

# The Present Police Organizations of Japan and the Philippines: Administrative Point of View

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## 要 旨

日本とフィリピン警察は、いくつかの点で似ているが、異なる点もある。警察組織は、それぞれの政府機構の一部を構成しているが、警察の権限及び活動をコントロールしているのは、司法権である。

本稿は、日本とフィリピン両国の警察の行政の特徴を歴史的背景、警察を巡る理念的議論を概観することを通じて紹介することを目的としている。そのためには、中央と地方の関係、警察の内容、警察官の階級、管轄区域、命令系統について見ておく必要がある。

**Keywords:** Administrative Point of View, Police, Organization, Japan, Philippines

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### **I. Introduction**

Organizations regardless of their nature have various characteristics and features whether public or private. Each has its own way of administering the whole organization from the top to the bottom, staff and line functions, depend on the system, rules, procedures and policies that the organization practiced and applied.

Some have a centralized system and others are decentralized which are basically controlled per se by the top management without specific delegations of authority from top to the bottom. It is usually the

top management that has direct supervision in the performance of their own duties and responsibilities.

The present scenario in societies whether industrialized, developed, underdeveloped, rich and poor countries experienced various problems. National security, peace and order, protection of the lives of the people, properties, house, buildings etc., are some of the issues, which the people expect that their government can provide. People are observing whether these expectations are being realized particularly in those countries, which place importance in democratization.

The police force is one of the most important agencies of every government in that it gives protection, security, peace and order in society. Basically they perform their duties and functions based on the call of society or depending on the stated law provided by their laws, the fundamental law of the land, the constitution and their police laws. In an authoritarian government, the leader with his sole power and authority usually controls the police.

This paper introduces not only the nature and background of the police concepts, a country's profile, a brief history of the police organizations of both Japan and the Philippines, but also gives information on the administrative point of view concerning the police organizations; functions of each police officers from top to bottom, rank classifications, the differences of the systems followed by each countries, whether they have a centralized or decentralized form.

The various offices, which are essential, for the discussion of Japan's police organizations are the following: National Public Safety and Commission, National Police Agency, Agencies Attached to the National Police Agency, The Regional Police Bureaus, The Prefectural Police Organizations, The Prefectural Public Safety Commission, The Metropolitan Police Department and Prefectural Police Headquarters, whereas, in the Philippine Police Organizations. The following are essential for discussion: National Police Commission, National Police Commission Staff Services, Disciplinary Appellate Boards, National Police Organization, Provincial Police Organization, Regional Police Organization, Municipal Police Organization, Philippine National Police Academy, National Public Safety Commission, Internal Affairs Services, Women's Desks and Local Government Executives Administration to the Philippine National Police.

A discussion of the offices within the police organizations of Japan and the Philippines will guide the readers- those students, researchers and those who have an interest in this field helping them to understand these offices as what they are as organizations and will give them an idea as to on how the police organizations work and act as organizations.

Finally, some administrative theories are also included for further analysis of the police organizations of both countries.

## **II. Discussion**

### **a. Nature and Background of Organization: Definition, Theories and Principles, Centralization and Decentralization**

Several authors have their various definitions of organization. Each has discussed their respective definitions of the term and the explanations of the other related concepts in organization.

To start with the concept, an organization as has been stated in the Dictionary of Political Analysis (1982), “is a social group having some kind of structure designed to achieve collective goals. Some scholars hold that the organization may refer to any complex system of human interaction, regardless of the existence of collective goals. In formal organizations, the role relationships among members are explicitly stated while informal organizations evolve from repeated contracts among people without any express statement of goals or defining roles. Organizations provide the basis for purposeful collective activity in political life. Governments and their subdivisions are formal organizations, as are the pressure groups that seek to influence governmental policy, and the international agencies operating within the global arena.”

In the Basic Definition of the Organization written by Carter McNamara (1999), she wrote, “basically an organization is a group of people intentionally organized to accomplish an overall, common goal or set of goals. The members of the organization often have some image in their minds about how the

organization should be working, how it should appear when things are going well. An organization operates according to an overall purpose, or mission. All organizations operate according to overall values, or priorities in the nature of how they carry out their activities. These values are the personality, or culture, of the organization. Its members often work to achieve several overall accomplishments, or goals, as they work toward their mission. The organizations usually follow several overall general approaches to reach their goals and have major subsystems, such as departments, programs, divisions, teams, etc. Each of these subsystems has a way of doing things to, along with other subsystems, achieve the overall goals of the organization. Often, these systems and processes are defined by plans, policies and procedures. ”

In the International Encyclopedia of the Social Sciences edited by David L. Sills (1972), the article regarding organizations written by Peter M. Blau the first part, of which deals with the theories of organizations, comments on the definition of the organization. “ He states that an organization comes into existence when explicit procedures are established to coordinate the activities of a group in the interest of achieving specified objectives. The collective efforts of men may become formally organized either because all of them have some common interests because a subgroup has furnished inducements to the rest to work in behalf of its interest.”

In addition to the explanations mentioned above, Dr. Avelino Tendaro (1994) cited that “ there are several ways of viewing the term organization. The meaning that one gives or attaches to it depends upon his perception and administrative orientation of what is expected to achieve, the mechanisms required to achieve it; the cost it will entail the time framework needed to accomplish results. With business organizations where profit-motive is the primary goal, its structure is different from that of the government bureaucracy where service clientele is the paramount concern. Organization theory may be perceived as a composite of concepts, approaches and generalization regarding organization in the context of a given environment. ”

The definitions given by the authors on the concept of organization emphasized the goals, expectations and objectives can be achieved through the common interest, collective interaction, the peoples intention to organize a group and form an organization with the explicit and clear instructions,

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procedures, plans and policies, which is the formal organization and the opposite is the informal organization.

The business organization, which is profit-oriented, is contradictory to the government organization as it is a service-oriented in principle. Both public and private organizations have as their common end and the welfare of the organization, however, the government organization particularly in a democratic society has concern primarily for the people who deserve to be taken care of, by the government.

