

**2005 CONSULTATIVE COMMISSION  
To Propose the Revision of the 1987 Constitution**

**TRANSCRIPTS OF THE PROCEEDINGS  
SESSION NO. 7**

Thursday, October 13, 2005

**OPENING OF THE SESSION**

*At 2:36 p.m., the Chairman of the Commission, Jose V. Abueva, called the meeting to order.*

CHAIRMAN ABUEVA.  
Fellow Commissioners, may we take our seats please?

**NATIONAL ANTHEM AND PRAYER**

CHAIRMAN ABUEVA.  
Let us sing the national anthem.

*(Singing of the national anthem)*

CHAIRMAN ABUEVA.  
Commissioner Pedrosa will lead us in our prayer.

COMMISSIONER PEDROSA.  
In my own way.

My prayer is that we all keep a period of silence and reflect on our mortality. (Silence)

Thank you.

COMMISSIONER APOSTOL.  
Mr. Chairman.

COMMISSIONER ORTEGA  
Ah, Floor Leader.

COMMISSIONER APOSTOL.  
I think we are on the Roll Call. A certification that there is a quorum.

Mr. Chairman, in the meantime, I move that we hold in abeyance or perhaps we can forego already the committee session because the Chairman is not around. We can go on plenary but I would propose a modified system on Business of the Day, on the report of the committee in the sponsorship speeches of the sponsor.

After that, we will allow Commissioner Pedrosa and Commissioner Lim to deliver also their own speeches. From there on, we will go to the period of interpellations. If that is acceptable.

COMMISSIONER VILLANUEVA.

Parliamentary inquiry, Mr. Chairman. Parliamentary inquiry, are we meeting as a committee or are we meeting in plenary?

CHAIRMAN ABUEVA.

We are meeting in plenary to take up the report of the Committee on the Form of Government.

COMMISSIONER VILLANUEVA.

I see. Ok. So, we in plenary and we are supposed to take the matter on form of government as part of the agenda of the plenary.

CHAIRMAN ABUEVA.

Yes.

COMMISSIONER VILLANUEVA.

Because I heard the, I heard the Chairman say last time that you might like to vote again on the...

CHAIRMAN ABUEVA.

We'll do that in due time.

COMMISSIONER VILLANUEVA.

Thank you.

CHAIRMAN ABUEVA.

On the roll call, are you dispensing with the roll call?

COMMISSIONER AZURIN.

Just a clarification 'no? Our understanding was that the revote, the re-voting of the Committee on the Form of Government would, that was held previously, is nullified 'no? And therefore we will vote again.

CHAIRMAN ABUEVA.

No, let's not say nullified.

COMMISSIONER AZURIN.

Is a...

CHAIRMAN ABUEVA.

We will revisit. We will revisit.

COMMISSIONER AZURIN.

Okay, will be revisited. Meaning to say that that vote was not yet final.

CHAIRMAN ABUEVA.

Don't make a conclusion. I will just say we will revisit it. I will deal with it.

COMMISSIONER AZURIN.

Because if that vote is not yet the final, the the...I cannot avoid the word...the final vote, then the committee has nothing to sponsor because the committee has not yet, in effect, voted.

CHAIRMAN ABUEVA.  
That is why we are going back to that...

COMMISSIONER AZURIN.  
Okay.

CHAIRMAN ABUEVA  
...and hope to conclude with the vote. Now in...

COMMISSIONER VILLANUEVA.  
Mr. Chairman, point of order. Are we taking something that is not yet final in the committee and already taking it in the plenary?

CHAIRMAN ABUEVA.  
Well, it was deemed final until at the last moment there was a question about it. I proposed and I think we agreed in our committee meeting that we would cure whatever infirmity there was in that committee vote.

*(Female Voice). Mr. Chairman...*

COMMISSIONER VILLANUEVA.  
Mr. Chairman, don't you think we should first clear the infirmities or cure the infirmities before we take it in plenary?

CHAIRMAN ABUEVA.  
Yes, that's what I'm saying. We will get to that. We will do that first.

COMMISSIONER VILLANUEVA.  
I see. So, I just wanna...if we are meeting as a plenary or we are meeting as a committee. Thank you, Mr. Chairman.

CHAIRMAN ABUEVA.  
The committee is, as a motion and a report to the plenary. But before that can take place, we are going to, as I said, revisit our decision to clear the air. But In the meantime, we have...Mr. Floor Leader, are we, you dispensing, asking to dispense the roll call?

## **ROLL CALL**

COMMISSIONER APOSTOL.  
Mr. Chairman, on second thought, I am not dispensing the calling of the roll. May I request that the roll be called?

CHAIRMAN ABUEVA.  
Then let us call the roll.

## **ROLL CALL**

COMMISSIONER LORENZANA.  
[Calling of the Roll] [Commissioners saying "PRESENT", except indicated here as "ABSENT".]

1. Abarico
2. Abueg
3. Abueva
4. Acevedo
5. Adamat
6. Amin
7. Angeles
8. Apostol
9. Azurin
10. Bautista (ABSENT)
11. Bello (ABSENT)
12. Bengzon
13. Bian
14. Bondoc (ABSENT)
15. Cariño
16. Chua
17. Dee
18. Duavit
19. Espina
20. Garcia (ABSENT)
21. Gonzalez
22. Jimeno
23. Jurado
24. Lambino
25. Laus
26. Leviste (EXCUSED)
27. Lim
28. Lorenzana
29. Magno (ABSENT)
30. Marohombsar
31. Matula (ABSENT)
32. Mendoza
33. Naval
34. Ortega
35. Ortiz-Luis
36. Paterno
37. Pedrosa
38. Rodriguez (EXCUSED)
39. Romualdo
40. Sarmiento
41. Seno
42. Soriano (ABSENT)
43. Tabanda
44. Tendero
45. Teves
46. Varela
47. Vilar
48. Villanueva
49. Yuchengco

COMMISSIONER LORENZANA.

Mr. Chairman, we only have two-four-six-eight, nine (9) absent, so we have a quorum.

CHAIRMAN ABUEVA.

A quorum has been certified.

COMMISSIONER APOSTOL.

Mr. Chairman, I move that we suspend the plenary session to pave the way to allow the Committee on Form of Government to hold its committee hearing.

CHAIRMAN ABUEVA.

There is an item, minutes...

COMMISSIONER ESPINA.

Mr. Chairman, Mr. Chairman.

COMMISSIONER APOSTOL.

We will resume. We will call the approval of the minutes after the...

COMMISSIONER ESPINA.

Mr. Chairman, I have a suggestion to shorten our discussion. Espina here. Mr. Chairman. I was suggesting that perhaps we can dispense with the meeting of the Committee on Form of Government then already start on plenary to give due respect to the committee which has already submitted Resolution No. 1, which, in effect, is endorsing the proposal to the plenary of the committee's decision during the October 10 meeting. Anyway, most of the members of the Committee on Form of Government are already here in plenary.

CHAIRMAN ABUEVA.

Yes.

COMMISSIONER ESPINA.

So, whoever wishes to speak against that decision of the committee and to sponsor amendments can already be done without reverting the meeting now to the committee on form of government. Para...we will shorten immediately, discussion na in plenary.

Because we have been given Committee Resolution No. 1, Series of 2005, this means the committee has in fact decided. