strife persistently exceeds the capacity of the police forces, the military will play a growing role in internal policing. Over several generations that include colonization, insurgency, foreign war, and racial riots, the police of the Federation of Malaysia has undergone a significant expansion and fragmentation to incorporate more military functions. Currently, the Malaysian police includes a regular constabulary, a Special Branch, an ordinary constabulary, a paramilitary force, border scouts, and a special riot unit.

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<sup>85</sup> Cynthia H. Enloe, "Ethnicity and Militarization: Factors Shaping the Roles of Police in Third World Countries", Studies in Comparative International Development, Fall 1976, p. 26.

<sup>86</sup> David H. Bayley, op. cit., p. 366.

<sup>87</sup> Harold D. Nelson et al., Area Handbook for Nigeria, op. cit., p. 386.

The latter three organizations operate in large units against sizable adversaries. Their purpose is less to arrest transgressors than to put down challenges to the political order. For their effectiveness they depend on specialized training that is military in orientation and on access to increasingly sophisticated hardware.<sup>88</sup>

While paramilitary operations have been thoroughly discussed in this study, little mention has been made about the nature of "paramilitary forces". Morris Janowitz, in his treatise on military and armed forces, cites paramilitary forces essentially to include "different types of national police forces and those militia personnel who have internal security functions."<sup>89</sup> He further distinguished national police forces as those full-time "militarized" police units which are domiciled in part in barracks, equipped with light military weapons and military vehicles, and organized under the central government. They are often called gendarmerie and include frontier and border guard units. The militia, mostly in developing countries, are armed local personnel, domiciled at home, typically with or without partial uniforms and deployed in their own areas. They are usually deployed against internal armed insurrection. Local police forces are not categorized as paramilitary forces because they are full-time uniformed police domiciled in their homes and do not possess military weapons. They are mostly involved in day-to-day local policing and occasionally, in riot control and certain security tasks.<sup>90</sup>

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<sup>88</sup>Cynthia H. Enloe, op. cit., p. 30.

<sup>89</sup>Morris Janowitz, Military Institutions and Coercion in the Developing Nations. Chicago: The University of Chicago Press, 1977, p. 29.

<sup>90</sup>Ibid., p. 28.

The following table shows the comparative growth of military and paramilitary forces in the selected countries under inquiry. It is apparent that the increase in paramilitary personnel for all countries over the ten-year period (1966-1975), with the exception of Nigeria, was greater than those of the regular military forces. The significant growth in the military manpower in Nigeria was due to the fact that it went through a major civil war and prolonged internal political pressure had prevented a reduction in military buildup.<sup>91</sup>

On the other hand, by 1975, the existing regimes in India, Malaysia and the Philippines had, at their disposal, very strong paramilitary forces which were indispensable for the degree of regime consolidation they were undertaking. Malaysian competitive politics operated through an effective paramilitary force that contained dissident minority groups. In both India and the Philippines, heavy reliance on paramilitary forces created preconditions for extensive involvement of the armed forces in domestic affairs. For instance, the Philippine Constabulary played a significant role in quelling the Huk revolt after the Second World War and since then, has been continuously engaged in putting down the Muslim secessionist movement in the southern islands. In India, the structures of the national police forces and paramilitary agencies are complicated with overlapping elements. First, there is the border security force whose purpose is to relieve the Indian army of the day-to-day policing in the northern frontier. Then there is the Central Reserve Police, comparable to the national guards of the United States, which is

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<sup>91</sup> Ibid., pp. 34-63.

Table 4. Military and Paramilitary Forces Demographics

Country	Population 1974 Estimate (Millions)	Active Duty Military 1966	Active Duty Military 1974/75	Paramilitary 1966	Paramilitary 1974/75
Philippines	41.4	28,500	42,000	15,500	84,000
Malaysia	11.5	7,600	56,000	23,000	54,000
Indonesia	126.8	350,000	270,000	20,000	120,000
India	588.5	550,000	956,000	100,000	200,000
Nigeria	61.0	8,000	157,000	8,000	40,000
Algeria	16.4	65,000	63,000	8,000	10,000
Senegal	4.3	5,000	5,900		1,600

Source: Table 1, World Profile of Armed Forces, 1966-1975 by United Nations Regions, Morris Janowitz, Military Institutions and Coercion in Developing Nations. Chicago: The University of Chicago Press, 1977.



used to control civil agitations in various provinces. The third force is the Central Industrial force which is used to protect government property.<sup>92</sup>

One of the military regimes in the Asian region that has achieved some degree of consolidation is Indonesia. After the attempted destruction of the military leadership by the Communists in the 1960s, the Suharto regime began to display a search for a new political equilibrium. The paramilitary forces in Indonesia had contributed much towards the stability of the present regime.<sup>93</sup>

### Conclusion

This section of the study focused upon the relation between centralization and militarization of police structures. According to Bayley, "militarization will impel centralization but centralization is irrelevant to militarization."<sup>94</sup> The Philippine experiment in police integration is a case in point. The Philippine Constabulary, which has long been the national police component of the nation's military establishment, has been expanded and given control over 1500 previously autonomous local police forces in the country; police forces that had long served as the bases of power for the rural political elites. "This dramatic increase in size and degree of centralization and politicalization of ... the paramilitary forces in the Philippines under martial law represents the single most

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<sup>92</sup>Ibid., pp. 61-63.

<sup>93</sup>Ibid., p. 63.

<sup>94</sup>David H. Bayley, "The Police and Political Development in Europe", op. cit., p. 367.

important institutional development of the New Society."<sup>95</sup> It appears that the addition and expansion of essentially military attributes and functions of the PC to the integrated local police forces has accelerated the centralization of administrative authority. Yet, the more militarized the integrated national police becomes, the less viable it becomes for localized (e.g., municipal and city) control. This case clearly demonstrates that militarization does impel centralization but centralization is relevant to militarization.

Chapter II contains several conditions that are cited as conducive towards the militarization of the police in developing countries. Firstly, the militarization of police forces has generally been prompted by the particular nature of contemporary insurgencies. Insurgencies that have occurred in the developing countries during the twentieth century are usually marked by a combination of guerrilla tactics and civilian politicized leadership. Against an insurgency threat, the challenged regime usually responds first with their police forces rather than with their regular military units. But as the guerrilla movement becomes stronger, the police start to upgrade their response and take on military attributes.<sup>96</sup> Malaysia's efforts in countering Communist insurgency at its Thailand border as well as the Philippine counter-insurgency operations against the local communist insurgents are the best examples of this case. The Royal Malaysia Police created its paramilitary unit, the

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<sup>95</sup> Robert Stauffer, "The Political Economy of Refuealization", in Marcos and Martial Law in the Philippines, David A. Rosenberg (ed.), Ithaca, N.Y.: Cornell University Press, 1979, p. 200.

<sup>96</sup> Cynthia H. Enloe, op. cit., p. 28.

Police Field Force, while the Philippine Constabulary strengthened its PC Brigade.

As national politics in the Third World have become increasingly budgetary politics, police officials take the opportunity of redefining their tasks in ways to justify the acquisition of sophisticated arms and communication equipments. The Indian situation presents a good example of this case. Due to budgetary pressures and with the acquiescence of many politicians who have to depend on the police to bolster their political stocks in their localities, the annual budget of the Central Police Agency "has tripled over the last ten years while the total government expenditure has hardly doubled."<sup>97</sup> A big bulk of this appropriation was expended for the procurement of sophisticated weapons and communications technology for the Indian police.

Many industrialized countries, in their efforts to bolster the sale of highly technological products, have been eager to promote models of police modernization with emphasis on militarized concepts. American technical assistance programs are usually based on this assumption. For instance, in 1972, the Agency for International Development fiscal report to the United States Congress listed the following goals for its training programs in Asia:

Specifically, the Public Safety programs should focus on the development of key institutional elements such as communication networks and better training systems on administration and management; the improvement of rural paramilitary abilities to deal with guerrilla activities, and; the improvement of urban policing, including humane control of civil disturbances and riots.<sup>98</sup>

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<sup>97</sup> Committee of Concerned Asian Scholars, "The Myth of India's 'Great Democracy'", Ithaca New Times, May 11, 1975.

<sup>98</sup> Geoffrey Arlin, "The Organizers", Far Eastern Economic Review, July 2, 1973, p. 20.

The Philippines and Thailand are recipients of American technological aid and training assistance program of this kind.<sup>99</sup> The British also trained and restructured police forces in their former colonies in such fashion that promoted hardware militarization as British police advisors helped create field force units within the police which take on explicitly military-type tasks.<sup>100</sup>

### Nature of Accountability

The third attribute of police systems to be discussed is the manner in which accountability is achieved. Accountability, for purposes of this study means the "process of defining role and responsibility and making known how that responsibility is being met."<sup>101</sup> Who are the police accountable to when they fail to fulfill what is required of them or when they do not meet expectations?

Accountability is usually obtained through bureaucratic or political agencies. As Bayley puts it:

Supervision is more likely to be bureaucratic the greater the scale of police operations and the greater the degree of political centralization.... The larger the territorial scale of operations, itself a function of political aggregation, the more likely that the link between police establishment and political authorities, whether oligarchic or representative, will be bureaucratic.<sup>102</sup>

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<sup>99</sup> Michael T. Klare, War Without End: American Planning for Next Vietnams. New York: Alfred A. Knopf, 1972, pp. 241-249.

<sup>100</sup> Cynthia H. Enloe, op. cit., p. 28.

<sup>101</sup> Joab M. N. Wasikhongo, "The Role and Character of Police in Africa and Western Countries: A Comparative Approach to Police Isolation", International Journal of Criminology and Penology, 1976, 4, p. 393.

<sup>102</sup> David H. Bayley, "The Police and Political Development of Europe", op. cit., p. 369.

In Nigeria, for example, the Constitution of 1960 provides for two bodies to control the Nigeria Police Force: the Police Service Commission and the Police Council. The Commission advises certain aspects of police matters involving appointment, dismissal, promotions, and discipline. The Council sees the overall administration and operational control of the Force under the executive direction of the Inspector General. Thus, supervision and control of the Nigerian Police Force is largely bureaucratic.<sup>103</sup>

Femi Odekunle, in his assessment of the performance of the Nigerian Police Force, views police accountability from a different perspective, as he comments:

The police need only the approval and commendation of those in power and to whom they feel, and are, responsible and accountable; not of the community which it has the statutory and physical power, and political backing to deal with whenever it proves recalcitrant. The police 'command' and expect to be 'obeyed'. Yet, in the context of the so-called modern 'democratic' society, the police are supposed to serve the community.<sup>104</sup>

Police accountability can also be achieved through legal mechanisms. In Indonesia, for instance, police behavior was regulated by a basic police law and by internal police regulations, although certain procedural statutes also exist. As with the other armed forces, the police maintain their own military-type courts to try cases involving criminal infractions by its members.<sup>105</sup>

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<sup>103</sup> Oluyemi Kayode, "Public Expectations and Role Concepts: Nigeria", The Police Chief, May 1976, p. 58.

<sup>104</sup> Femi Odekunle, op. cit., p. 70.

<sup>105</sup> Nena Vreeland et al., Area Handbook for Indonesia, op. cit., p. 391.

The Indian concept of police accountability is theoretically almost ideal. The general activity of the Indian police is fully consonant with democratic life. They are accountable to elected officials. In practice, the chain of responsibility reaches from uniformed officers to permanent non-police civil servants, to an elected minister, to a legislature, and ultimately to the people. It is presumed that civilian control of the police is firmly established.<sup>106</sup> Varghese confirms Bayley's commentary as he makes this observation:

In India, the role of the police underwent some changes after the attainment of Independence and the framing of the Constitution. The police were no longer like occupying soldiers in a hostile country. They have to be more responsive to the aspirations of the people and accountable for their actions to their elected representatives. This called for additional change on the part of the police.<sup>107</sup>

Some police administrators are of the opinion that a different and more rigid form of accountability should be applied with the police system. In the case of Malaysia, the police regulations governing discipline require that:

If an officer finds that any other officer working under him is guilty of any breach of General Orders (which includes all forms of dishonest conduct) the first mentioned officer shall forthwith report to his senior officer or the Head of Department. Failure to do so shall deem the first-mentioned officer himself guilty of inefficiency and renders him liable to disciplinary action.<sup>108</sup>

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<sup>106</sup>David H. Bayley, The Police and Political Development of India, op. cit., p. 410.

