

THIRTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
Second Regular Session )

5 AUG 17 P6:07

SENATE  
S. No. 2082RECEIVED BY: 

---

Introduced by **Senator Richard J. Gordon**

---

#### EXPLANATORY NOTE

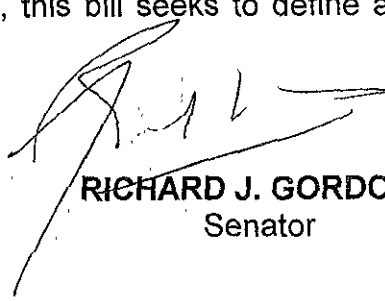
The purpose of a political party is to serve as a democratic tool by acting as a mechanism to offer the electorate options in the ideological composition of their government. These parties are the stable of political leaders from which the electorate make their choices of the representatives who would make public decisions that embodies their best interests. Hence, it is a vehicle for voter enfranchisement, civic education and strengthened organizational movement on the choice of leaders and government.

These intended objectives of a political party have been subverted by rampant party-switching in the Philippine political system. This practice is so rampant that switching party allegiance is already taken for granted. In effect, party-switching has contributed to the stunting of the political maturity of the Philippine electorate, and encouraged transactional leadership instead of transformational leadership. It has encouraged the cult of personality in the electorate's choice of elected officials, and limited the relevance of the party platform to occupying a government post. This unfortunate system has resulted to the non-continuity of government plans, programs and projects which eventually redounds to disadvantages for the Filipino people.

As such, this proposed legislation seeks to enhance the quality of our democratic institutions by punishing political turncoats and opportunists who flit from one party to another depending on the dictates of their selfish motives. This bill also seeks to sanction politicians who serve as "Trojan horses" by regularly voting against the collective stand of the party, without necessarily switching party affiliations as these political opportunists are as guilty as the turncoats themselves, by insidiously subverting the strength of the stand of their own party.

The proponent strongly believes that punishing turncoatism would bring about greater stability into the Philippine political system because it would ensure that membership in political parties will be relatively permanent, and the electorate can expect, if not exact, strict compliance from government officials in terms of the promises and platforms upon which their political party is grounded.

In view of the foregoing principles, this bill seeks to define and punish political turncoatism and political opportunism.



**RICHARD J. GORDON**  
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )

5 AUG 17 P6:08

SENATE  
S. B. No. 2082

RECEIVED BY:         

---

Introduced by **Senator Richard J. Gordon**

---

**AN ACT**  
**DEFINING AND PUNISHING POLITICAL TURNCOATS AND OPPORTUNISTS**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

1           **SECTION 1. Declaration of Policy.** – It is hereby declared the policy of the State  
2 to promote strong, platform-based political parties, thereby strengthening the party  
3 system in the country.

4           **Sec. 2. Political Turncoats and Opportunists.** – Any member of a political  
5 party who changes political party affiliation any time after being chosen, in accordance  
6 with party procedures, on the ticket of that party shall be considered a political turncoat  
7 and shall be subject to the penalties provided in this Act.

8           A political party may decide, in accordance with its constitution and by-laws, that  
9 a member who regularly votes with another political party is a political opportunist and  
10 shall be subject to the penalties provided in this Act.

11           This section shall not apply to any member who commits acts which would  
12 otherwise make him a political turncoat or opportunist, when by reason of his or her  
13 religious, ideological, or moral training and belief, has a sincere and conscientious  
14 objection to the change in party direction or evolving ideology of his political party, and  
15 such objection is not borne out of mere whimsy, convenience, or caprice.

16           **Sec. 3. Penalties for political turncoats and opportunists.** – A political  
17 turncoat shall:

- 18           a) Be prohibited from assuming office, if he changes party affiliation during the  
19 election period;
- 20           b) Forfeit his office, if the elected public officer changes political party affiliation  
21 during his term of office;
- 22           c) Be disqualified from running for any elective position in the next succeeding  
23 election immediately following the act of changing political party affiliation;
- 24           d) Be disqualified from being appointed or from holding any position in any  
25 public or government office for three (3) years after the expiration of his/her  
26 current term;

1 e) Be disqualified from assuming any executive or administrative position in  
2 his/her new political party; and

3 f) Refund any and all amounts received from his/her political party, plus a  
4 twenty five percent (25%) surcharge thereof.

5 A political opportunist so considered by his political party in accordance with its  
6 constitution and by-laws shall not be entitled to any of the benefits given to party  
7 members and may be expelled by his political party. He may also be required to refund  
8 all amounts received from the political party.

9 **Sec. 4. Petition for Disqualification.** - Any citizen of voting age, or any  
10 candidate, political party, aggregation or coalition, may file with the Commission on  
11 Elections, upon the filing of the certificate of candidacy and before proclamation, a  
12 petition to disqualify a candidate on the ground of political turncoatism as defined in this  
13 Act.

14 **Sec. 5. Implementing Rules and Regulations** - The Commission on  
15 Elections shall promulgate the Implementing Rules of this Act. Such Rules shall be  
16 effective fifteen (15) days from their publication in a newspaper of general circulation.

17 **Sec. 6. Repealing Clause.** - All laws, decrees, orders, rules and regulations  
18 or other issuances or parts thereof inconsistent with the provisions of this Act are  
19 hereby repealed or modified accordingly.

20 **Sec. 7. Separability Clause.** - If any portion or provision of this Act is  
21 declared unconstitutional, the remainder of this Act or any provisions not affected  
22 thereby shall remain in force and effect.

23 **Sec. 8. Effectivity.** - This Act shall take effect after fifteen (15) days following  
24 the completion of its publication either in the Official Gazette or in a newspaper of  
25 general circulation in the Philippines.

26  
27  
28 Approved,