Moreover, there are other concepts of organization, which are essential in administration. These would determine how a certain organization be viewed on its totality as organization, its functions, roles and responsibilities, culture, orientation etc. The organization can be examined thoroughly with the support of the following administrative theories:

There are two forms of administration strategies: centralization and decentralization. Centralization as noted by Kenneth Janda (1980), " is the distribution of power and control within the center, the decision is controlled and concentrated by a single chain of command and thus the authority is within a smaller number of individuals. " In the Dissemination notes on the Conflict Prevention and Reconstruction Unit and Reconstruction Unit prepared by Robert P. Beschel (2002), " centralized system tend to have a senior civil service cadre who rotates between agencies and departments. This senior cadre is managed by a central personnel unit, which also has responsibility for setting personnel policy and fixing terms and conditions across the civil service. Prof. Hector De Leon, conversely, (1999) defined decentralization " as the process of transferring basic powers from the national to local governments to allow maximum participation of the citizens in governmental and community activities. " In the paper of Prof. Alex Brillantes Jr., edited by Prof. Miranda (1997), he stated that it is " the transfer of responsibilities for the delivery of basic services of the local government units, including appropriate personnel, assets, equipment, programs and projects. "

With the definitions given, the two administrative strategies are precisely contrary to each other: centralization focuses mainly on the decision-making, leadership, responsibilities and accountabilities of the top or the central administration within the organization while decentralization, allows the middle

and the low management level to participate in the decisions as the central administration transfer the responsibilities, accountabilities to the lowest level of organization, encouraging them to use their authorities and discretions in the promotion of collective effort and initiative.

## **b. General Profile of Japan and the Philippines**

Japan and the Philippines are both part of the Asian continent. Japan is near the northern part of the Philippines, which is near the southern part of Japan across the Pacific, 4 hours by airplane from Manila to Tokyo. Japan and Philippines are archipelagos as both countries are composed of, and surrounded by islands and waters: territorial, national and inland waters such as seas, rivers and others. Japan and the Philippines are both agricultural nations, with numerous mountains and volcanoes. Both countries experience natural disasters such as earthquakes, volcanic eruptions, typhoons, and floods. Japan consists of four seasons such as spring, summer, fall and winter, whereas, the Philippines is a tropical country which principally has rainy and dry seasons. Japan is divided into Tokyo To, Hokkaido, Osaka Fu and Kyoto Fu, and 43 ken (prefectures). The Philippines is divided into 12 regions, CAR (Cordillera Autonomous Region and ARMM (Autonomous Region of Mindanao Region). The capital of Japan is Tokyo, as Philippines is Manila. “ The total population of Japan as of November 2002 is 127.620 millions and as of July 2001, the Philippines has a close population to 83 millions.” (Source: Understanding Japan, A Teachers’ and Textbook Writers’ Handbook on Japan, International Society for Educational Information, Inc., Japan, 1993, Statistical Handbook of Japan, Statistics Bureau and Statistics Center, Ministry of Public Management, Home Affairs, Posts and Telecommunication, 2002, National Statistics Office, Republic of the Philippines/<http://www.census.gov.ph>, 2003)

Though both are Asian countries, Japan is basically homogenous while the Philippines are a mixed-culture. However, Westerman and Burfiend quote Reiscauer (1988) who says, “The modern Japanese are a mixture of Asian peoples who flowed into Japan from northeast Asia, through Korea, especially during the first 7 centuries of the Christian era.”

Various countries such as Spain from 1521 to 1898, the United States and others however, have colonized the Philippines. Both countries were occupied by the United States; Japan from 1946 to 1952

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and the Philippines from 1898 to 1946, which afterwards assumed full sovereignty. Furthermore, Japan's national language is called Nihongo or Japanese, with 3 different kinds of writing, hiragana, katakana (borrowed from foreign languages) and kanji (Chinese characters with various origins, readings and meanings). However, the Philippines national language is Filipino, officially based in Tagalog and English. English is being used for official communication and instruction and this is widely spoken in the country and in part the Spanish language has been used, as some of the Filipino words derived from Spanish. Filipino writing is in romanji or in alphabets.

Moreover, Japan is an industrialized country whereas the Philippines is a third world country. According to the Philippine Development Assistance Inc., (2001), "The top 20% of the population own 80% of the nation's wealth." Japan gives its assistance to the Philippines through ODA. In the History of ODA stated in ODA Summary of 1994, it is written that "Following the completion of the payment of reparations to the Philippines in 1976, Japan has announced five consecutive medium-term ODA targets covering the years from 1978 to date, under which it has increased its ODA step by step."

As both countries have been occupied by the United States, Japan and the Philippines are both democratic as described by their respective constitutions, patterned from the democracy of the United States. Both countries' governments are fundamentally divided into three powers such as executive, legislative and judiciary. Even though similar in terms of the form of government, they are different in the organizational structure; Japan being considered as parliamentary while the Philippines has a presidential system. Japan is represented by the emperor as ceremonial head of the state, with no governmental powers. The Prime Minister as the head of the government has full authority and power in governmental affairs. "The Philippines has a presidential system, the President, whom directly elected by the people, represents the country and performs the duties and functions both as head of the state and as head of the government." (Source: Manalo, Jennifer M. 2001, An Overview of the Philippine Political System under the 1987 Philippine Constitution, Niigata University, Japan) Noda (1992), stated that the "Prime Minister is chosen by the Parliament among parliamentarians, Article 66 of the Constitution of Japan." The functions and powers are specified explicitly on their fundamental laws of the land, which is the constitution. Manalo (2001) also stated "the President may be removed from office through impeachment." (Noda, 1992) However, the Prime Minister can be removed

through vote of no confidence.

### **c. Police as a Concept**

The term “police” was derived from the Greek word POLITIA, which means the condition of the state, government and administration. Politia means that government, citizenship, or the entire activity of a polis or what we called a city.

As quoted by Tradio (1994), the term “police” in the broadest meaning refers to the internal organization or regulation of a state, the control or the regulation of a state, the control and regulation of a community or state through the exercise of the constitutional power of the government.

In the less broad sense on the other hand, it indicates the power of the government that is concerned with the maintenance of tranquility, public order, peace security of persons and property, and the protection of public health and morale.