<sup>107</sup>A. Varghese, "The New and Challenging Role of the Police", in Developing Society and Police, edited by G. Ram Reddy and K. Seshadri, Hyderabad, India: Osmania University, 1972, p. 49.

<sup>108</sup>Malaysia, "Public officers (conduct and discipline)", Regulations (Kuala Lumpur, Government Printer, 1969), Chapter D General Orders.

In 1975, the Philippine Constabulary chief observed that there were some police personnel who were still enmeshed in the vice of the old society as they do not only abuse their authority but they also countenance the activities of lawless elements under their protective wings. Accordingly, a drive to rid the organization of inept and undesirable elements had been launched. Sticking to the principle of police accountability, he declared:

The Constabulary should adhere to the tenet that it is the law enforcer who must be the first to show obedience to the laws of the land. Before he can expect others to obey the law, he himself must uphold the law which he is forsworn to uphold.<sup>109</sup>

The ambivalence of public expectations of the police in Asia received special attention during the last regional meeting on the emerging roles of the police in the area. It was the observation of the delegates that the public usually expects the police to be efficient, impartial, and above corruption. But these standards for the police could only work efficiently, if the impartiality of the police were respected by all political parties and if the public (of which the police are merely a reflection) were itself more generally above corruption in its various forms.<sup>110</sup> In a similar vein, Bayley asserts:

In a democracy, the relation between any administrative agency, such as the police, and politicians is conditioned by the need to ensure the efficiency and impartiality of the agency, on the one hand, and its responsibility and accountability to the people, on the other hand.<sup>111</sup>

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<sup>109</sup>Fidel V. Ramos, "The Philippine Constabulary as 'A Steadying Hand'", Fookien Times Philippines Yearbook, 1975, p. 69.

<sup>110</sup>Report on the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, Tokyo, Janap, 16-21 July 1973.

<sup>111</sup>David H. Bayley, The Police and Political Development in India op. cit., p. 364.

## Conclusions

It is the consensus among the various police systems examined that police officers should operate under the law and are individually answerable to the law. This demands complete integrity and impartiality from every policeman. There is also the expectation that the status of the service could be no higher than the status of the individual officer, since the reputation of all depended, to a large extent, upon the standing of the individual officer in the eyes of the public.

There are contentions that police misbehavior is traceable to the tasks they are asked to perform. In particular, the chances of policemen becoming corrupt are raised when the police are asked to enforce laws that limit access to things the public wants and where there is profit to be made by entrepreneurs who violate the law. Laws against gambling, prostitution and other vices are examples of this. Oftentimes, low wages are blamed for police corruption. While it may be true that misbehavior, particularly corruption, is traceable to a few policemen, it is also true that human nature predisposes others to misbehavior in whatever occupation they enter. This is often referred to as the "bad apple" theory.

McMullan, however, in constructing a theory of corruption, pointed out that corruption is a viable entity in the developing nations, as he explains:

The phenomenon (of corruption) deserves attention for its intrinsic interest as part of the pathology of bureaucracy, for its practical importance for the political and economic development of the poorer nations of the world, and for the contribution that an analysis can make to sympathetic understanding of what



may otherwise be a repulsive feature of some societies.<sup>112</sup>

He further stated that one must take into account the relationship between corruption and traditional society. In traditional society, there are many features of the way of life which, in the context of colonial and postcolonial society, contribute to the continuance of corruption. McMullan's premise is that it is the clash of old customs, attitudes, and so forth, with new forms of government, that gives rise to corruption.<sup>113</sup>

Syed Hussein Alatas made a scholarly and incisive analysis of the corruption that has often appeared during the years of transition from a "traditional" society of developing countries. He suggested that bureaucratic corruption today in underdeveloped countries is either encouraged by or merely continuous with the traditional offering of gifts to those in office or holding certain powers. He further asserted that "a lag in administrative adjustment in some areas and the persistence of earlier outlooks had contributed to the problem of corruption."<sup>114</sup>

### Internal Organization

Variations with respect to internal organization that will involve details in public administration will be discussed in the following section.

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<sup>112</sup> M. McMullan, "A Theory of Corruption", in Readings on Economic Sociology, N. Smelser (ed.), Englewood Cliffs, N.J.: Prentice Hall, 1965, p. 147.

<sup>113</sup> Ibid.

<sup>114</sup> Syed Hussein Alatas, The Sociology of Corruption: The Nature, Causes and Prevention of Corruption. Singapore: Donald Moore Press Ltd., 1968, p. 16.

In Malaysia, ultimate control of the Royal Malaysian Police is vested in the Ministry of Home Affairs, but the administration, coordination and direction of all police activities are delegated to the inspector general of police, who exercises his authority through the police headquarters in Kuala Lumpur. The RMP headquarters is organized on a directorate basis to carry out the missions of maintaining law and order, preserving the peace and security of Malaysia, preventing and detecting crime, apprehending and prosecuting offenders and collecting security intelligence.<sup>115</sup>

The RMP headquarters consists of the office of the inspector general and four staff departments: Internal Security and Public Order, Criminal Investigation Division, Special Branch, and Management. Deputy directors oversee the operations of the staff departments. The police commissioner of Sabah and Sarawak and the chief police officers of each state in Peninsular Malaysia are responsible for day-to-day command and administration of the police.<sup>116</sup>

The major operating elements of the RMP are the Police Field Force (PFF), the Federal Reserve Unit (FRU), the CID, the Special Branch, and the Marine Police.

The Indonesian National Police force is structured on two levels-- Police headquarters and main commands. The headquarters is divided into four echelons: Top echelon or leadership (chief of police); staff echelons (assistant chiefs and inspectorate); service echelons

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<sup>115</sup>Nena Vreeland et al., Area Handbook for Malaysia, op. cit., pp. 383-385.

<sup>116</sup>Ibid.

(secretariat, communications); and executive echelons (identification, personnel, stores, traffic, finance, intelligence, firearms, health, law, provost, research and development, crime laboratory and National Criminal Bureau Interpol). The main commands are divided into five types: the uniformed police, the plainclothes police, 17 regional commands, the Jakarta Metropolitan police, and the Training command. The uniformed police consists of the general preventive police and the traffic police. There are also the sea and air police corps and the Mobile Brigade which is an elite corps, fully trained to deal with serious disorders and other major incidents.<sup>117</sup>

In India, the head of the police forces in every state is the inspector general of police who is responsible to the state government for the administration of the police force throughout the state. The inspector general is expected to keep in touch with the regional and district police officers and to keep the state government informed of the state of law and order in the state. He is assisted by a number of range deputy inspectors general. The number of ranges in a state depends on its size. Generally four to six districts are grouped to form a 'range' for the convenience of the police administrator. The range deputy inspector general of police generally supervises the work of the district superintendent of police and usually has under his command a part of the state armed reserve which he can move to any district within his range. The administration of the police throughout the

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<sup>117</sup> Roy D. Ingleton, "Indonesia", Police of the World. New York: Charles Scribner's Sons, 1979, p. 96.

district is vested in a district superintendent and such assistant superintendents as the state government considers necessary. Every district is divided into subdivisions commanded by assistant or deputy superintendents of police. In some states these subdivisions are further divided into police "circles".<sup>118</sup>

The Nigeria Police Force is commanded by an inspector general, aided by a deputy inspector general and a commissioner. The country is divided into four regions plus the Federal Territory, each of which has a large police formation commanded by a commissioner. Although part of the national police force is controlled by the inspector general, these units are almost autonomous, with their own headquarters, administration, stores, transport and communications networks. The Federal Territory formation covers the ports, railways, plus the Police Mobile Force and Lagos Police Area. The force headquarters comprise an administrative department, a communication, operation and transport department; a finance, stores and pay department; a criminal investigation department; a special branch; and a police college.<sup>119</sup>

The Gendarmerie is part of Senegal's armed forces. Under the command of the high commandant of the Gendarmerie (a post currently held by the chief of the general staff and commander-in-chief of armed forces), it consists of: Headquarters (personnel, training, duties, administration and technical bureaus, plus a squadron of auxiliaries); the Legion of Mobile Gendarmerie; the Legion of Territorial Gendarmerie; and the

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<sup>118</sup> Ibid., "India", Police of the World, p. 94.

<sup>119</sup> Ibid., "Nigeria", Police of the World, p. 125.

Territorial School. The Territorial Gendarmerie consists of seven companies, one in each of the administrative regions of the country. The companies are broken down into brigades, with a reserve squad attached to each company headquarters as a mobile reserve. Part of the Mobile Gendarmerie, the mounted squadron, consists of four troops, one which is the mounted band.<sup>120</sup>

The Surete Nationale of Senegal is composed of seven central directorates: State Security, Police Judicaire, Public Safety, Aliens and Travel Permits; Training; Personnel; Finance; and Equipment. The Public Safety Directorate comprises two main divisions: the Mobile Support Group and the Regional Public Safety Services. Each of the eight administrative regions has a police headquarters for all the town police stations in the region. Each town has at least a police station with larger towns a precinct station controlled by a central commissariat. In each police station, there is a unit of uniformed police for general policing and the maintenance of order, plus a section of detectives and administrators known as the Surete Urbaine.<sup>121</sup>

The Gendarmerie of Algeria is organized into battalions with companies and platoons stationed separately in villages along the coasts and in remote mountainous regions. A highly mobile force, the Gendarmerie uses both motor and animal transport and a modern communication system which interconnect its various units. Its commander deals directly with the chef de cabinet of the office of the Minister of Defense and the

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<sup>120</sup> Ibid., "Senegal", Police of the World, p. 145.

<sup>121</sup> Ibid.

President. The Surete Nationale is organized with operations, investigation and support services branches which are very similar to its French counterpart. The Judiciary Branch is responsible for criminal investigations and is working in close coordination with the office of the public prosecutor in the Ministry of Justice. Police elements assigned to the capitals of the wilayaat are under the control of the individual governors. In daily police matters affecting the public, however, the Surete operates mainly as a uniformed, metropolitan force under the control of the Minister of Interior.<sup>122</sup>

The Integrated National Police of the Philippines is under the command of the Director General who has twelve regional Directors, plus the Director of the Metropolitan Police in the greater Manila area. The commands are broken down into 72 provincial commands (not including Metro-Manila) and then into districts. The principal posts in the Integrated National Police (INP) are:<sup>123</sup>

Regional and Metropolitan: Director and deputy Director; assistant directors for personnel; intelligence; operations, organization and training; logistics and comptrollership.<sup>124</sup>

Provincial: At the provincial level, there is a provincial superintendent for each of the 72 provincial headquarters, each with a deputy. Beneath these are the district police commanders and fire district

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<sup>122</sup>Harold D. Nelson (ed.), Algeria: A Country Study, op. cit., pp. 364-366.

<sup>123</sup>Roy D. Ingleton, op. cit., pp. 133-135.

<sup>124</sup>Ibid.

commanders who, in turn, supervise the various police and fire stations and patrol platoons.<sup>125</sup>

In the Manila Metropolitan area, there are no provincial commands, the area being divided into a number of districts, each under a police superintendent and/or fire district commander.<sup>126</sup>

### Professional Image

The last attribute of contemporary police systems to be explained deals with professional image and role behavior. It is possible to link formative historical experience with its contemporary characteristics since the role behavior of policemen in all these countries reflects the purposes for which they were created and the fashion by which authority is manifested by public officials in each of the countries. For instance, the French police was created to accomplish state purposes. Their primary mission was to respond to the requirements of the state and not to provide service to individual citizens.

In Indonesia, the policeman of colonial days was considered tough and the police officer was regarded as an oppressor. When present day Indonesian policemen abuse or misuse their authority, the Indonesian citizen is reminded of colonial days, and popular acceptance of the policemen as public servants is impeded. On the other hand, in the training of the modern policemen, it is emphasized that he is being

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<sup>125</sup> Ibid.

