

# **Ramon Ruffy et al. vs. The Chief of Staff, PA et al.**

**Facts:**

At the beginning of the Second World War in the Pacific, specifically on December 8, 1941, Ramon Ruffy was the Provincial Commander of the Philippine Constabulary stationed in Mindoro. As the Japanese forces landed in Mindoro on February 27, 1942, Major Ruffy did not surrender but instead fled to the mountains, disbanded his company, and formed a guerilla group named the Bolo Combat Team or Bolo Area. Several individuals, including 2nd Lieut. Prudente M. Francisco, Corporal Andres Fortus, civilian Jose L. Garcia, Dominador Adeva, and Victoriano Dinglasan, eventually joined Ruffy's guerilla organization during 1942 and 1943.

General MacArthur's headquarters eventually recognized these guerilla units when Colonel Macario Peralta, head of the 6th Military District, made contact in November 1942. Consequently, those involved in the guerilla activities received formal military orders recognizing their positions. However, after Major Ruffy was relieved of his command in June 1944 and replaced by Captain Esteban P. Beloncio, Lieutenant Colonel Enrique L. Jurado, who had oversight over Bolo Area, was murdered in October 1944.

Ramon Ruffy, Prudente M. Francisco, Andres Fortus, Jose L. Garcia, Dominador Adeva, and Victoriano Dinglasan were subsequently tried by a General Court-Martial for the murder of Col. Jurado. Preliminary injunctions against these proceedings were denied at the Supreme Court level, and the General Court-Martial ultimately acquitted Ramon Ruffy, dismissed the charges against Victoriano Dinglasan, and convicted Jose L. Garcia, Prudente M. Francisco, Dominador Adeva, and Andres Fortus. The convicted petitioners then sought the Supreme Court's intervention on a constitutional challenge against their military prosecution.

**Issues:**

1. **Whether or not the petitioners were subject to military law at the time the offense was committed.**
2. **Whether or not the 93rd Article of War is constitutional under the Philippine Constitution.**

**Court's Decision:**

**1. Subject to Military Law:**

- The Court held that petitioners were indeed subject to military law. It cited the conditions mentioned in the 2nd Article of War that included various categories of individuals who fall under military jurisdiction. These categories included officers and soldiers in active service and recruiting as part of the military commands recognized by General MacArthur. As members of the guerrilla forces integrated into the 6th Military District recognized by the US military, they were in active military service and thus amenable to the Articles of War.

### ### \*\*2. Constitutionality of the 93rd Article of War:\*\*

- The petitioners argued that the 93rd Article of War was unconstitutional since it bypassed judicial review by the Supreme Court, specifically where the penalties involved are life imprisonment or death.

- The Court disagreed, asserting that courts-martial do not constitute part of the judiciary but rather are executive instruments under the authority of the President as Commander-in-Chief. This aligns with the understanding that the jurisdiction of military courts is an extension of the executive branch's command authority and not the judicial authority. Hence, the separation from direct Supreme Court oversight found no constitutional violation.

### ## \*\*Doctrine:\*\*

\*\*1. Military law applicability\*\*: Guerrilla fighters recognized under formal military structures during wartime operations are subject to military law and discipline.

\*\*2. Constitutional interpretation of courts-martial\*\*: Courts-martial derive their authority from the executive branch and, as such, their proceedings and disciplinary actions do not infringe upon the judicial powers reserved for the judiciary under the Constitution.

### ## \*\*Class Notes:\*\*

- **Article 2, Articles of War**: Pertains to who is subject to military law, including military personnel, reservists, training personnel, and those legally conscripted or otherwise integrated into the army's framework during wartime.

- **Article VIII, Section 2(4) of the 1935 Philippine Constitution**: Provides the Supreme Court's jurisdiction over criminal cases involving life imprisonment or death penalty.

- **Military jurisdiction**: Guerrilla forces recognized and integrated into formal military commands during wartime remain under military law irrespective of the enemy's stance on their legitimacy as combatants.

## **\*\*Historical Background:\*\***

This case, arising from the wartime itinerancy of guerilla activities in the Japanese-occupied Philippines, demonstrates the complexities of command and discipline within wartime resistance movements. It highlights the continuing authority and legal obligations of guerrilla fighters recognized by formal military structures even under the occupation and shifting lines of control during World War II. The case reflects the persistent legal and constitutional structures adapting to ensure military discipline for the overall conduct of war and guerrilla resistance against occupation forces.