In the very restricted sense, the word police refers exclusively to that “ body of armed men which as an institution, is capable of exercising its duties by armed physical force in the prevention of crime and the execution of laws.” ( Tradio, 1994)

With the definitions mentioned above, the basic purpose of the police service with respect to the actions and behavior of human beings can be formulated. According to Cirilo Trabio (1994) there are at least four different types of criminal behavior and these are “the major crimes like: homicide, murder, rape, robbery, arson, kidnapping and many others; offenses against public morality like: vice, gambling, prohibited drugs, and others; offenses which have something to do with the maintenance of peace and order like: illegal possession of weapons, vagrancy, trespassing, assaults and other similar offenses.” Also, he emphasized that the following are also police activities: the prevention of criminality, repression of crime, apprehending offenders, recovery of stolen property, regulation of non-criminal conduct and performance of related miscellaneous service.”(Tradio, 1994)

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Besides, he also specifically discussed that there are two fundamental theories of police service, the Continental Theory and the Home Rule Theory. “The Continental Theory”, has a centralized pattern and has been emphasized wherein the police are servants of the higher authorities, and the people are have little or no share at all of their duties, nor any direct connection with them. This system prevails in France, Italy, Spain and other states with centralized systems. On the contrary, in the “Home Rule Theory”, policemen/women are considered servants of the community, who depend for the effectiveness of their functions upon the express wishes of the people. Policemen are civil employees whose primary duty is the preservation of the public peace and security. The United States of America and England practiced this decentralized system. (Tradio, 1994)

#### **d. Brief History of the Police of Japan and the Philippines**

##### **Japan**

From 1600 to 1868, (that is the Edo period), there was a developed police system introduced by the Tokugawa shogunate, in which the town magistrates who had samurai status, acted and served as chiefs of police, prosecutors, and criminal judges. This system was developed through the efforts of the citizens’ groups such as the gonigumi (five-family associations), composed of groups, who cooperatively work together with each other and are legally responsible to the government for the activities of their membership. (A Profile of A Nation, 1994)

The Home Ministry was established in 1873, which is after Meiji Restoration. Japan followed the French police system during the Meiji era and at that period; the police were organized in a highly centralized manner, controlled by the Police Bureau within the Home Ministry. The Special Higher Police (Tokubetsu Koto Keisatsu or Tokko) was established in 1911 and in 1928 this special higher police was strengthened and the Peace Preservation Law was introduced. During World War II, a special police force was organized for the purpose of suppressing forms communism and socialism such as parties and unions. This was supposed to encourage the nation and this was also a need to control the information and ideology. The freedom of meeting and assembly was recognized. After World War II, the General Headquarters through the law passed by the Diet, dated December 17, 1947; enacted the

Police Law and then amended it in 1951. In it the municipal police were able to join with the national police. On June 8, 1954, the law was passed and took effect on July 1 of the same year and again this police law was amended. The police are placed under the control of the civilian and minimize the scale of the police. There were two types of police organizations during that period: the city police and the national police. Also, the Security Committee was established, wherein it is composed of the members of the city representatives. However it did not work well, and in 1954, the Japanese police system was revised and the New Police Act was established. On this New Police Act, the city police and national police was abolished as it became centralized and integrated. Until now, this centralized and integrated police system had been adopted and continuous to functions. (United States Library of Congress Country Studies Series, Noda, 1992, Aldous, 1997)

## **Philippines**

The Philippines during the Spanish Occupation was under the military control of the Spanish Colonial Government, which had a centralized power to control the Guardia Civil or Civil Guard, who performed the dual function of soldier and a policeman. In 1712, the “Carabineros de Seguridad Publica” or The Police Public Security was organized, followed by the Royal Decree of January 8, 1836, the “Guardrilleros or the Rural Police” was organized in each town or municipality. Through the Royal Decree of December 1842, “Cuerpo De Carabineros de Seguridad Publico” or The Police Public Security Organization was organized. After 10 years, on February 12, 1852, the Guardia Civil was created through a Royal Decree issued by the Spanish Crown, composed of Filipino policemen organized in each province.

During the American Occupation, the Philippine National Police was organized though the recommendation of the Philippine Commission to the Secretary of War to organize an Insular Police Force on November 30, 1900. It was on July 18, 1901, that the Commission’s recommendation approved and passed Act No. 157, entitled, “An Act Providing for the Organization and Government of Insular Constabulary”, Philippine Constabulary by Section 1, under Act No. 255, on October 2, 1901. On September 8, 1966, the reformation and professionalism of the police force was officially recognized, in the Republic Act No. 4864, otherwise known as the Police Act of 1966. It was during the

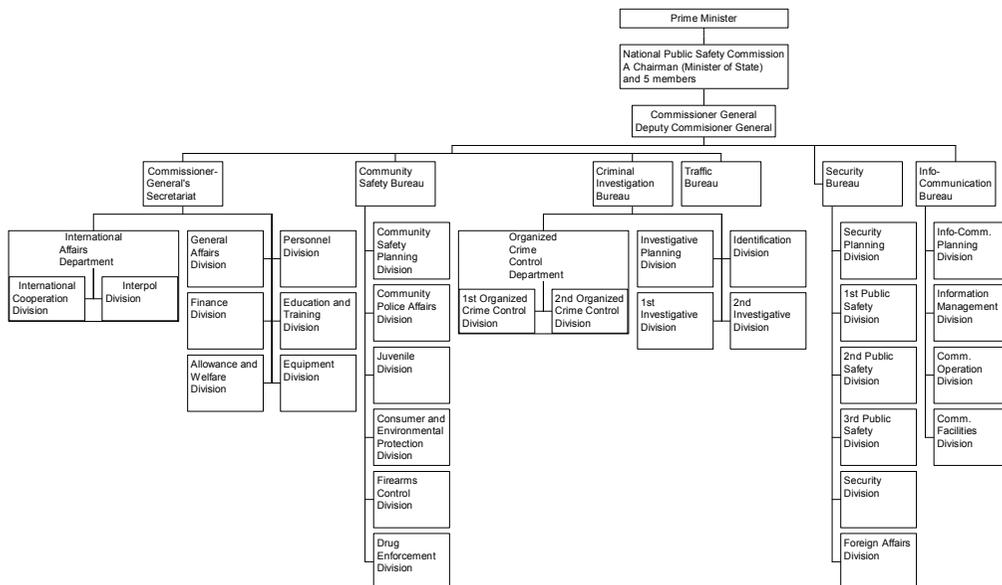
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Marcos regime when the Presidential Decree No. 765 was issued on August 8, 1975 and established the Philippine Constabulary/Integrated National Police as a national police force.