<sup>126</sup> Ibid.

prepared to carry out needed service. Positive public attitudes toward the police are steadily improving with the growing realization that the police are public servants and not oppressors.<sup>127</sup>

Most personnel of the Royal Malaysian Police, regardless of the branch to which they are assigned, display high morale and pride of belonging to the service. The first is well-organized and trained; living conditions are good; and pay is comparable to that which members might expect in civilian life. Cases of police corruption are rare, with incidence kept low by swift and severe punitive action against offenders. The greater hindrance to police work in the nation is the attitude of the public. In reality, as far as the police is concerned, there are two publics--Malay and Chinese. Many of the Chinese are openly hostile while many Malays are indifferent to the police. The lack of public cooperation stems from a fear of retaliation from the perpetrators of the crime. Confidence on the ability of the police to protect a witness is strained especially when a criminal is a member of a secret society or when the informant is likely to be the terrorist's victim.<sup>128</sup>

In India, the legacy of the Indian Police as an instrument of an alien power in the suppression of nationalist aspirations still lingers to this day. The survey data show that public distrust of the police stems from a widespread belief in police dishonesty and petty corruption at lower levels. There are also charges of partiality, lack of

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<sup>127</sup>U. S. Army, Area Handbook for Indonesia, Foreign Areas Studies Division, The American University, Washington D.C., 1964, p. 490.

<sup>128</sup>John W. Henderson et al., Area Handbook for Malaysia, Pam 1970, p. 542.



responsiveness, and harassment on the part of the police. The police-public relations task in India is made particularly difficult because of past experience. This difficulty was compounded by the upsurge of public rioting and violence in the distressed economic conditions of 1973 and 1974 that occasioned the frequent employment of police to suppress disorder.<sup>129</sup> Indians do not look upon the police as being sympathetic, friendly, or especially trustworthy. On the contrary, "policemen have a reputation for rudeness, brutality, dishonesty, and partiality."<sup>130</sup> While there are some doubt that these suspicions are exaggerated, nonetheless, the existence of these fears and anxieties about police behavior erodes the chance to establish a cooperative relationship between the police and the public.

There appears to be a prevalent distrust of police officers by the citizens of Nigeria. The image they have of an average policeman is that of "a lazy, corrupt, inefficient bribe-taking, money extorting officer who connives at crimes 'if the price is right'".<sup>131</sup> Both forces acquire a reputation for arbitrariness, corruption, and misuse of powers. The central Police Force, as the order maintaining organization of the government, frequently finds itself in conflict with the people, exacting taxes and labor, suppressing dissent, routing labor and nationalist demonstrations in urban centers. The native authority police are widely

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<sup>129</sup> Richard Nyrop et al., op. cit., p. 532.

<sup>130</sup> David H. Bayley, The Police and Political Development in India, op. cit., p. 415.

<sup>131</sup> Oluyemi Kayode, op. cit., p. 56.

used by those in power to prevent challenges to themselves and become involved in manipulating elections, in keeping people from registration and voting offices, in prosecuting opponents and in harassing dissidents.<sup>132</sup> The effect of bribery, corruption and non-observance of due process creates further problems for the Force in terms of image and relations with the public, as well as in reducing the amount of respect people have for the law and its enforcers.<sup>133</sup>

In Senegal, relations with the public are good for the most part, and the police are generally respected and obeyed, although an element of apprehension is sometimes reflected in the public's attitude. The police could be harsh, but they are rarely brutal or oppressive.<sup>134</sup>

A survey of Philippine policing by a Public Safety team in 1966 revealed the following observations:

The actions of the local police, in many large and small communities, have served to bring public condemnation upon their heads. Suspicion and distrust often accompany their actions. They are further from winning the confidence and trust of the public. The corruption and abuses noted in the local police forces, as in other government agencies, are not isolated to those organizations....<sup>135</sup>

It was only after martial law was imposed in the Philippines that the policeman was given a reasonable chance to redeem his image in the

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<sup>132</sup>Marshall Carter and Otwin Marenin, Police Culture in Cross Cultural Perspective. Paper delivered at annual meeting of the Academy of Criminal Justice Sciences, Oklahoma City, 1980, p. 14.

<sup>133</sup>Femi Odekunle, op. cit., pp. 61-83.

<sup>134</sup>Department of Army, Area Handbook for Senegal, Foreign Areas Studies Division, August 1963, p. 444.

<sup>135</sup>Office of Public Safety, Agency for International Development, Department of State, Survey of Philippine Law Enforcement, 1966, p. 177.

public mind. Generally, the citizenry still has a low regard for policemen. They may still recall in the recent past, how a town policeman was appointed, how political patronage made police professionalization a difficult goal to achieve, and how the courteous yet firm and honest image of the prewar policeman has been replaced by the long fearsome shadow of the muscle-men and protectors of interest groups. In order to erase this prejudice, the present leadership of the Integrated National Police has embarked on the "task of weeding out the undesirables, and indoctrinating and educating those who remain" to refurbish the tarnished image.<sup>136</sup>

Citizens not only of the Philippines but throughout the world generally have a wary regard for police authority, at the very least. The assertion of authority almost always results in regulation, and resistance to regulations is a natural wont of free men. At this point, nothing seems more apt than the words of a former British Home Secretary to commend the police for the goodwill and understanding of the public. Speaking before the House of Commons, Sir Frank Soskice said:

Quite often, we are a little unreasonable in our approach to the police. We expect that the less sleep they have, the more amiable they will become. They have a difficult task. They are constantly in active contact with the most disagreeable members of the community.... For years, we have overworked them and overcriticized them. I wish that we can persuade them that the kind of criticism that we direct against them should really be taken by them as a complement, because it indicates the very high standards that we expect from them and which, in general, they live up to.<sup>137</sup>

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<sup>136</sup> Meliton D. Goyena, "Discipline: A Continuing Concern", PC 78th Anniversary/INP 4th Anniversary Brochure, 1979, p. 81.

<sup>137</sup> P. S. Ram Mohan Rao, "The Image of the Police in a Changing Society", Developing Society and Police, G. Ram Reddy (ed.) Hyderabad, India: Osmania University, 1972, p. 66.

### Recruitment and Training

Police personnel in Indonesia are recruited on a voluntary basis without distinction as to religion and ethnic or geographic origin. Applicants have to be between 18 and 25 years of age with at least a sixth grade education. Other qualifications include physical fitness, abstention from alcohol, good moral character, and the passing of competitive written and oral examinations. Officer personnel enter the police through graduation from the Armed Forces Academy of the Republic of Indonesia in the same manner as officers of the military services. Academy cadets receive one year training in a common curriculum, followed by three years of additional training at the police branch of the academy.<sup>138</sup>

Among the training institutions of the police, the most important in terms of officer career advancement is the National Police Command and General Staff School, which was established in Djakarta in 1964. For a promising senior officer, selection for attendance at the school is usually a step toward higher assignment as a police inspector or commissioner. The Mobile Brigade maintains a specialized Mobile Brigade Academy in East Java. A small number of police officers, including both general and Mobile Brigade officers, are sent abroad to the United States for training assignment. The police school in West Java provides basic training for all enlisted recruits, as well as a more advanced training course to qualify promising enlisted men for advancement and leadership.<sup>139</sup>

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<sup>138</sup> Nena Vreeland et al., Area Handbook for Indonesia, op. cit., p. 390.

<sup>139</sup> Ibid.

There are no racial or ethnic restrictions placed on eligibility membership in any of the Royal Malaysian Police forces; nevertheless, a marked ethnic division in them constitutes one of the major problems of the police. Most observers agree that the ethnic makeup of the RMP did not conform to the ethnic distribution of the entire population. Because a career in the police has long been popular with Malay villagers, most of the police in Peninsular Malaysia are Malays. In Sabah and Sarawak, most of the police come from the ethnic groups native to these states. Indians are present at all levels of the RMP. The Chinese also enter police service and advance to senior positions, but they usually prefer service in the Criminal Investigation Division or Special Branch. In accordance with the Second Malaysia Plan (1971-1975), efforts have been made to "Malayanize" the elements of the police in which Chinese predominate.<sup>140</sup>

Malaysia offers its police personnel training facilities and programs that are equal to any offered in Southeast Asia. The Police Training School in Kuala Lumpur offer basic training for constable recruits and refresher courses for junior officers. Higher level courses are given at the Police College in Kuala Kubu Babaru. There are separate schools for CID and Special Branch, and paramilitary training is provided to Police Field Force personnel in Perak. The Police College offer courses to police from other nations, particularly from lesser developed countries of Asia. Conversely, members of the RMP are regularly sent abroad to attend courses in such countries as the United States, the

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<sup>140</sup> Nena Vreeland, Area Handbook for Malaysia, op. cit., pp. 384-386.

United Kingdom, Australia, and Japan.<sup>141</sup>

Recruitment to the Indian Police Service is made by the Central Government on the basis of a competitive examination which the Union Public Service Commission holds annually. Only graduates from recognized universities are eligible for the examination. Members of this Service may be able to serve in any part of India. The Service is a factor in promoting the unity of the police organization in the country.<sup>142</sup>

The training of the IPS officers was one of the problems which faced the Government of India. In the old regime, they were trained in the provinces along with officers of the State Police Service. In order to insure a standardized training and to weld the officers more closely in an all-India Service, the central government decided to train the recruits to the Service in an institution under its direct supervision. The Central Police Training School was started in 1948 at Mount Abu. Its staff consists of experienced police officers drawn from the states. At the College, the young probationer receives instruction in legal procedure, drill, medical jurisprudence, riding, first aid, map reading, plan drawing, and swimming. During his stay at the College, he becomes familiar with the principles of scientific investigation, scientific aids to crime detection, ballistics, wireless and motor mechanics. For practical training, the probationers are taken to District headquarters where they observe the District administration at work. On the completion of his training, a probationer is posted in

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<sup>141</sup> Ibid.

<sup>142</sup> James Cramer, The World's Police. London: Cassell and Co., Ltd., 1964, pp. 141-148.

a District and receives practical training under the supervision of an experienced Superintendent. There he becomes versed in the duties of police officers of all levels.<sup>143</sup>

Recruitment for general duty positions to the Nigeria Police Force is through open competition, differentiated by educational qualifications. Rank and file recruits must meet minimum health and physical qualifications and must possess a level 6 education. Secondary school levels are recruited into the officers corps as subinspectors. University graduates start at the Assistant Superintendent level. Specialists, e.g., mechanics, accountants, doctors or lawyers are recruited separately and given ranks fitting their educational qualifications and experience.<sup>144</sup>

Training for rank and file lasts six months at police academies; for officers the period of training is one year; and for specialists, 3 months. Superior officers are sometimes sent to English police academies for further training. Promotion can occur through the ranks, if educational qualifications are met, but crossing the barrier from sergeant to inspector is quite rare.<sup>145</sup>

The courses of instruction at the police training college include the study of ordinances and regulations, criminal law, laws of evidence, motor traffic ordinances, first aid, fingerprinting, the taking of statements, and the preparation of reports and sketches at the scene of a

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<sup>143</sup> Ibid.

<sup>144</sup> Marshall Carter and Otwin Marenin, op. cit., p. 15.

<sup>145</sup> Ibid.

crime or accident. The course covers both theoretical and practical work, including the preparation of mock cases for court presentation. An intensive training program includes foot drill, arms drill, parades, marksmanship, unarmed combat tactics, and riot control techniques.<sup>146</sup>

Both police organizations of Algeria, the Gendarmerie Nationale and the Surete Nationale, operate their own schools to give police personnel the training necessary to carry out their individual responsibilities. The Gendarmerie's main training center is at Sidi Bel Abbès, the former headquarters of the French Foreign Legion. Officers are trained at Sidi Mohammad and El Harrach.

The Algerian government has little difficulty in securing adequate recruits for the police service. When formed initially, both the Gendarmerie and the Surete Nationale recruited among the men who served as combatants in the revolutionary war. The need for police forces was thus filled while employment was simultaneously provided for war veterans. Since this initial effort, pay and conditions continued to attract recruits who prefer the security of government jobs to the uncertainty many face in the civilian sector with the high unemployment rate.<sup>147</sup>

In Senegal, the Gendarmerie School is a high caliber institution with a thorough curriculum and excellent facilities. In addition to recruit training, it conducts a noncommissioned officer's candidate school and offers advanced training courses for senior noncommissioned

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<sup>146</sup>Harold D. Nelson et al., Area Handbook for Nigeria, op. cit., pp. 394-396.

