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A tradition of graft

At the Senate investigation into the plea bargain agreement between the Ombudsman and the former Armed Forces comptroller, retired General Carlos F. Garcia, the inquiry last Thursday turned to the entrenched system of graft inside the military. A retired budget officer, Colonel George Rabusa, who used to work at the comptroller's office, testified in detail to the existence within the AFP of a traditional practice of building up a slush fund from which all kinds of illicit pay-offs are made.

During his time at the comptroller's office, he said, this fund went by the name "Provision on Command Directed Activities" (PCDA). Despite the official-sounding label, the PCDA is not an item in the General Appropriations Act or the national budget. It is rather an all-purpose kitty under the office of the chief of staff that is regularly replenished from contributions by the various "J staffs" and major services of the Armed Forces. These "programmed" contributions, Rabusa claims, came up to about P40 million per month, or P480 million a year.

One of the regular recipients of these funds, Rabusa alleges, is the chief of staff himself, who gets a small cash gift when he assumes office, and a big "send-off gift" when he retires. On top of this, the chief of staff gets a personal monthly allowance of P5 million, and another P5 million for the miscellaneous expenses of his staff. As these allowances are not officially budgeted, they are also not audited.

Asked if he remembers how much former chief of staff retired Gen. Angelo Reyes got when he retired, Rabusa replies, "about P50 million." The farewell gift, he adds, was given in US dollars because the peso equivalent was "too bulky." He claims that he and his immediate superior at that time,

then AFP comptroller General Jacinto Ligot, delivered the money to Gen. Reyes himself at his official quarters.

Reyes, who was present at the Senate hearing, must have felt he was being singled out. After all, if the “pabaon” (send-off gift) for retiring Armed Forces chiefs is a practice that has been in place for a long time, then it stands to reason that the investigation should not focus on him. Reyes must have sensed at that point that he had walked into a trap. It was Senator Jinggoy Estrada, son of the former president whom Reyes helped depose in 2001, who brought Col. Rabusa to the hearing as an informant. It was while being questioned by Sen. Estrada that Rabusa unraveled the elaborate system of graft in the Armed Forces.

Asked if he had indeed received P50 million as “pabaon” when he retired as AFP chief in 2001, Gen. Reyes reacted in a most revealing way. Instead of denying outright that he had accepted money from any slush fund, he said he wanted to ask Rabusa just one question.

Gen. Reyes could have simply and flatly denied the accusation. But he entered another realm when, glaring at his accuser and straining to control his emotion, he asked in Filipino: “Ako ba ay naging ganid o suwapang noong ako’y nasa puwesto? Humingi ba ako ng pera sa iyo kahit kailan?” (Have I been greedy or selfish while I was in office? Did I ever ask you for money?) I was floored by this reaction of the highly-educated general, who holds a graduate degree in public administration from the Harvard Kennedy School of Government. Pressed to confirm or deny having received a “pabaon” upon his retirement, Reyes lamely responded: “I cannot remember accepting the P50 million ‘pabaon’.”

It took a while for me to understand what was happening in this fascinating confrontation. Though later he stated more categorically that he did not take any money from any slush fund, Gen. Reyes gave the impression that he did not see anything wrong with the practice. What he seemed more keen to communicate was that he behaved “ethically” within that tradition. Thus, even if he might have availed himself of the traditional perks, he

was implying that he never did so in an excessive or abusive way. And so he felt unfairly singled out when suddenly the letter of the law was being invoked against him.

It is uncanny, I think, that the word “tradition” has been used in connection with graft inside the armed forces. Stripped of its venerable connotations, the term simply means in this context a customary way of doing things that continues in spite of its incompatibility with modern governance, because it is not considered immoral. Today, this traditional way of doing things has become unsustainable not because of a moral resurgence, but because of a growing realization that to continue with the old ways is to find ourselves out of sync with the rest of the world.

Let me drive home this point by recalling that the Garcia plunder case was not the offshoot of any particular instance of whistle-blowing in the military. Although the young Magdalo officers had indeed called attention to the culture of graft in their institution, they did not come close to naming and charging any particular official.

The tip that led to the case against the general came from outside the system – from the US government, in the form of Mrs. Garcia’s damning confession to the US Customs. In the affidavit she submitted in the hope of recovering the undeclared cash confiscated from her children by US authorities, she gave an account of how she and her husband earned money from graft. On the request of our government, the US subsequently initiated extradition proceedings against Mrs. Garcia and their three sons, all American citizens, leading to their detention. It was this kind of external pressure, rather than any reform impulse from within, that pinned Garcia down.

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