Later in 1986, after the Edsa Revolution I, a new constitution was promulgated, known as the 1987 Philippine Constitution; it provides “the police is national in scope and civilian in character,” which President Corazon Aquino signed into law, Republic Act No.6975 entitled, “An Act Establishing the Philippine National Police under a Reorganized Department of Interior and Local Government and for other purposes.” This law was amended on February 25, 1998, when the Congress passed into law, Republic Act 8551, an Act Providing for the Reform and Reorganization of the Philippine National Police. (Source: Philippine National Police History, Philippine National Police Official Website: <http://www.pnp.gov.ph>; National Police Commission Official Web-site, Napolcom, <http://www.napolcom.gov.ph>;Ibid: Tradio, 1994)

**e. The Organizational Structure of Japan and the Philippine Police**

Figure 1



Source: National Police Agency Journal, 1998

## **1. Japan Police Organization**

The Police Law of Japan (1972) provides that “the national government has the power to establish a central police organization, which has the control and supervision of the police of the prefectures on matters of public concern.” Each prefecture can carry out its police duties and functions for the protection of the life, property and for the maintenance of public safety and order within the prefectural division.” (National Police Agency of Japan, 1998 / <http://www.npa.go.jp>, The Police Law of Japan, 1972)

As explained by Prof. Moriyama Tadashi (1993), “the police structure consists of the national police and the prefectural police. The national level police organizations are the National Public Safety Commission (NPSC) and the National Police Agency (NPA).”

### **National Public Safety Commission**

Under the Police Law of Japan, the National Public Safety Commission is responsible for the administrative supervision of the National Police Agency. Even though, the NPSC is under the jurisdiction of the Prime Minister, the Prime Minister does not directly control it, this ensures that there is no political influence and the NSPC as an organization maintains its independence. (The Police Law of Japan, 1972)

Article 5 of the Police Law of Japan (1972) states that “The National Public Safety Commission shall take charge of police operation relating to the public safety of the nation, administer the affairs concerning police education, police communication, criminal identification, criminal statistics, and police equipments, and shall be liable to coordinate the affairs concerning police administration.”(The Police Law of Japan, 1972)

The National Public Safety Commission appoints the commissioner general of the National Police Agency and senior officials of prefectural police organization. The NSPC is composed of Chairman and five members. The Chairman, who shall be a Minister of the State, presides over and represents the

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affairs of the commission. The members are appointed by the Prime Minister with the consent of the two houses of the Parliament (Diet). The members shall have no career as professional public servants, or as a police officers or prosecutors within five years of appointment. The reason according to the National Police Agency is “to ensure political neutrality, no more than two members belong to the same political party.”(National Police Agency Journal, Japan, 1998)

### **National Police Agency**

The National Police Agency is under the supervision of the National Public Safety Commission. The Commissioner General heads the National Police Agency and can be appointed and is dismissed by the National Public Safety Commission with the approval of the Prime Minister. As a Commissioner-General of the National Police Agency, he can control the affairs of the agency, and appoints and dismisses the personnel under his authority. He also controls and supervises the performance of the duties of the personnel, which includes the direct supervision of the prefectural police regarding the duties specified within the National Police Agency. The Director-General of the National Police Agency assists the Deputy Commissioner General on the supervision of the affairs of the National Police Agency, including also the affairs of the internal bureaus, and local and attached organizations. (National Police Agency Journal, Japan, 1998, Police Law of Japan, 1972)

The Police Law of Japan lists the National Police Agency functions, which include the following: “planning and research on police systems, national police budget, and police operations in time of large-scale disaster and disturbances, preparation and implementation of the plans concerning emergency situations, measures against trans-prefectural organized crimes, traffic regulations on highways, international criminal investigation assistance, operation of the Imperial Guard, police training, police communications, criminal identification, criminal statistics, police equipment, standards of equipment, duties and activities of police personnel, coordination of police administration and inspection” (Police Law of Japan,1972, National Police Agency Journal, 1998)

Based on the Japanese Police Organizational Structure, the National Police Agency is consists of the following offices: the Commissioner General’s Secretariat, the International Affairs Department, the

Community Safety Bureau, the Criminal Investigation Bureau, the Organized Crime Control Department, The Traffic Bureau, the Security Bureau and the Information's Bureau. (See Figure 1 above, the Organizational Structure of the Japanese Police)

### **Organizations Attached to the National Police Agency**

The Organizations Attached to the National Police Agency are the following: the National Police Academy, The National Research Institute of Police Science and Imperial Guard Headquarters.

The National Police Academy conducts the education and training of the police personnel.

The Scientific Police Research Institute conducts the researches and experiments for scientific criminal investigation, including identification, prevention of juvenile delinquency, preventing traffic accidents and other crimes, and judgment and examination through application of such researches and experiments.

The Imperial Guard Headquarters shall take charge of the escort service for the Imperial families: the Emperor, the Empress, the Crown Prince and other members of the imperial families; and guard for the Imperial Palace and Imperial Villas. (National Police Agency Journal, Japan, 1998)

### **The Regional Police Bureaus**

The Regional Police Bureaus are established in the major cities of each geographic region such as Tohoku Regional Bureau in Sendai City, Kanto Regional Police Bureau in Tokyo To, Chubu Regional Police Bureau in Nagano City, Kinki Regional Police Bureau in Osaka City, Chugoku Regional Police Bureau in Hiroshima City, Shikoku Regional Police Bureau in Takamatsu and Kyushu Regional Police Bureau in Fukuoka City. The Tokyo Metropolitan Police Department and Hokkaido Prefectural Police Headquarters are not included in the Regional Police Bureaus.

The Regional Police Bureaus are under the administration of the National Police Agency, which is

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headed by a Director-General. Each Regional Police Bureau has the authority to exercise control, supervision and gives services to prefectural police organization within its jurisdiction through the orders and authority of the Commissioner General. (The Police Law of Japan, 1972)

### **The Prefectural Police Organization**

There is an established Prefectural Police Organization in each prefecture, which is responsible for carrying out its functions and duties within the jurisdiction of the prefecture. The Prefectural Police Organization is under the supervision of the Prefectural Safety Public Commission and Prefectural Headquarters.

### **The Prefectural Safety Public Commission**

The elected prefectural governors have jurisdiction with the Prefectural Safety Public Commissions. The Prefectural Safety Public Commission has administrative supervision on the basic policies and regulations for police operations. The PSC has the authority to issue administrative licenses such as driver's licenses, firearm possessions and business for entertainment. The Police Law of Japan (1972) states "the PSC has close contact with the National Safety Public Commission at all times."

The governor of the prefecture may appoint and dismiss the members of the commissions with the consent of the prefectural assembly. In the large prefectures, there are five members, and three members in the small prefectures. The members elect the chairman from among them. The members may serve within three years. The members of PSC, as NSPC, as provided by the law, have no career as professional public servants, as a police officers or prosecutors within five years of appointment.