<sup>147</sup>Harold D. Nelson (ed.), Algeria: A Country Study, op. cit., p. 202.



officers. Officer candidates are trained at metropolitan schools in France. The survey indicates that both schooling and the continuing on-the-job instruction are ably conducted and is reflected in the smart and effective performance of the officer corps.<sup>148</sup>

The National Police School handles all formal police training. It conducts two six-month basic training courses annually for gardiens de la paix candidates and maintains advance professional training courses for noncommissioned officers. It also includes the police officers' candidate school which graduates students in any officer grade, including commissioner.<sup>149</sup>

Through steady development of officers at all levels and gradual replacement of French cadres, Senegal is aiming at the eventual Africanization of all police officials and personnel. Although substantial progress has been made since independence, it will probably take several years before reliance on French assistance can be entirely eliminated.<sup>150</sup>

Personnel for the Philippine Constabulary are recruited from a variety of sources. Officers are normally commissioned immediately upon graduation from the Philippine Military Academy. Other officers receive their commissions after graduation from the School for Reserve Commission and from the Reserve Officers Training Corps (ROTC) and from advanced courses offered at most colleges. Regardless of the source of their commissions, Constabulary officers must be college graduates, able bodied,

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<sup>148</sup> Harold D. Nelson et al., Area Handbook for Senegal, op. cit. p. 347.

<sup>149</sup> Ibid.

<sup>150</sup> Ibid.

and physically fit, must be of good moral character and good habits and must also score well in intelligence tests administered to all applicants. Except for graduates of the Reserve Commission and ROTC courses for whom there is no age limitation, candidates for commission must be between 18 and 30 years of age.<sup>151</sup>

Enlisted personnel of the PC are acquired by voluntary enlistment for a period of 3 years. Those who perform satisfactorily may reenlist and continue to do so until they reach the retirement age. Prerequisites for acceptance of enlisted men are the same as for officers, except that their educational attainments need to be no more than graduation from an accredited high school.<sup>152</sup>

Recruitment standards prescribed for applicants to the integrated National Police include the following qualifications: Applicants must be persons of good moral character; of sound mind and body; at least a high school graduate for appointment to the lowest rank; not have been dishonorably discharged from the military service or dismissed for cause from any civilian position in government; not have a criminal record; not be less than 21 nor more than 30 years of age, and a minimum prescribed height with its corresponding weight.<sup>153</sup>

Prior to police integration, local police forces had no or very little formal training in police work. Only a few had undergone formal

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<sup>151</sup>Frederic H. Chaffee et al., Area Handbook for the Philippines. U. S. Government Printing Office, February 1969, p. 354.

<sup>152</sup>Ibid.

<sup>153</sup>Presidential Decree No. 1184, otherwise known as the Integrated National Police Personnel Professionalization Law of 1977, dated August 27, 1977.

training in such basic police activity as investigation and traffic control. As soon as the local police forces were integrated, regional training centers and schools were created to provide the necessary training to INP personnel. The immediate objective is for every police personnel to undergo at least a formal basic training. In addition to the basic courses, the training programs give emphasis on specialization in various fields of law enforcement and public safety and include courses on investigation, jail management, criminalistics, the different aspects of fire prevention, and control as well as investigation. The Philippine National Police Academy was established to provide training to cadets who will become officers of the INP along with a baccalaureate degree upon graduation from the Academy. The PC Training Command provides training for PC personnel. The courses include the PC Officers Advance Course to prepare field grade officers to become provincial commanders, PC Officers Basic course as well as a host of others designed to give necessary skills to its personnel consistent with the PC missions.<sup>154</sup>

#### Summary

1. Indonesia. The police system in Indonesia operates under a single entity called the Indonesian National Police. Its elements carry out all phases of police work for the nation which eliminates the requirement for local police forces. It is a major branch of the Ministry of Defense and Security/Indonesian Armed Forces and undertakes both police and defense security functions. It operates under the following concepts: 1) as an instrument of the state to preserve the law particularly in the field of security development and order in society, and 2) as a social

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<sup>154</sup>Philippine Constabulary/Integrated National Police Brochure, August 1975.

force within the framework of the Indonesian Armed Forces.

Police accountability is best expressed in the Police Principles proclaimed in 1955 which codified "the promise of the police that they would be servants of the country and people; they would themselves be exemplary citizens of the state and; that they would be the guardians of self discipline of their countrymen."<sup>155</sup>

Police behavior is regulated mainly by a basic police law and by internal police regulations, although certain procedural statutes exist. The police maintain their own military-type court that try cases involving criminal infractions of police personnel.

Police ranks and grades are identical at all levels to those of the military service, although designations differ in some respects. Functionally, the police is organized into a number of specialized elements that include general uniform police, criminal investigation and security division. Specialized police units like the Mobile Brigade, a Sea and Air Police have been established.

Public attitudes towards the police are steadily improving with the growing realization that the police are more of public servants than oppressors. Instances of abuse are rare; the execution of police duties are becoming more efficient; and morale and esprit de corps of the police are high.

Police personnel are recruited on a voluntary basis without distinction as to religion and ethnic or geographic origin. Officer personnel enter the police through graduation from the Armed Forces Academy. There is a police school for basic recruit training as well as advanced

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<sup>155</sup> James Cramer, op. cit., p. 317.

training for enlisted personnel. A National Police Command and General Staff School has been established for officer career advancement and a Mobile Brigade Academy for Mobile Brigade members has likewise been organized.

2. Malaysia. The Royal Malaysia Police, the national police force, was formed from three independent police forces, namely: the Royal Federation of Malaya Police, the Sarawak Constabulary, and the North Borneo Police. It was subject to federal policy, administration and operational control. Its main responsibilities are: 1) the maintenance of law and order; 2) the preservation of peace and internal security; 3) the prevention and detection of crime; 4) the apprehension and prosecution of offenders, and 5) the collection of security intelligence. Included in this general mission are added functions like providing the nation's fire services, licensing vehicles and privately owned firearms, and providing assistance in times of natural disasters.

Ultimate control of the RMP is vested on the Ministry of Home Affairs, but the administration, coordination and direction of all police activities are delegated to the Inspector General of Police, who exercises his authority through the police headquarters in Kuala Lumpur.

Police corruption is rare and its incidence is controlled by swift and severe punitive action against offenders. The public are distrustful of the police. Many of the Chinese are openly hostile. The lack of public cooperation especially among witnesses stem from a fear of retaliation from the perpetrators of crimes.

The police training school offers basic training for constable recruits and refresher courses for junior officers. Higher level courses

are offered at the Police College. Specialized training is conducted for the Criminal Investigation Division, Special Branch and Police Field Force personnel. Given minor variations dictated by local conditions, there are three methods for joining the police service, namely: for constable recruits--six years of primary education; for probationary inspectors--Malaysia Certificate of Education; and for probationary assistant superintendent--degrees from recognized universities or members of the bar.

3. India. The Indian Constitution placed the responsibility for the agencies of law and order in both the Union and the state governments. At the functional level, however, responsibility rests with the states. The national police function is the responsibility of the Ministry of Home Affairs, which actively seeks to promote efficiency of operations, standardization of methods, and modernization of police practices and theory.

The union (central) government has maintained the Indian Police Service which supplements the functions of the state police forces at the national level, the Central Reserve Police which assists the states in emergencies and the Central Bureau of Investigation which deals with cases of corruption at high levels of the Union and state government.

Officers of the IPS are recruited competitively by the Union Public Service Commission, and, except for those in headquarters staff duties, are assigned to the states, where they hold the senior positions in the state police forces and are under the operational direction of the state governments. Local grades are staffed by the state police services. The principle of ultimate civilian control of the police has been

established by the Police Act of 1861 and has since remained in force.

Although the level of education and training among the elite officers of the IPS is high, the constable at the bottom of the hierarchy has very little education. The police are generally regarded as corrupt and oppressive and have utterly failed to secure the confidence and cooperation of the public.

Upon complaints of corruption, there is an investigation either under the penal code or under the Prevention of Corruption Act. Lately, the emphasis on upright conduct and high standards of integrity have become more pronounced. Any falling off from standards of conduct is inquired into by the Special Police Establishment created for this purpose and action is taken against offenders.

The Central Police Training College was established to train candidates for the Indian Police Service. The objective was to standardize and coordinate police methods and practice throughout the country.

4. Nigeria. The Nigeria Police Force is a Federal force established by section 105 of the Nigerian Constitution. It is commanded by an Inspector General of Police. Stationed in each region of the federation is a contingent under the command of the Commissioner of Police of that region who is subject to the authority of the Inspector General.

In the mid-1970s there were two distinct types of police organizations: the Nigerian Police Force and the local authority at the Western State and six states in the North. The powers of the NPF and the local government police forces were theoretically identical.

Stated generally, the duties of the NPF and the local authority police include the prevention and detection of crimes, the apprehension of

offenders, the preservation of law and order, the protection of property, and the enforcement of all laws which they are directly charged. They are regarded as part of the defense forces of the Republic and are required to perform military duties upon the direction of the Prime Minister.

For many years, recruitment in the NPF has produced an ethnic imbalance within its ranks in relation to composition of the entire population. Some of this imbalance has been attributed to differences in educational standards and the fact that many northerners and westerners join their own local police forces instead of the NPF.

There appears to be a prevalent distrust of police officers by the citizens of Nigeria. The image they have of an average policeman is that of "a lazy, corrupt, inefficient bribe-taking, money extorting officer who connives at crimes 'if the price is right'".<sup>156</sup>

The recruit attends a basic six-months course at one of the police colleges. Each region and the Federal territory has a Refresher Course School where non-commissioned officers and constables are provided periodic training in general police subjects. In addition to specialized training within the force, selected senior members attend courses of instruction in the United Kingdom and the United States.

5. Algeria. Primary responsibility for the maintenance of law and order and for conducting internal security operations is exercised jointly by the nation's two separated police organizations: the Gendarmerie Nationale and the Surete Nationale.

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<sup>156</sup> Oluyemi Kayode, op. cit., p. 59.



The Gendarmerie Nationale is Algeria's main rural police force. It is a component of the Armee Nationale Populaire and is described as a combination of a rural security police and a national guard always in active duty. Its chief responsibilities are to maintain law and order, to provide security surveillance of local inhabitants, and to symbolize the authority of the government in remote regions where internal tensions occur periodically.

The Surete Nationale function under the Ministry of Interior. It is charged with the implementation and enforcement of all regulations and decrees involving public order and the internal security of the state, criminal investigation and apprehension, and the carrying out of normal police duties of traffic control and public security. Elements of the Surete also play a role in countering threats to the government that arise from political subversion.

Under the Director General who is responsible to the Minister of Interior, the police organization is primarily a uniformed metropolitan force with operational and investigative branches and support services.

6. Senegal. Like Algeria, Senegal has a bifurcated police system with two separate police organizations which exercise the responsibility for the maintenance of law and order and for conducting internal security operations: the Gendarmerie Nationale and the Surete Nationale.

The Gendarmerie Nationale constitute a rural police force, used to control riots or other forms of violence in rural areas, and also in guarding the presidential palace, other government buildings, airports, harbors, and key border points. Although its mission is the maintenance of public order and internal security, the Gendarmerie cooperates with the

local or municipal police in the area and could be called upon by the local authorities for assistance.

The Gendarmerie is controlled by the president through the minister of state for the armed forces and maintains units known as legions in each of the country's seven administrative regions.

Strength of the Gendarmerie is maintained entirely by voluntary enlistment. Army veterans are encouraged to enter the ranks after completion of their military service. Officer candidates are chosen from the ranks or by competitive examination and are trained at French academies.

The Surete Nationale, the national police force, is primarily an urban law enforcement agency. It also polices the towns, directs traffic, enforces crime and vice laws, guards the railroads, and provides general law enforcement services. It also has general responsibility for special activities affecting the general welfare as sanitation and surveillance of citizens.

Personnel are assigned to two basic functional areas which are designated police administrative and police judiciaire. The administrative police is, in effect, the staff and command element and handles overall direction of the entire force. The criminal police component is charged with detecting and apprehending law breakers and bringing them to justice.

