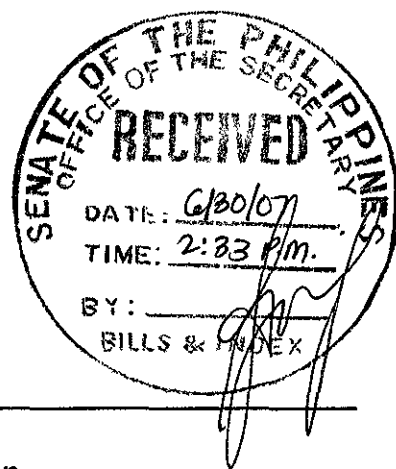


FOURTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

SENATE  
S. No. 147



---

Introduced by **Senator Richard J. Gordon**

---

### EXPLANATORY NOTE

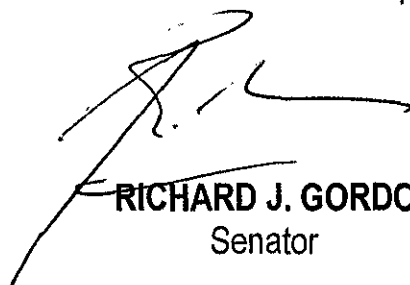
The purpose of a political party is to serve as a democratic tool by acting as a mechanism to offer the electorate options in the ideological composition of their government. These parties are the stable of political leaders from which the electorate make their choices of the representatives who would make public decisions that embody 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. 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.

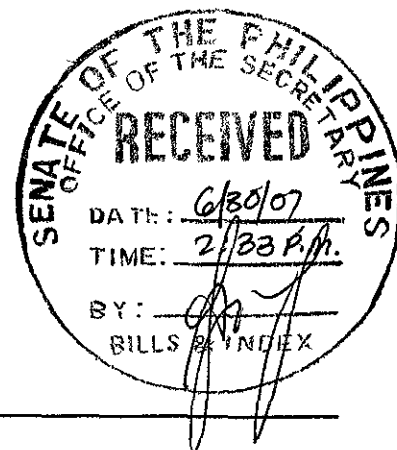
In view of the foregoing principles, this bill seeks to define and punish political turncoatism and political opportunism.



**RICHARD J. GORDON**  
Senator

FOURTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

SENATE  
S. No. 147



---

Introduced by **Senator Richard J. Gordon**

---

## **AN ACT DEFINING AND PUNISHING POLITICAL TURNCOATISM AND OPPORTUNISM**

*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 to  
2 promote strong, platform-based political parties, thereby strengthening the political party  
3 system in the country.

4           **Sec. 2. Political Turncoatism and Opportunism.** - *Political turncoatism* refers to  
5 the change of political party affiliation by any party member after having been nominated as  
6 a candidate in an election, whether or not such party member actually wins in such election.

7           A change in party affiliation shall not constitute political turncoatism if:

8           a) Made before the effectivity of this Act;

9           b) Arising out of the abolition, merger or coalition of political parties where the party  
10 member is registered;

11           c) Due to expulsion in writing of the party member from his/her political party;

12           *Provided*, that the expulsion is not due to an act constituting political opportunism.

13           *Political opportunism* refers to any act constituting disloyalty to the party or regular  
14 non-adherence to the party's ideological principles, platforms and programs, as determined  
15 by the party in accordance with its constitution and by-laws.

16           **Sec. 3. Penalties for political turncoatism or opportunism.** - A political turncoat or  
17 opportunist shall be:

18           a) Deemed to have forfeited his/her office, if he/she is an elected official who  
19 changes political party affiliation during his/her term of office;

20           b) Disqualified from running for any elective position in the next succeeding election  
21 immediately following the act of changing political party affiliation;

22           c) Prohibited from being appointed or from holding any position in a public or

1 government office for three years after the expiration of his/her current term;

2 d) Prohibited from assuming any executive or administrative position in his/her new  
3 political party;

4 e) Directed to refund any and all amounts he/she received from his/her political party,  
5 plus a twenty-five percent (25%) surcharge thereon.

6 **Sec. 4. *Petition to Declare a Political Turncoat or Opportunist.*** - Any citizen of  
7 voting age, or any candidate, political party, or aggrupation or coalition of political parties,  
8 may file with the Commission on Elections a petition to declare a political turncoat or  
9 opportunist subject to the penalties under this Act.

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

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

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

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

22 Approved,