### **Metropolitan Police Department and Prefectural Police Headquarters**

The Police Law of Japan (1972) laid down that the Metropolitan Police Department and the Prefectural Police Headquarters through the supervision of their respective Prefectural Public Safety Commissions are in charge respectively of the affairs of the Tokyo Prefectural Office and other Prefectural Office.

The Metropolitan Police Department is the headquarters of the Metropolitan Police Department located in Tokyo and the headquarters of the other Prefectural Police is the Prefectural Police Headquarters in every office of every prefecture. The superintendent general heads the Metropolitan Police Department, the chiefs of each prefecture head the Prefectural Police Headquarters.

The National Public Safety Commission appoint and dismiss the superintendent general, with the approval of the Prime Minister and with the consent of the Tokyo Metropolitan Public Safety Commission. The National Public Safety Commission appoint and dismiss the Prefectural Police Chiefs with the consent of their Prefectural Public Safety Commission.

The Metropolitan Police Headquarters and Prefectural Police Headquarters are divided into different districts. The station chiefs head each district. The police stations serve as front-liners in the performance of their operations and maintain close contact with the local community.

There are police boxes (koban) and residential police boxes (chuzasho), which are under the jurisdiction of the police stations, located in a sub-district of the station.

Each Prefectural Police Headquarters is independent from each other. Though independent, the Prefectural Public Safety Commission can request for the assistance of the other prefectural police informing the National Police Agency to render assistance. As provided by the Police Law of Japan (1972), the prefectural police can extend its authorities even beyond its area of jurisdiction such as investigation of crimes, arrest of the suspects and other related matters for the public safety and order within the area of jurisdiction. (The Police Law of Japan, 1972, National Police Agency Journal, Japan, 1998)

## **2. Philippine Police Organization**

### **The Philippine National Police**

The Philippine National Police as provided by Republic Act No. 8551, and the 1987 Philippine

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Constitution “is national in scope and civilian in character, which is administered and controlled by the National Police Commission. The PNP is a community and service-oriented agency, which is responsible for the maintenance of peace and order and public safety.”

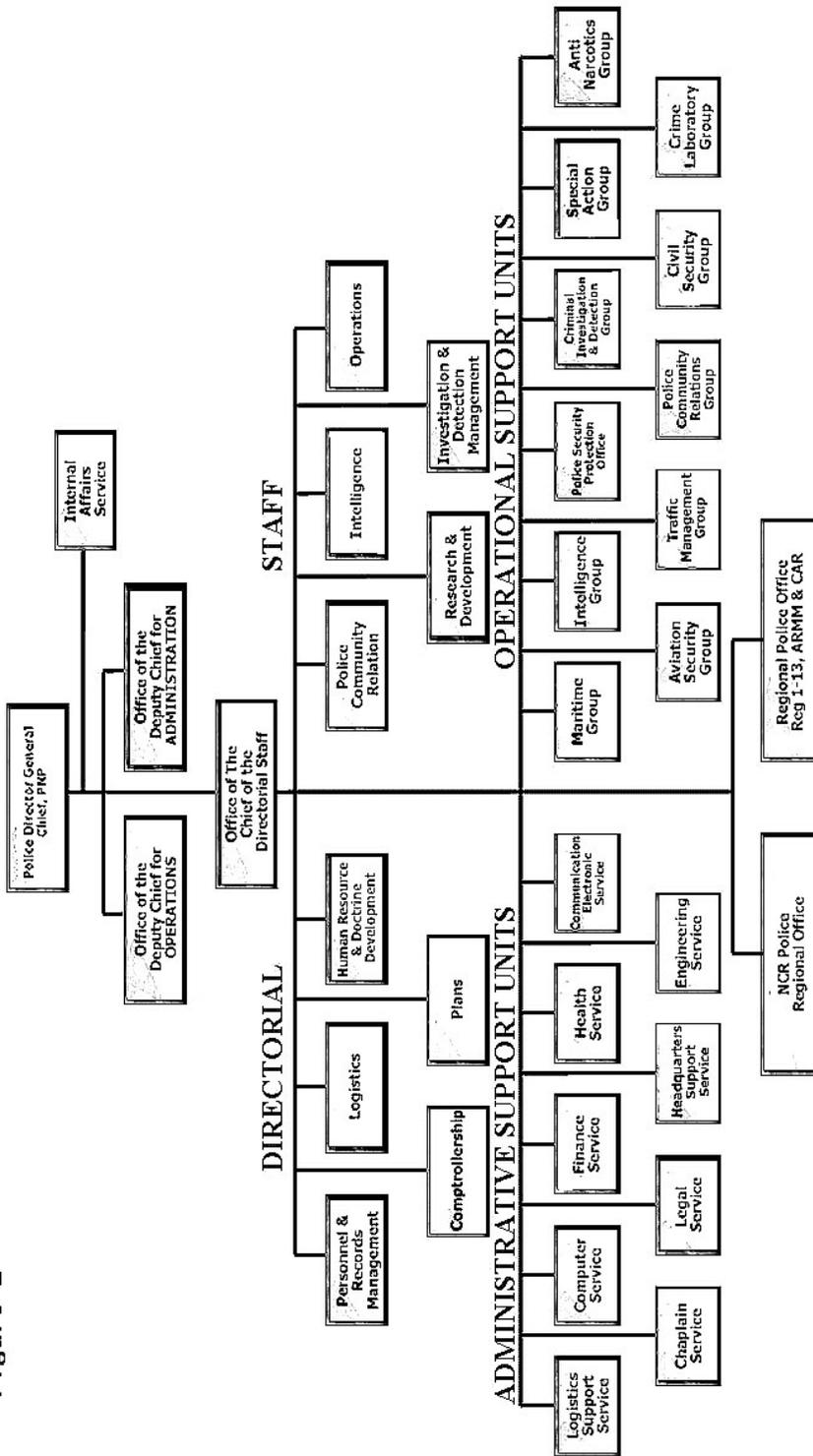
The Philippine National Police support the Armed Forces of the Philippines during suppression and insurgency, national emergency and in combat operations upon the call of the President.

The Philippine National Police is composed of the Director-General, 2 Deputy-Director Generals: for Administration and Operations, 10 Directorial Staffs, 9 Administrative Units and 11 Operational Units. The Deputy-Director General for Administration rank second, and Deputy-Director for Operations rank third.