The Surete is centrally directed from its headquarters at Dakar by the Minister of Interior, who controls police activities nationwide through the seven regional centers and numerous stations and guard posts.

Although most police units lack firepower or the level of discipline and training shown by the Gendarmerie, police personnel are reasonably well-trained and equipped adequately for general police duties. Its mobile units in most communities are effective in the control of small-scale rioting and violence.

7. Philippines. A major restructuring of the police system in the Philippines occurred with the establishment of the Integrated National Police on August 1975. This marked the completion of the police integration program for combining local police forces into a national police force under the Philippine Constabulary command. It carried out a constitutional mandate in the 1973 Constitution which provided that "the state shall establish and maintain an integrated national police force whose organization, administration and operation shall be provided by law."<sup>157</sup>

Under the provisions of Presidential Decree 765, all municipal police, fire, and jail organizations were brought under the supervision and control of the Chief of Constabulary, who was named concurrently Director General of the INP. The INP functions directly under the Ministry of National Defense and is subject to the command and general supervision of the President as commander-in-chief of the armed forces.

The INP is assigned the responsibility for public safety, protection of lives and property, enforcement of the laws, and maintenance of peace and order throughout the national territory. To carry out these responsibilities, the INP is empowered "to prevent crimes, effect arrest

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<sup>157</sup> Section 12, Article XV, Philippine Constitution, 1973.

of criminal offenders and provide for their detection and rehabilitation, prevent and control fires, investigate the commission of all crimes and offenses, bring offenders to justice and take all necessary steps to ensure public safety."<sup>158</sup>

As the nuclear organization of the INP, the Philippine Constabulary plays the central operational and management role in law enforcement and domestic security. The PC is one of the major services of the Armed Forces of the Philippines and is organized similar to that of the army and corresponds to a light infantry force. Operating as a national gendarmerie having units dispersed throughout the country, the Constabulary has involved itself in combatting large-scale crimes, wide area operations, insurgency and subversion, and maintaining peace and order in remote areas where local police forces are either nonexistent or ineffective.

The INP is under the command of a Director General with twelve assistants as regional Directors plus the Director of the Metropolitan Police Force for Metro-Manila. The regional commands are broken down into 72 provincial commands. The provincial commands are further divided into districts, stations, and substations.

Officers of the PC are normally commissioned immediately upon graduation from the Philippine Military Academy. Other officers receive their commission after graduation from the Reserve Officers Training Corps or the School for Reserve Commission. PC officers must be college graduates, able bodied, free from diseases, possessed of good moral

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<sup>158</sup> Section 2, Presidential Decree No. 765.

character and habits, and must pass an intelligence test administered for applicants. Enlisted personnel of the PC are recruited by voluntary enlistment for a period of three years. Prerequisites for acceptance are the same as for officers, except that their educational achievement need not be more than graduation from an accredited high school.

There existed a disparity between the personnel and conditions of the service of the local police and those of the relatively elite Philippine Constabulary before the police integration. One of the objectives of police integration was to upgrade the standards and the level of training of the local police forces, initially begun by the creation of the National Police Commission in 1966. Centralization of the local police under the Constabulary was expected to contribute to the professionalization of the former, particularly through better training and the removal of local police forces from local political control and interference.

Martial law in the Philippines provided the Philippine policeman a reasonable chance to refurbish his image and deviate from that of the "long fearsome shadow of the muscleman and protector of interest groups." To erase this negative public attitude, the INP leadership has embarked on a drive to weed out the undesirable elements from the organization and to indoctrinate and educate the rest who remain within. Likewise, the Constabulary personnel are expected to adhere to the tenets that as law enforcers, they are expected to be the first to obey and uphold the law before they expect others to do so. This is their basic philosophy for police accountability.

## CHAPTER V

### SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

#### Summary of the Study

The main purpose of the study was to look at Philippine policing and in the process, compare it with extant systems in a selected number of Third World countries that manifest similar historical, geographical, and demographic characteristics. Specifically, the study purported to identify attributes and aspects of policing, determine similarities and differences of these across cultures, identify historical antecedents, and compare these with those of the Philippines. It was anticipated that an intensive review of police imperatives in other Third World countries would generate a profile of the Philippine police system.

Concepts and perceptions of a number of researchers were reviewed to determine similar and different aspects of policing across cultures. Historical perspectives of these propositions, particularly as they relate to the phases undergone by the countries studied, were thoroughly evaluated to delineate policing aspects that would be attributable to historical experiences. The Third World countries studied were Indonesia, Malaysia, India, Nigeria, Algeria, Senegal, and the Philippines. The inclusion of these countries was based on a number of considerations:

1. These countries are former colonies of Western colonial powers like Great Britain, France, the Netherlands, Spain and the United States;

2. These countries are generally multi-lingual, multi-racial and multi-religious;

3. They have gained their independence after the Second World War; and

4. They have inherited police forces which have been nurtured in colonial police traditions.

The first portion of the study dealt with the historical analysis of the Philippine police system. The historical time frame considered was confined to the following periods:

1. Spanish Regime (1836 to 1896)
2. Revolutionary Period and the First Philippine Republic (1896 to 1901)
3. American Regime (1901 to 1946)
4. Japanese Regime (1942 to 1945)
5. Post-Independence Period (1946 to 1975)

A conceptual framework was used to show the interaction between the attributes of the Philippine police system, with emphasis on its roles and functions and the historical-structural changes that have taken place in Philippine society. The historical examination of the roles and functions of the Philippine police was based on Potholm's Model which includes attributes of the police in developing countries. These are categorized into:

1. maintenance of law and order
2. paramilitary operations

3. regulatory activities

4. regime representation

A fifth category, that of "social services activities", was added to make the classification of role and functions more comprehensive.

To compare the structure of the Philippine police system with those of selected Third World countries, Bayley's comparative scheme on the structure of national police system was used. The attributes considered were the following:

1. roles and functions

2. national structure

3. nature of control

4. internal organization

5. professional image

The specific aspects of each attribute were determined to facilitate comparative analysis. The findings and conclusions were formulated after a review of policing attributes. This chapter presents these findings, together with related implications and recommendations for further research.

### Summary of Findings

The historical analysis of the Philippine police system as it evolved over the years yielded some significant observations which corroborate some of the propositions mentioned in the early portion of the study. Table 5 presents a descriptive narration of the changing roles and functions of the Philippine police from 1836 to 1975.



Table 5. Roles and Functions of the Philippine Police Over the Years

Roles and Functions	Spanish Regime (1836 to 1896)	Revolutionary Period and the First Republic (1896 to 1901)	American Regime (1901 to 1946)	Japanese Regime (1942 to 1945)	Post-Independence Period (1946 to 1975)
1. Maintenance of Law and Order	Cuadrilleros charged with the maintenance of public order and security in towns; Carabineros charged with general functions of law and order; Guardia Civil charged with preservation of public order; protection of persons and public property and execution of public laws.	Police duties performed by Filipino troops. Police maintain and keep order within the towns and provide defense during emergency situations.	Philippine Constabulary shared with local police forces the responsibility in the maintenance of peace and order and the enforcement of general and special laws.	The Bureau of Constabulary was charged to suppress disturbances of peace and order and fight the guerrillas.	The primary functions of the Constabulary are: 1) preservation of public order; 2) crime prevention and suppression; and 3) enforcement of criminal laws. Local police forces are responsible for maintenance of peace and order in their respective areas.
2. Regulatory Activities	Carabineros were the government custodian of tobacco monopoly. Guardia Civil grant licenses to carry firearms.	No evidence noted.	Constabulary controlled and regulated the manufacture, sale & disposal of firearms and explosives; charged with the inspection of local police forces; enforced quarantine laws in combatting epidemics and animal diseases.	The Bureau of Constabulary was involved in the enforcement of newly issued military notes (Japanese occupation money)	Constabulary performed the following activities: 1) administration of firearms and explosives law; 2) inspection and control of local police forces; and 3) other extradepartmental tasks belonging to other government agencies either by deputization, on request or by direction of the President.
3. Social Services Activities	Cuadrilleros carried mail at times and performed odd duties in towns.	No evidence noted.	Constabulary provided medical services in remote areas; provided assistance during fires, natural calamities and disasters.	No evidence noted.	Home defense activities included disaster control, relief and mercy operations, emergency civil support, civil works and law enforcement.

Continued

Table 5 (continued)

Roles and Functions	Spanish Regime (1836 to 1896)	Revolutionary Period and the First Republic (1896 to 1901)	American Regime (1901 to 1946)	Japanese Regime (1942 to 1945)	Post-Independence Period (1946 to 1975)
4. Paramilitary Operations	Cuadrilleros was a paramilitary organization; Guardia Civil was a semi-military organization tasked to apprehend political offenders and detect enemies of the church.	Military commanders of each province utilized police forces in military operations during emergency situations.	Constabulary functioned as a military outfit in Muslim and other non-Christian provinces.	Bureau of Constabulary waged military campaigns against the guerrillas.	Constabulary involved in counter-subversion and counter-insurgency operations against Communist dissidents; waged military campaign against Muslim rebels in southern Philippines.
5. Regime Representation	Cuadrilleros, Carabineros and Guardia Civil afforded central government an instrument to gauge public pulse. They were the colonial symbols aimed to enhance the power and prestige of the Spanish government.	No evidence noted.	Constabulary was the only visible symbol of government in remote areas; Discharged duties at times as justice of the peace, postmaster, census inspector, governor, mediators, instructors of civic responsibilities in remote areas.	No evidence noted.	Constabulary pursued its role as partner of people in the task of nation building. It accomplished its goal through civil relations, civil assistance, agro-military activities, reserve affairs and manpower development.

It appears that police functions change according to the general processes of social evolution that there seems to be some correlation between police tasks and social life. With the traditional agrarian society which was prevalent from the Spanish Regime to the early period of American occupation, the police emphasized more on the law enforcement functions because "the community is close enough to handle conflict mediation and provide social services through informal means."<sup>1</sup> In the latter part of the American Regime, large scale changes in social organization began to take place: rapid population growth and urbanization and industrialization resulted in the continued erosion of the authority of the family, the school, the church and other institutions of social control that virtually left the police to deal with some of society's more serious problems. Thus as Philippine society became modernized, the government started to play a larger and larger role in community life, firstly, to help coordinate complex social processes and secondly, as a result of declining informal community capability. This progression in governmental responsibility is clearly manifested in the evolution of the roles and functions of the Philippine police over the years with evident increases in non-enforcement functions like regulatory and social services activities.

One significant observation in the analysis of Philippine policing is the consistent militarization of the police through all the historical periods studied.

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<sup>1</sup>David H. Bayley, "A Comparative Analysis of Police Practices" UNAFEI Resource Material Series No. 10, Fuchu, Tokyo, Japan, October 1975, p. 7.

The maintenance of law and order in the Philippines from the fifteenth to the 19th century had been regarded by the Spanish government as an integral part of the military system for the defense of the colony. The locally organized police forces like the Cuadrilleros, Carabineros, and the Guardia Civil, though performing civil duties and seemingly created for the purpose of maintaining internal peace, were in fact direct adjuncts of the colonial military establishment.

During the period of the revolution against Spanish rule and the erstwhile Republic, the Revolutionary government did not change the structure of the Philippine police organization and it remained as semi-military in character, as it originally was under the Spanish Regime.

The dual function of soldier and police well exemplified in the Spanish Guardia Civil, still survived in the Philippine Constabulary at the advent of the American Regime. The Philippine Constabulary was criticized for adopting the ways of the military and for forgetting that it was a civil agency performing civil duties and was responsible to civil authorities for its functions. It was then the popular belief that "the Philippine Constabulary was actually in the employ, and did take the field in the interest of the United States against the insurgents."<sup>4</sup> This charge was not entirely unfounded.

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<sup>2</sup>Emmanuel A. Baja, Philippine Police System and Its Problems. Manila: Pobre's Press, 1933, p. 28.

<sup>3</sup>Ibid., p. 53.

<sup>4</sup>Ibid., p. 91.