The Director-General directs, commands and controls the Philippine National Police, appointed by the President from the senior officers down to the rank of Chief Superintendent, with the confirmation of the Commission of Appointments. The term of office of the Director-General should not exceed 4 years, except during times of war or national emergency and then through the declaration of Congress. The President may extend his term. The Deputy-Director General for Administration and Deputy-Director for Operations upon the recommendation by the Chief of the PNP are appointed by the President, and serves 4 years with the endorsement of the Chairman of the Civil Service Commission, subject to confirmation by the Commission on Appointments from among the senior and qualified officers in the service.

In the performance of his functions and duties as Director-General, he may delegate such powers to his subordinate officers with respect to the units under their respective commands in accordance with the rules and regulations prescribed by the National Police Commission. (Republic Act No. 6975, amended by Republic Act No. 8551)

Figure 2



Source: Philippine National Police, <http://www.pnp.gov.ph>

### **National Police Commission**

The 1987 Philippine Constitution prescribed and the Republic Act 8551 provided that a National Police Commission is established, as an agency attached to the Department of Interior and Local Government (DILG) for policy and program coordination.

It consists of a Chairperson, the Secretary of the Department of Interior and Local Government (DILG), who is ex-officio. The Vice Chairperson acts as the executive officer of the Commission. There are 4 regular Commissioners and the Chief of the Philippine National Police as ex-officio-member. There are 3 regular commissioners who come from the civilian sector. The President designates a Vice-Chairperson who is neither active nor a former member of the police or the military from one of the 3 regular members. The fourth regular member comes from the law enforcement sector, and can be either active or retired. The law also provides that at least one of the commissioners is a woman.

Under Republic Act No. 6975 as amended by Republic Act No. 8551, “the National Police Commission exercise the following powers and functions: exercise administrative control and operational supervision of the Philippine National Police, advise the President in all matters involving police functions and administration, recommend to the President through the Secretary of DILG a crime prevention program within 60 days before the commencement of each calendar year and perform other functions necessary provided by the Act and as the President may direct.”

The Staff Services as provided by Republic Act 8551 are as follows: the Planning and Research Service, the Legal Affairs Service, the Crime and Prevention and Coordination Service, the Personnel and Administrative Service, the Inspection, Monitoring and Investigation Service, the Installations and Logistics Service and the Financial Service.

The National Police Commission established the Disciplinary Appellate Board, which is the formal administrative disciplinary body, composed of the National Appellate Board and the Regional Appellate Board. The National Appellate Board is responsible to decide on the cases appealed by the PNP Chief. The Regional Appellate Board decide on cases appealed by officers aside from the PNP chief, the

mayor and the People's Law Enforcement Board. (PLEB). (Republic Act No. 8551, Tradio, 1994, Primer on the PNP Reform and Reorganization of 1998)

### **Philippine Public Safety College and the Philippine National Police Academy**

The Philippine Public Safety College is responsible for training, education, human resource development for the future officers and the continuing education and training of all the personnel of the Philippine National Police, Bureau of Fire and Protection and Bureau of Jail Management and Penology. The Philippine Public Safety College is composed of the Philippine National Police Academy (PNPA), the Fire Service Training Center (PNTC), the National Police College and other special training centers established by the Department of Interior and Local Government (DILG) in accordance with Section 13 of Presidential Decree No. 1184. (Tradio, 1994, Republic Act No. 6975)

The Secretary of the Department of the Interior and Local Government, the Chief of the Philippine National Police, Fire and Jail Bureaus, has direct supervision over Philippine Public Safety College. The Secretary of DILG is the chairman; the Chief of the PNP, Fire and Jail Bureau are members. (Rule 10 Sections 68,69,and 70, Republic Act No. 6975)

### **Internal Affairs Services**

The Internal Affairs Service of the Philippine National Police as provided by Republic Act No 8551, conducts the following functions and powers: "inspect and audit of the PNP personnel and units, investigate complaints and gather evidence in support of an open investigation, conduct summary hearings on the PNP members facing administrative charges, submit a periodic report on the assessment, analysis and evaluation of the character and behavior of the PNP personnel and units to the Chief of the PNP and the National Police Commission, file appropriate criminal cases against PNP members before the court as evidence warrants and assist in the prosecution of the case and provide assistance to the Office of the Ombudsman in cases involving the personnel of the PNP." It automatically conducts investigation on the following cases: the discharges of firearms by the police personnel, human rights violations, the death and physical injuries, of the police during operations, loss of the evidences while in

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custody of the police and violation of the rules of engagement.

The Inspector General heads the Internal Affairs Service, assisted by a Deputy Director General. He is appointed by the President upon the recommendation of the Director General of the PNP and endorsed by the National Police Commission.

The Internal Affairs is consisting of various offices: national, regional and provincial. The Director heads area offices and a superintendent heads the provincial offices. ( Republic Act No. 8551)

### **Directorial Staffs**

The Directorial Staffs consists of the following offices: Directorate for Personnel and Record Management, Directorate for Intelligence, Directorate for Operation, Directorate for Operations, Directorate for Plans, Directorate for Police-Community Relations and Directorate for Investigation.

The offices mentioned above are headed by the Directors with the position title of Director-General Staffs, appointed by the President upon the recommendation of the Chief of the PNP, endorsed by the Civil Service Commission and confirmed by the Commission on Appointments with 4 years term of office. (Gatdula, 1994, The Organizational Structure of the Philippine National Police: An Analysis, Appendix B, Republic of the Philippines, Department of the Interior and Local Government, National Police Commission, Resolution No. 92-36)

### **Administrative Support Services Units**

The Administrative Support Services Units are composed of the Logistic Support Service, Computer Service, Finance Service, Medical and Dental Service, Communications Service, Chaplain Service, Legal Service, and Headquarters Support Service.

The Directors head each of the offices and serve for 4 years with the rank of Chief Superintendent. The Directors are appointed by the President through the recommendation by the PNP Chief, endorsed by

the Chairman of the Civil Service and with the confirmation by the Commission on Appointments. (Gatdula, 1994, NAPOLCOM Resolution No. 92-36)

### **Operational Support Units**

The Operational Units are Maritime Command, Intelligence Command, Security Command, Criminal Investigation Command, Special Action Force Command, Narcotics Command, Aviation Security Command, Traffic Management Command, Civil Service Command, Police-Community Relations Command and Crime Laboratory.

The Operational Units are headed by the Directors with the rank of Chief Superintendent and serve 4 years. The Directors are appointed by the President recommended by the PNP Chief through the endorsement by the Chairman of the Civil Service Commission and subject to the confirmation of the Commission on Appointments. (Gatdula, 1994, Resolution No. 92-36)

### **National Capital Region Police and Regional Police Offices**

The Philippine National Police consists of a National Office, Regional Offices, Provincial Offices, District Offices and City and Municipal Police Stations.

The Philippine National Police national office is in Metropolitan Manila, which includes the directorial staff, service staff and special support units.

The Philippine National Police Regional Offices consists of 15 Regional Commands: Regions 1 to 12, National Capital Region (NCR), Cordillera Administrative Region (CAR) and the Autonomous Region for Muslim Mindanao (ARMM). Regional Director with the rank of Chief Superintendent heads each regional command. The NCR consists of 5 District Offices: Western, Central, Northern, Southern and Eastern Police District.

The Provincial Director assisted by the Deputy Provincial Director, with the rank of Senior

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Superintendent, with a maximum 9 years term, heads the Provincial Police Offices.

The PNP District Offices are organized in large provinces, headed by the District Director with the rank of Superintendent, which is under the direct control and command of the Provincial Director.

A Chief of Police with the rank of Chief Inspector heads the City and Municipal Stations.

The Regional Directors and the Provincial Directors are appointed by the President through the recommendation by the President, endorsed by the Chairman of the Civil Service Commission and with the confirmation of the Commission on Appointments.

The District Directors in the large cities and the Chiefs of Police in any police stations in cities and municipalities are appointed by the Chief of the Philippine National Police upon the recommendation of their immediate superiors and attested by the Civil Service Commission. (Republic Act No. 6975, Primer on PNP reform and Reorganization Act of 1998)

### **Participation of Local Government Executives in the Administration of the Philippine National Police**

The mayors and governors act as deputized representatives of the National Police Commission in their respective jurisdictions. They can inspect police units and forces, conduct audit, and exercise other functions as authorized by the National Police Commission, as deputized representatives. (Republic Act 8551)

### **Women's Desk**

The Women's Desk is established in all police stations all over the country to administer and attend to the cases involving crimes against sexual harassment, chastity, abuses committed against women and children and any other related crimes or similar offenses. The Philippine National Police reserve 10 percent as a quota for recruitment, training and education for women. (Republic Act 8551)

**The People’s Law Enforcement Board**

The People’s Law Enforcement Board is created to act as a central receiving entity for the complaints of any citizens against officers and members of the Philippine National Police.

The PLEB is composed of 3 members, who are from among respected members in the community, one of them is a woman and another is a member of the Bar, or in the absence of such qualifications, a college graduate, or the principal of the central elementary school in the locality. The Chairman must be elected from among the members. Both the Chairman and the members serve for 3 years. (Republic Act No. 8551)

**f. Rank Classifications**

Japan rank classifications are divided into 9 ranks: Superintendent General, Superintendent Supervisor, Chief Superintendent, Senior Superintendent, Superintendent, Police Inspector, Assistant Police Inspector, Police Sergeant and Policemen; whereas the Philippine Police rank classifications are divided into 16 ranks: Director General, Deputy Director General, Director, Chief Superintendent, Senior Superintendent, Superintendent, Chief Inspector, Senior Inspector, Inspector, Senior Police Officer IV, Senior Police Officer III, Senior Police Officer II, Senior Police Officer I, Police Officer III, Police Officer II and Police Officer I. (National Police Agency Journal, Japan, 1998, Tradio, 1994)

**Figure 3**

Japan	Philippines
Superintendent General Superintendent Supervisor Chief Superintendent Senior Superintendent Superintendent Police Inspector Assistant Police Inspector Police Sergeant Policeman	Director General Deputy Director General Director Chief Superintendent Senior Superintendent Superintendent Chief Inspector Senior Inspector Inspector Senior Police Officer IV Senior Police Officer III Senior Police Officer II Senior Police Officer I Police Officer III Police Officer II Police Officer I

Source: National Police Agency Journal, 1998, Tradio, 1994.

### **III. Summary and Conclusions**

Organizations, whether public or private in nature have a common end and that is to attain their goals based on their overall purpose, vision and mission. However, in public organizations such as the government, the paramount consideration is the client (that is the people) whereas for the private organizations (the business sector), it's primary goal is the profit.

Organizations operations will not materialize without subsystems such as departments and divisions. Without plans, programs, policies, rules and regulations, there can be no clear procedures that serve as a guide for every member of the organization to do what are they supposed to do and not to do. Prof. Tendaro (1993), emphasized that “how the organizations can be viewed depends on the perception and administrative orientation of what is expected to be achieved, the mechanisms required to achieve it, the cost it will entail the time framework needed accomplish results.” Thus, it would depend on what are the practice, culture, and environment both in the administration and the members within the organization. There are organizations where the administrations are so strict and firm that they are too systematic and traditional, whereas there are others, which are too lenient and open. There are organizations, which are centralized while the others are decentralized system. An organization is centralized when the administration concentration above all is on leadership, responsibilities, accountabilities and decision-making of the central administration whereas, an organization is decentralized when the central administration transfers its authority and power to the lowest level of the organization.

Japan and the Philippines as countries have their own features and characteristics. Both Japan and the Philippines are in the Asian Continent. Both are archipelagos, which consists of the islands and the waters around them. Japan is administratively divided into prefectures with a total population as of November 2002 of 127.620 millions, whereas the Philippines are divided into provinces, as of July 2001 has a close population to 83 millions. Basically, Japan is culturally homogenous whereas the Philippines is a mixture of cultures.

The United States has greatly influenced the political system of Japan and the Philippines. The

Constitution of both countries has been patterned from the democratic Constitution of the United States. However, Japan is parliamentary in structure while Philippines is presidential. Japan as a parliamentary system represented by the Emperor as Ceremonial Head of the State with no governmental powers; the Prime Minister as the head of the government has full authority and power in governmental affairs is elected by the Members of the Parliament and is removed from office through a vote of no confidence of the Parliament. The President represented by the Philippines, on the contrary, both in ceremonial and government functions is elected directly by the people with fixed terms of office and is removed from office through impeachment.