During the Japanese Regime, the creation of the Bureau of Constabulary was a preparation for retaliatory measures, upon the instance of the Japanese authorities, against the guerrillas. This viewpoint was confirmed when the Constabulary men were used by the Japanese to fight the guerrillas and to suppress what they considered "the disturbance of peace and order".<sup>5</sup>

The Philippine independence brought great changes in the country's political system but it generally had virtually very little effect on the structure and philosophy of police administration. The police, specifically the Philippine Constabulary, continued to be used as the paramilitary force to deal with internal problems.<sup>6</sup> After the Second World War, the Philippine Constabulary played a decisive role in suppressing the Communist-inspired revolt and has been continuously engaged in policing the dissident Moslem groups in the southern part of the islands.<sup>7</sup>

The foregoing discussion of the roles and functions of the Philippine police demonstrates the fact that "in most developing countries (like the Philippines), the police is the principal agency for

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<sup>5</sup>Teodoro A. Agoncillo, The Fateful Years: Japan's Adventure in the Philippines, 1941-45. Vol. 1, Quezon City: R. P. Garcia Publishing Co., 1965, p. 352.

<sup>6</sup>Marshall Clinard and Daniel Abbott, Crime in Developing Countries: A Comparative Perspective. New York: John Wiley & Sons, 1973, p. 217.

<sup>7</sup>Morris Janowitz, Military Institutions and Coercion in the Developing Nations. Chicago: The University of Chicago Press, 1977, p. 62.

the maintenance of law and order and the vanguard against subversion and insurgency".<sup>8</sup>

In addition to maintaining law and order, preventing the armed overthrow of the central authority, providing social services and conducting multifarious regulatory activities, the Philippine police has also played a vital role in the process of linkage formation and regime representation. As shown in Table 5, the Cuadrilleros, Carabineros and Guardia Civil were the colonial symbols aimed to enhance the power and prestige of the Spanish government; the Philippine Constabulary, at the inception of the American Regime, used to be the only visible symbol of government in the remote areas of the country as its members discharged, at one time or another, the duty of justice of the peace, postmaster, census inspector, quarantine inspector, governor, mediator, and instructor in civic responsibility in remote areas. As it pursues its present role as partner of the people in nation-building, other activities that deal with civil relations, civil assistance, agro-military activities and manpower development have been added. Nothing has been mentioned about this role during the Revolutionary period or the Japanese Regime because of inadequacy of information.

The comprehensive review of related literature has generated a number of propositions and concepts posited in different studies and related expository readings. These propositions are grouped according to tacit or implied connotations of similarities to facilitate the

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<sup>8</sup> Ernest Lefever, Spear and Scepter: Army, Police and Politics in Tropical Africa. Washington, D.C.: The Brookings Institution, 1970, p. 202.

presentation of a synthesized listing that would reflect attributes of policing across cultures. These attributes are further categorized to show specific aspects particularly as these are considered within the contexts of specific countries. Table 6 presents the attributes as they are manifested across the Third World countries studied.

It is evident that diversity exists among the police forces of Indonesia, Malaysia, India, Nigeria, Algeria, Senegal and the Philippines. Table 6 describes the police systems of selected Third World countries within five basic attributes: 1) roles and functions; 2) structure of the national system; 3) nature of accountability; 4) internal organization; and 5) professional image and role behavior. The broad range of descriptive dimensions preclude a comprehensive discussion. The table also shows the degree or nature of adaptation and implementation of the various attributes and related aspects.

What functions do the police assume in their respective countries? A comparison shows that in all the seven countries studied, the primary role of the police is the maintenance of peace and order. Corollary to this function are the following: protection of life and property; enforcement of laws; prevention and detection of crime; apprehension of criminal offenders; and traffic control.

The police forces of these developing countries have a variety of paramilitary duties such as intelligence gathering, riot control, containment and eradication of subversion and/or insurgency, border security, and at times, especially in the African countries, the detection and neutralization of exile groups bent on the destruction of the existing regime or political system. The Mobile Brigade of the

Table 6. Structure of the National Police System

Attributes and Aspects	Indonesia	Malaysia	India	Nigeria	Algeria	Senegal	Philippines
<b>1. Roles and Functions</b>							
a. Maintenance of Law & Order	Extensive	Extensive	Extensive	Extensive	Extensive	Extensive	Extensive
b. Paramilitary Operations	Extensive	Extensive	Extensive	Extensive	Extensive	Extensive	Extensive
c. Regulatory Activities	Limited	Limited	Limited	Limited	Narrow	Narrow	Extensive
d. Social Services Activities	Extensive	Extensive	Limited	Limited	Narrow	Narrow	Extensive
e. Regime Representation	Extensive	Extensive	Limited	Limited	Narrow	Narrow	Extensive
<b>2. National Structure</b>							
a. Nature of Authority Aggregation	Centralized	Centralized	Decentralized	Almost centralized	Centralized	Centralized	Centralized
b. Number of Distinct Forces	Singular	Singular	Plural	Singular	Plural	Plural	Singular
<b>3. Nature of Control</b>							
a. Political	Central bureaucratic	Central bureaucratic	Local representative	Central bureaucratic/local bureaucratic	Central bureaucratic	Central bureaucratic	Central bureaucratic
b. Legal	Subject to legal code/military court system	Subject to legal code	Subject to unified legal code	Subject to administrative court system/police regulations	Subject to administrative court system	Subject to administrative court system	Subject to military/administrative court system; police regulations
<b>4. Internal Organization</b>							
a. Rank Organization	Singular	Singular	Singular	Singular	Bifurcated	Bifurcated	Plural
b. Functional Specialization	Considerable	Considerable	Considerable	Limited	Limited	Limited	Considerable
<b>5. Professional Image</b>							
a. Perceived Character	Feared, efficient	Distrustful, alienated	Distrustful, dishonest, alienated	Authoritarian, corrupt, partial	Initially from war veterans	Aims at Africanization of officers and men	Efficient, alienated
b. Recruitment	Voluntary without distinction as to religion or ethnic origin	Ethnic discrimination as to nation	Voluntary	Through open competition	Initially from war veterans	Aims at Africanization of officers and men	Voluntary
c. Training	Civilian/Military	Civilian/Paramilitary	Civilian	Civilian/Paramilitary	Civilian/Military	Civilian/Military	Civilian/Military

Source: Area Handbook Series published by the U.S. Government Printing Office: Philippines (DA Pam 550-39, 1975); Malaysia (DA Pam 550-45, 1977); India (DA Pam 550-21, 1975); Nigeria (DA Pam 550-157, 1972); Algeria: A Country Study (The American University, 1978); Senegal (DA Pam 550-70, 1974).

continued



Table 6. (continued) Definition of Terms Used

The various roles and functions of the police of the Third World countries subjected to investigation are classified as extensive, limited and narrow. These descriptive classifications are based upon the preponderance of police activities related to the role and function that a specific police force perform. For instance, social services activities consists of 1) providing emergency medical care; 2) assisting the helpless; 3) eliminating traffic hazards; 4) giving directions; 5) counselling of juveniles; 6) undertaking relief and mercy operations; and 7) conducting disaster control operations. The Philippines is rated "extensive" because its police force conducts almost all these enumerated activities; India rates "limited" because its police perform only half these activities; whereas Senegal is rated "narrow" because there are very few activities performed by the police of Senegal.

Indonesian National Police is organized along military lines.

Malaysia has its Police Field Force, the Federal Reserve Units, the Special Branch, the Sabah Border Scouts, and the Auxiliary Police of Sarawak, all created for paramilitary operations. India has the Border Security Unit; Nigeria, the Nigeria Police Force; Algeria and Senegal, the Gendarmerie Nationale; and the Philippines, the Philippine Constabulary.

The foregoing observations substantiate the findings of Ernest Lefever that in most developing countries, the police is the principal agency for the maintenance of law and order and the vanguard against subversion and insurgency.<sup>9</sup>

Additional regulatory activities like the issuance of licenses or permits, currency protection, passport and immigration control, supervision of trade, management of prisons, making of ordinances, monitoring of elections, and inspection of public facilities, are given to the police but the nature of these activities differ from one country to another, depending upon the corresponding priorities of each.

Social services activities which include emergency medical care, assistance to the helpless, elimination of physical hazards, giving of directions, counselling of juveniles, relief and mercy operations and disaster control are also assigned to the police forces of these countries. However, only Malaysia and the Philippines provide maximum support to this function. Indonesia, India and Nigeria, due to economic constraints, provide only limited assistance. In these countries, the

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<sup>9</sup> Ernest W. Lefever, op. cit., p. 202.

belief is that police services should be confined to primary areas of police responsibility with possible assistance wherever it is compatible with its objectives. On the other hand, there is not enough evidence to indicate that the police of Algeria and Senegal have this added responsibility.

This comparative study examined the four aspects of regime representation and linkage formation in which the police of developing countries play an important role: 1) mass-elite integration; 2) acting as modernizing agents; 3) serving as channels of upward mobility; and 4) formulating positive rule adjudication.<sup>10</sup>

With regards to the function of the police towards national integration, only Indonesia, Malaysia and the Philippines are strongly involved; India assumes a mildly supportive role; and Algeria and Senegal provide no conclusive evidence.

Indonesia, Malaysia, Nigeria and the Philippines are mildly supportive of the role of the police as a modernizing agent. The Indian police stands out in this role because they influence community life by example. No evidence has been found to indicate whether Algeria and Senegal are supportive of this function.

The police forces of Indonesia, Malaysia, Nigeria, Algeria and the Philippines offer support to the function of the police as a channel of upward mobility. In these countries, the compensation of the police is comparable to those of some white collar positions. Furthermore,

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<sup>10</sup>Christian P. Potholm. "The Multiple Roles of the Police As Seen in the African Context", The Journal of Developing Areas, Vol. III, January 1969, pp. 146-150.

entry into the police service is seen as a form of social advancement.

Only India and Nigeria show strong support for the role of the police as positive rule adjudicators. Indonesia, Malaysia, Algeria, Senegal and the Philippines do not show clear support for this function.

The foregoing findings reflect conclusive support of Potholm's Model.

The structure of the national systems ranges from a partially decentralized organization based on local administration but subjected to a measure of national control, to marked centralization with total absence of local control. The Indian police best exemplified the former, which understandably is patterned after the English police system. On the other extreme, the police systems of Indonesia, Malaysia and the Philippines are highly centralized with a national police authority controlling vital aspects of organization, personnel management, and, if occasion requires, the smallest detail of daily operation. The Nigerian police provides the combined features of both models. While the operation of the federal police is controlled by the Inspector General who is in turn responsible to the Federal Prime Minister for the maintenance of law and order, local government forces in the Northern and Western regions are controlled by the various local administrators. The Francophone countries, Algeria and Senegal, have centralized but bifurcated police systems with a paramilitary force, the Gendarmerie Nationale, and the Surete Nationale, a civil police force organized and operated at the same time.

The aforementioned observations corroborate the findings of Ko-wang Mei that in most developing countries, centralization is the

rule of thumb.<sup>11</sup> Table 7 shows that neither the scale of jurisdiction (size of a country) nor the size of population has bearing upon the degree of centralization. It is also apparent that variation in national political structure is found to be the basic reason for the differences in the structural patterns of police organizations. The two countries with more or less decentralized police structures, India and Nigeria, are under "federal" national governments or governments preferring a high degree of local self rule. The other five systems have a unitary national government, with emphasis upon the centralized control of local authorities.

In one system, political control by elected representatives over uniformed personnel is close and direct; in the other systems, control is screened through layers of civilian bureaucrats. The Indian police represents the first system. Under their Constitution, the states are empowered to control their own police forces and provide legislation for public order. The Central Ministry of Home Affairs maintains authority to coordinate the work of the state police forces and to advise them on problems of security. The other police systems have political control vested on a strata of civilian bureaucrats, namely:

<u>Police System</u>	<u>Police Authority</u>
Indonesian National Police	Ministry of Defense & Security/ Commander-in-chief of the Indonesian Armed Forces
Royal Malaysian Police	Ministry of Home Affairs

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<sup>11</sup> Ko-wang Mei, Comparative Criminal Justice Administration. Tao-yuan, Republic of China (Taiwan): Central Police College Press, 1982, p. 217.