The police as one of the agencies of the government have major functions in society. The moral duty of the police is to give protection to the life of every citizen and maintain public peace and order in society. The police should attend to the different types of criminal behavior as has been discussed by Tradio (1994), such as “major crimes; offenses against public moral and offenses that have something to do with the maintenance of peace and order. The police should prevent criminality, arrest the offenders, recovers the stolen property, and regulates the non-criminal conduct and performance of related service.”

There are two fundamental theories of police service that are specifically cited by Tradio (1994, Ibid), “the Continental Theory and the Home Rule Theory. The former, which is centralized in pattern and the latter, is decentralized in pattern.” According to Tradio (1994, Ibid), the police in the Continental Theory are servants of the higher authorities and the people do not contribute in their duties nor does the police have direct connection with the people. In contrast, the police in Home Rule Theory are servants of the people in the community and the people have direct connection with the police as they express their wishes to them. As civil employees therefore, they preserve the public peace, security and order.

Japan followed the French police system during the Meiji era, characterized by a highly centralized and integrated system, which until now has been adopted and continuously functions. The National Government of Japan under the Police Law established a central police organization to control and supervise the prefectural police on matters of public concern. In Japan, the police through the National

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Public Safety Commission are responsible for the administrative supervision over the National Police Agency. Although National Public Safety Commission is under the jurisdiction of the Prime Minister, the organization maintains its independence.

Moreover, the Commissioner General who controls the affairs of the agency appoints and dismisses the personnel under his authority and heads the National Police Agency. The Deputy Commissioner General on the supervision of the affairs of the National Police Agency, including the affairs of the internal bureaus, local and attached organizations, assists him.

The National Police Agency based on its organizational structure is composed of the Commissioner's Secretariat, the International Affairs Department, the Community Safety Bureau, The Criminal Investigation Bureau, the Organized Crime Control Department, the Traffic Bureau and the Information's Bureau.

The organizations attached to the National Police Agency consist of the National Police Academy, The National Research Institute of Police Science and the Imperial Guard Headquarters.

The National Police Agency administers the Regional Bureaus headed by the Director General. There is also an established Prefectural Police Organizations, which is under the supervision of the Prefectural Public Safety Commission and the Prefectural Headquarters. The Prefectural Public Safety Commission is under the jurisdiction of the elected prefectural governors.

The respective Prefectural Public Safety Commissions of the Metropolitan Police Department and Prefectural Police Headquarters has supervision over them. The Metropolitan Police Department is located in Tokyo and the Prefectural Headquarters in the headquarters of the prefecture. The Superintendent General heads the Metropolitan Police Department and the Chiefs of every prefecture heads the Prefectural Police Headquarters.

The Metropolitan police Headquarters and the Prefectural Headquarters are divided into different districts. The Station Chiefs head each district.

The police boxes (koban) and the residential police boxes (chuzaiho) are under the jurisdiction of the police stations.

Each Prefectural Police Headquarters is independent from each other. In cases where the assistance is necessary, the Prefectural Public Safety Commission can request for the assistance of the other prefectural police and request the National Police agency to render assistance. Under the Police Law, the prefectural police can extend its authority even beyond its area of jurisdiction in cases of investigation of crimes, arrest of the suspects and other related matters which concerns public safety and order within the area of jurisdiction.

During the Spanish Occupation in the Philippines, the police was military in character and had a centralized system. The Spanish Colonial Government controlled over it. The police at that time have dual functions: soldier and a policeman. At present, the Philippine police is national in scope and civilian in character provided by the 1987 Philippine Constitution and Republic Act No.7965 as amended by Republic Act No. 8551.

The Philippine National Police and Armed Forces of the Philippines support each other especially during suppression, insurgency, and national emergency and in combat operations upon the call of the President.

The Philippine National Police is composed of the Office of the Director General, Offices of the Deputy Director Generals for Administration and Operations, Offices of the Directorial Staffs, Office of the Administrative Staffs and Office of the Operational Units.

The Director General directs, controls and commands the Philippine National Police. In the performance of his duties, he can delegate his powers to his subordinates in accordance with the rules and regulations prescribed by the National Police Commission.

The National Police Commission is attached to the Department of Interior and Local Government for

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policy and program coordination.

The Philippine Public Safety College is a primary educational and training institution for the future officers of the Philippine National Police, Bureau of Fire and Protection and Bureau of Jail and Management. It is composed of the Philippine National Police Academy, the Fire Service Training center, the National Police College and other special training centers established by the Department of Interior and Local Government.

The Internal Affairs Services consists of various offices, national, regional and provincial, headed by the Inspector General and assisted by his deputy. Its main concern is the inspection, audit investigation of the behavior of the PNP personnel and officers and other related cases.

The Directors heads the Directorial Staffs, Administrative Supports and Operational Supports Units.

The Philippine National Police consists of the national office, regional offices, provincial offices, district offices and city and municipality police stations. The Philippine National Police national office is in Metropolitan Manila, and includes the directorial staff, a service staff and support unit. The PNP regional Offices consist of 15 Regional Commands: regions 1 to 12. National Capital Region, Cordillera Administrative Region and the Autonomous Region of Muslim Mindanao. The Regional Director heads each regional command. The Provincial Director heads the provincial offices. The District Director heads the PNP district offices. The Chief of Police heads the city and municipal stations.

The mayors and governors can inspect police units and forces, as they are deputized representatives of the National Police Commissions as provided by republic Act No. 8551.

The Women's Desk is also established to administer and attend to cases involving crimes against abuses, chastity, sexual harassment against woman and children. The People's Law enforcement Board is also created to act as a receiving entity for complaints of any citizens against the officers and personnel of the Philippine National Police.

The rank classifications in the police organization of Japan are divided to 9 ranks from Superintendent General to the Policeman, whereas in the Philippine Police Organizations are divided into 16 ranks, from the rank of Director General to Police Officer I. (See Figure 3)

In conclusion, Japan and the Philippines' police organizations in administrative point of view are different in the sense that a Japan's police organization is a centralized system whereas the Philippine police organization is decentralized. As the police organization is under the supervision and is one of the agencies, of the government, it is precisely a public organization, the main purpose of which is to serve the community. As organizations, both Japan's and the Philippines' police organizations have respective concrete programs, policies, procedures, rules and regulations for the achievement of their respective goals. Furthermore, as organizations, they are composed of subsystems such as departments, bureaus and divisions that serve as tools for the successful operations and functions of the organizations. The policies, rules, regulations and procedures would provide a definition for the clear-cut functions and duties of each offices and officers concerned.

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