Table 7. Relation of Police Structure with the Scale of Jurisdiction and the Character of Government

Country	Scale of Jurisdiction* (square miles)	Population Estimate ** (mid 1981)	Political Structure of Government	Type of Police Structure	Police Forces
Indonesia	736,000	150,520,000	Republic---Limited separation of executive, legislative and judicial branches	Centralized	Indonesian National Police
Malaysia	128,553	14,179,000	Parliamentary democracy under a Constitutional monarch	Centralized	Royal Malaysian Police
India	3,136,475	683,810,000	Federal Republic---federal form of government	Partially decentralized	Indian Police Service State Police services
Nigeria	357,000	79,680,000	Federal Republic---federal form of government	Partially decentralized	Nigeria Police Force Local Government Police forces in the Western and Northern regions
Algeria	918,497	19,954,000	Republic---strongly centralized government	Centralized but bifurcated	Gendarmerie Nationale Surete Nationale
Senegal	76,000	5,811,000	Republic---executive presidential system	Centralized but bifurcated	Gendarmerie Nationale Surete Nationale
Philippines	115,707	49,530,000	Republic---parliamentary system with extensive powers vested on the President	Centralized	Integrated National Police with Philippine Constabulary as nucleus

Source: \*Background Notes, "Indonesia"; "Malaysia"; "India"; "Nigeria"; "Senegal"; "Philippines"; Bureau of Public Affairs, United States Department of State, May 1981; November, 1973; May 1978; May 1980; February 1981; December 1981; August 1981.

\*\*1983 Britannica Book of the Year, Encyclopedia Britannica, Inc. Chicago: The University of Chicago Press, 1983.

Nigeria Police Force	The Cabinet Office Police Service Commission Police Council
Senegal Gendarmerie Nationale/Surete Nationale	Ministry of Armed Forces/ Ministry of Interior
Algeria Gendarmerie Nationale/Surete Nationale	Ministry of Defense/Ministry of Interior
Philippine Integrated National Police	Ministry of National Defense National Police Commission

The above observations obviously support the findings of David Bayley when he postulated that "police accountability may be attained through bureaucratic or political agencies; that supervision is more likely to be bureaucratic, the greater the scale of police operations and the greater the degree of political centralization."<sup>12</sup>

Except for India, all selected countries stratify their police forces between officers and men. Five of the countries maintain paramilitary forces, either as a major division of the national police force or a separate force by itself.

<u>Country</u>	<u>Paramilitary Force</u>
Indonesia	Mobile Brigade, Indonesian National Police
Malaysia	Police Field Force, Royal Malaysian Police
Philippines	Philippine Constabulary
Algeria	Gendarmerie Nationale
Senegal	Gendarmerie Nationale

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<sup>12</sup>David H. Bayley, "The Police and Political Change in Comparative Perspective", Law and Society Review, August 1971, p. 94.

The policeman is the lowest rank in the police hierarchy and is the one that carries out the job in the streets. He does the "real" police work. This makes the recruitment process vitally important to policing. The recruitment and the length of basic training of new police officers differ from country to country as shown in the following table:

<u>Country</u>	<u>Rank</u>	<u>Adult Literacy Rate (1975)</u>	<u>Academic Requirement</u>	<u>Length of Training</u>
Indonesia	Bhayangkara (Protector)	62	Sixth grade	6 to 18 months
Malaysia	Constable	60	Sixth grade	6 months
India	Constable	36	Ability to read & write	6 to 9 months
Nigeria	Constable	25	Eighth grade	6 months
Algeria	Gendarme Gardiens	35	Primary school certificate	3 to 6 months
Senegal	Gendarme Gardiens	10	Primary school certificate	
Philippines	Patrolman Constable	87	High school graduate	3 months

From the foregoing table, it appears that the academic requirement for recruits in the Philippine police is higher than the other countries examined. This is quite understandable when one considers the high adult literacy rate in the country. On the other hand, the length of training recruits in the Philippines is much shorter than those required for training the recruits in the other selected countries. Apparently, the inadequate educational background of the police recruits of India, Algeria and Senegal has to be compensated by a longer period of training if one works on the concept that a better educated and well-trained



policeman gives a better performance while in the service. When the policemen are recruited from a higher than average educational level, they deserve and command more respect from the public. On the contrary, recruits less educated than the average citizen elicit less social esteem. Likewise, the length of training has a strong influence on character building and career orientation. It may appear that the longer the period of training, the better the recruits are prepared for their jobs, technically and psychologically.

Among the seven countries examined, excellent police-public relationship has been established in Indonesia and Senegal. Credit goes to the efforts exerted by both countries' police forces to improve their public image. For instance, in Indonesia, it is emphasized in the training of the policeman that he is being prepared to carry out a much needed service, "Public attitudes towards the police are steadily improving ... with the growing realization that the police are public servants and not oppressors".<sup>13</sup> In Senegal, police relations with the public are good for the most part and the police are generally respected and obeyed. The police could be harsh but rarely brutal or oppressive.<sup>14</sup> Cases of corruption in the Malaysian police are rare but the public attitude towards them are hardly complimentary. Many Chinese nationals are openly hostile and the Malays are indifferent to the police.<sup>15</sup> In the

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<sup>13</sup>U. S. Army, Area Handbook for Indonesia, Foreign Areas Studies Division, The American University, Washington, D.C., 1964, p. 490.

<sup>14</sup>U. S. Army, Area Handbook for Senegal, Foreign Areas Studies Division, The American University, Washington, D.C., August 1963, p. 444.

<sup>15</sup>John W. Henderson et al., Area Handbook for Malaysia, DA Pam 550-45, October 1970, p. 543.

Philippines, the citizenry generally has a low regard for their policemen as their public image "casts a fearsome shadow of musclemen and protectors of interest groups".<sup>16</sup> Indians do not look at their police as being sympathetic, friendly or especially trustworthy. On the contrary, "policemen have a reputation for rudeness, brutality, dishonesty and partiality".<sup>17</sup> At the extreme, the image of the average Nigerian policeman is that of "a lazy, corrupt, inefficient bribetaking, money extorting officer who connives at crimes 'if the price is right'".<sup>18</sup>

These negative perceptions in the public mind can only be eradicated by better conduct in the part of the policemen. That is why, in most countries under inquiry, painful attention has been focused on selective recruitment and intensive training of police personnel. However, mutual understanding and harmonious relations are not consequential products of high-caliber police personnel alone. They must be nurtured and cultivated. A close and warm relationship between the police and the public is the most stable foundation for a successful police administration.

### Conclusions

David Bayley, in his studies of police systems, underscored the importance of policing by declaring that "policing is ubiquitous in

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<sup>16</sup> Meliton D. Goyena, "Discipline: A Continuing Concern", Philippine Constabulary 78th Anniversary/4th Anniversary Brochure, Camp Crame, Quezon City, August 8, 1979, p. 82.

<sup>17</sup> David H. Bayley, The Police and Political Development in India, op. cit., p. 415.

<sup>18</sup> Oluyemi Kayode, op. cit., p. 56.

human society."<sup>19</sup> It should not therefore be surprising to note that police institutions, though infrequently subjected to study, have a long history. In many cases, they antedate most social institutions, since social beings almost always need some forms of regulatory measures to live harmoniously.

Developed countries such as the United States, Great Britain and Japan, to mention a few, have their own histories and traditions of policing; developing countries such as the Philippines and Nigeria have their own, too. In both cases, the police institutions were, and still are, being shaped by each country's historical backgrounds and cultural environment. As Pfiffner and Sherwood states, "No organization can be isolated from its cultural environment ... the organization is ... developed within the context of the larger cultural environment".<sup>20</sup>

#### General

In view of the reviewed postulated concepts of policing and the analysis of these as they relate to a number of countries, the following conclusions are hereby formulated:

1. However varied the types of police organization and structure are, there are some features common to all of them, and these are tasks that relate to the responsibility for the preservation of order, the protection of life and property, the prevention and detection of crime, the investigation and apprehension of the criminal offender, and such

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<sup>19</sup>David H. Bayley, "The Police and Political Development in Europe", Formation of National States in Western Europe, Charles Tilly (ed.), Princeton, N.J.: Princeton University Press, 1975, p. 329.

<sup>20</sup>John M. Pfiffner and Frank P. Sherwood, Administrative Organization. Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1960, p. 252.

related tasks as the control of traffic and the provision of assistance to citizens in emergency situations.

2. While police powers vary from country to country, most police officers possess authority to deprive a citizen of liberty for cause and to use force to achieve this objective, and it is the concern of the public and the police themselves that the agents of the law be controlled in such a way that this authority is not abused.

3. It seems that some police officers are feared by the public and are unapproachable; a few are heavy handed and set apart from the people; others are distrusted and dubbed as "corrupt, dishonest and partial". Some are called for informal mediation while others are considered efficient but carefully avoided.

4. It appears that the Third World countries that have been subjected to colonization tend to maintain subscription to legal codes and modes of police practices initiated by or adapted from their former colonizers, regardless of whether the colonization experiences are positive or not. For instance, the Francophone countries adapt policing practices initiated or subscribed to by France; likewise, the countries colonized by other European powers tend to maintain systems imposed on them by their former colonizers.

5. The Philippine police system does not manifest a marked deviation from the systems of other countries of similar historical, geographical, and demographic characteristics. Although rank organization is plural in the Philippine system, the nature of authority aggregation is centralized to effect a direct line of authority that would be most effective, considering the current situation of the country.

### Philippine Policing

1. Over the years, the Philippine police have been involved consistently in paramilitary operations which include but are not limited to riot control, the gathering of intelligence, conducting counterespionage, and the containment and suppression of local subversion and insurgency.

2. It also appears that the Philippine police have consonantly performed extra-departmental tasks belonging primarily to other agencies of government either by deputation, on request, or by direction of the President. These regulatory activities have occupied a great deal of the time and resources of the police to the prejudice of crime prevention and control activities.

3. The Philippine police have consistently provided social services that include emergency medical care, assisting the helpless, eliminating physical hazards, giving directions, counselling of juveniles, relief and mercy operations and disaster control operations, particularly in sparsely populated regions where police agencies provide the only full-time public service that is normally available.

4. One significant development in Philippine policing is the growing importance of its military units in shaping the overall character of the police. The Philippine Constabulary which is the nucleus of the Integrated National Police is now equipped with heavy weaponry, organized in larger personnel units, and possessing sophisticated communications network and intelligence systems. The addition of essentially military functions and attributes to the national police force have accelerated the centralization of the administrative authority since the more militarized the police force became, the more intolerable was its localized

control. Such centralization has also contributed to the growing politicalization of the police, at least insofar as it has involved top level police officers in policy formulation, and has made them sensitive to the extent to which politicians' judgments determine their institutional well-being.

5. There has been an overreliance on external supervision as the mechanism for achieving responsible police behavior in the Philippine police system. The National Police Commission and the civil courts are external disciplinary machineries that take care of administrative complaints and criminal charges against erring members of the INP. A recent creation by constitutional mandate is the Tanodbayan or the ombudsman which litigates charges of graft and corruption committed by public servants that include the INP members. All of these agencies share the responsibility of ensuring police right-behavior. However, there is less importance placed on supervision and discipline instituted by the police organization itself.

6. The creation of the Integrated National Police meant the establishment of one cohesive police organization with national jurisdiction, and involved the consolidation of manpower resources, equipment, physical facilities, etc., for maximum efficiency and effectiveness. Consequently, it meant the loss of the bases of power of the rural political elites. Undoubtedly, the consolidation of the police forces did not take place without the resentment and vehement objection of the local executives who, in the process, completely lost their control and supervision over the police. Based on the present character of government and the prevailing political and economic situation of the country, the trend is for a continued centralization of police forces in the Philippines.

### Comparative Policing

1. The findings of the study seem to agree with Christian Potholm's contention that the important variables in the examination of the capacity of police forces to perform their multiple functions are: the ratio of police to population, recruitment and promotion patterns, organization and training styles, as well as the basic political orientation of the force.

2. The findings of the study seem to substantiate the proposition of Ernest Lefever that in most developing countries, the police is the principal agency for the maintenance of law and order and the vanguard against subversion and insurgency.

3. Structurally speaking, police systems of most developing countries are leaning towards centralization because of necessity. The following factors account for this development:

a. Countries of the Third World are becoming more urbanized and industrialized; their populations are growing steadily; their transportation and communication facilities are significantly improved which facilitate human mobility across local boundaries; and advanced technology enables the criminal elements to outsmart law enforcement agencies.

b. Police administrators and policy makers have come to recognize the urgency of their "police operational problems" in addition to their crime problem; thus the necessity to centralize in order to achieve their organizational objectives.

c. In order to survive in an increasingly competitive and hostile international atmosphere, developing countries must, perforce, protect themselves with a strong centralized national police force as a

protection against sabotage and espionage from the outside and subversion and insurgency from within.

4. In general, the salient characteristics of police systems of developing countries are as follows:

a. Police forces are strong and centralized. They are structured like military organizations.

b. The national government exercises close supervision and control over the police forces.

c. The police are used not only to maintain law and order in the community but as a vanguard against subversion and insurgency.

d. The police play a major role in national integration and political socialization of the masses.

e. The police perform pedagogical functions on the formation of civic attitudes and values like respect for law, acceptance of governmental authority, insistence on honesty in public life and the valuation placed on human rights.

f. Police power is sometimes enormous so much so that they are able to carry out other additional duties such as regulatory and social services activities.

#### Implications and Recommendations

Police systems, to retain their viability as components of a greater and broader social order, must have to examine and determine their role and other attributes within the total spectrum. Policing has never before been as crucial as it is now, especially so because of the



marked increase in the incidence of crimes and internal chaos. The current world climate necessitates the maintenance of police systems that are viable, consistently operational, and credible. To maintain a police system that is not viable and consistently credible would be tantamount to the utilization of vigilantes, with each group implementing different standards and rules of conduct and operations, thus resulting in unequal and partial compliance with the norms of behavior. There are indeed problems attendant to the very nature of police systems and these are compounded by variance among the perceptions of the police themselves and the public that they are organized to serve. This study has not dealt with these problems due to the constraints of time and place. Hence, the limitation of the study raises a number of questions that may be the foci of future researches. Some of these questions may deal with the following:

#### General

1. Why do Third World countries, long after their severance from colonizing countries, continue to adapt policing practices of former colonizers? Why can they not initiate a system that would meet all facets of their unique needs?

2. How do historical antecedents affect police attitudes and behavior across cultures? Over time?

3. The Third World countries studied have been dominated by Western colonizers. Their police systems may well be such because of their historical experiences. It would be interesting to study the systems of countries that have not been earlier colonized by Western countries. A study of China's police system would show a unique perspective because of historical and ideological differences.

4. There is a dearth of empirical research in the area of policing. Much of the information reviewed were from governmental publications that may manifest marked bias. In view of this observation, there is a need to look into policing attributes, without using propaganda-type documentaries and relating reports disseminated by sponsoring governments or regimes.

5. After the comprehensive historical review of the Philippine police system, a study to specifically identify changes over time would be viable. This may highlight important historical periods and relating police developments, and their delineation may serve as a tool of reference to project upcoming future changes in the police system of the country.

#### Philippine Policing

1. Although it is often understood that the military is responsible for external defense and the police for law and order under "normal" peace and order situations, these roles have been acted out in tandem in many instances of political unrest in the Philippines. This peculiar situation exists in the current campaigns against the Communist-inspired insurgency and the Muslim secessionist movements. This ambiguous situation has attracted interest from many observers concerned chiefly with such questions as: At what point does the military have to be called into play in an essentially domestic conflict? What should be the proper division of labor between the police and the military in a given situation? What situation should call for a joint military and police operation in coordination with civilian authorities?

To resolve the ambiguity of the aforementioned circumstance, one can start by drawing a distinction between a "public order" situation and an "internal security" situation. A "public order" situation may be defined as any threat or outbreak of civil disturbance on the part of any section of the country, either organized or spontaneous, in which normally firearms are not used. When arms are used, or a civil disturbance develops into an armed insurrection, then a "public order" situation becomes an "internal security" situation. A "public order" situation is essentially a police operation and the military units participate only in supportive role.

In a joint operation between the military and the police, a procedure may be evolved whereby the military can be called out in support of the police at any stage of a threatened disorder. The military takes over the operation completely once the police have exhausted all their capability to cope with the situation, or when conditions deteriorate into an "internal security" situation.

The coordination of "public order" operations calls for joint planning between military and police commanders. This should normally be done through the initiative and direction of the police officer in the particular area concerned. Planning procedures would normally involve briefing conducted by police officers for their military and civilian counterparts, joint reconnaissance, prearranged allocation of tasks, and allocation of military and police manpower.

2. The Philippine police have consistently been tasked to perform multifarious extra-departmental tasks which have resulted allegedly in the neglect and prejudice of their crime prevention and control activities.

It is questionable that its personnel has received the training necessary to properly perform these extra-departmental tasks and avoid attendant legal and political pitfalls. On the other hand, it has been argued that the performance of regulatory activities, like for instance the licensing of firearms, often enhances the authority of the police because it allows them to control and prevent conflict in many potentially explosive situations. Additionally, the police force, by its very nature, has capacities that can be used for a variety of community serving purposes. This dilemma in the proper utilization of police manpower and resources can provide an interesting basis for research.

Acceptance of the need for the police to perform well in these extra-departmental activities would require far-reaching changes in traditional organizational concepts. It is argued that different tasks have different requirements for effective accomplishment; police forces cannot be organized as if they only perform one kind of activity. Whether these regulatory activities are performed well by the police will depend on several factors; among them are the training of police officers, recruitment of new personnel, the kinds of productivity measures established and even the nature of rank relationships.

3. The Philippine police have been consistently involved in providing social services in one form or another, particularly in sparsely populated areas where the police are the only full-time public service that is normally available to the people. The police have been expected to fulfill a partly social role by responding to most community emergencies. Would it be economically feasible to task other government agencies to provide and maintain social services in a full-time basis? Would it

be more practical to continue with the present practice of requiring the police to perform social services in these distressed areas?

4. The militarization of the Philippine police has several consequences that can be of interest to the criminologist and the social scientist. First, it means that the present political regime has developed an alternative to call, other than the military force, in times of domestic unrest. Military leaders are grateful for such institutional development because the police then will provide a buffer between the military and the citizenry. Military leaders are prone to resist having their troops called to quell domestic disturbances because such operation undermines their reputation as a nationalistic symbol in the eyes of the citizenry. Secondly, with police militarization, coordination of field operations would require the assignment of "zones of primary responsibility" to the police field units and the military elements. Just how such map will be designed will depend on logistic and technical capabilities of each institution and the priorities established by the political leadership. Thirdly, to understand the implications of police militarization, it is necessary to examine the organizational, training and equipment reforms within the police force. Lastly, close attention should be focused on the changing relationships between police and military personnel, and the possible changes in the relationships of each to the political elites.

The militarization of the Philippine police has led to the adoption of certain peculiarly military attributes which is accompanied by the sacrifice of traditional police characteristics and the addition to the police structure of such attributes that result in an institution that is

complex and fragmented. Currently, the Philippine Constabulary has organized the PC Brigade, consisting of several PC battalions similar to light infantry units, which operate in large units against sizable units of "adversaries". Their purpose is less to arrest transgressors than to put down challenges to the political order. These militarized units are barracked separately and are mobilizable for special operations. They depend for their effectiveness on specialized training that is military in orientation and on access to increasingly sophisticated hardware. All of these changes occurred against the backdrop of a crisis government. With political normalization under way, what would be its implication on the nature of Philippine policing?

5. One defect in the disciplinary system of the Integrated National Police is the over reliance on external supervision as the mechanism for achieving responsible police behavior. It has been the successful experience of other police systems that in order to ensure right behavior in the police, primary reliance must be placed in supervision and discipline by the police organization itself. External supervision should be held in reserve to be used only when the organization has demonstrated its inability to maintain high standards of behavior. Furthermore, external supervision should oversee the organization and it must constrain organizational behavior. In turn, the organization should be responsible for constraining the individual behavior of police officers.

In the Philippines, misbehavior of police officers, especially corruption, is chronic; scandals are discovered perennially. At the same time, the impressions gathered from news reports reveal that self esteem among policemen is not very desirable. On the other hand, in

Japan, misbehavior is rare and self esteem of policemen is high especially in the eyes of Western observers. This hypothesis, linking self esteem and misbehavior is supported only by impressionistic evidence. It would be an appropriate focus for research to confirm the link between misbehavior of police officers and the pride they take in their calling.

6. Police integration has been one of the reform programs of the Philippine government under the martial law government. The organizational evolution of the Integrated National Police culminated with the promulgation of a presidential decree constituting it, with the Philippine Constabulary as the nucleus and the integrated local police forces as its civilian components. Under this decree, the INP was placed under the supervision of the Ministry of National Defense, although the PC remained a major service of the Armed Forces of the Philippines (AFP).

At this point, questions are raised as to why the PC under the law remained as a major service of the AFP, while becoming the nucleus of the INP. The organization man and the legal luminary would be perplexed by this organizational setup. It seems that the principle of "unity of command" is grossly violated, i.e., the Chief of Constabulary, concurrently the Director General of the INP, has two immediate heads--the Chief of Staff, AFP and the Minister of National Defense. Some relevant questions to ask would be: Under what circumstances will the PC be directly under the Ministry of National Defense? Under what circumstances will it be under the Armed Forces of the Philippines?

7. Police integration in the Philippines meant the establishment of a single police command with national jurisdiction; the consolidation of manpower and material resources into a common pool for maximum

efficiency and effectiveness; and the creation of an over-reaching organizational structure linking previously discrete and separate units. The integration scheme, however, divested the rural political elites of their power to control and supervise their local police forces. Police integration provided a dramatic shift from a decentralized to a centralized police system. Martial law has been lifted in 1981.

Now that political normalization is taking place, what are the policy options open to Philippine policing? To revert back to a decentralized system prevailing during the pre-integration period? To maintain a status quo? To decentralize partially by providing a modicum of supervisory authority to local officials but retaining at the national level the authority to enact regulations prescribing standards for local police operations? To create centralized coordinating services that will make available technical facilities, expertise, record keeping, and training facilities for local police agencies?

### Comparative Policing

1. A comparative study to determine the relationship between the structure of policing and the character of government on one hand and the nature of police operations on the other would be apropos to this research. A centralized political regime may not necessarily be more repressive in police policy than a decentralized one. Do differences in centralization in units of the same geographical size affect such matters as police responsiveness to local problems, dispensation of justice and efficacy of supervision?



2. It would be instructive if studies were made of the relations between different levels of command in countries contrasting in formal structure.

3. Another potential study may deal with some sort of typology that could specify stages of development and their relationship with the peculiar characteristics of a given society and with the organizational and behavioral characteristics of the police.

4. Another concomitant study would be the relationship between the structural pattern of the nation's police and the character of government, political ideology, and the degree of national development.

5. There is very minimal research done on the interaction between police and their supervising agencies in developing countries. How often do such authorities inquire into organizational matters? Do the police seek out their advice? Are policies formulated explicitly in their meetings? How often do they meet? Who sets the agenda for the meetings?

6. The evolution of control mechanisms over the police in developing countries may be an interesting study.

7. Police efficiency may need consistency in the perception of the police and the publics it serves. How similar or different would be the perceptions of the roles of policing among the police themselves, between the police and other branches of the government hierarchy, and between the police and the public they purportedly serve in developing countries?

8. It appears that culture constitute a limit to police reform, and that its effect varies from place to place and among dimensions of police activity. In order to effect a comprehensive analysis of the

possibilities for change in police affairs, a comparative study of variations in police behavior in developing countries is urgently required. Units of analysis that allow for variation in cultural setting must be chosen.

9. The greatest contribution that could be made toward a comparative study of police especially in developing countries would be the establishment of an international data collection even if limited initially to government documents and serialized reports.

In conclusion, the field of comparative and historical research on the police of the developing world is still in its infancy. Concepts are not well-defined and a good deal of contradictions are still to be found. Vague generalizations substitute for sound descriptive research. For the vast majority of police practitioners, comparative study appears to be dull and unimportant; besides it is expensive and its pay-off seems uncertain. But for the scholar, especially one who possesses the insight to recognize the significance of the police in national life, the field offers almost unbounded opportunities for making a contribution.

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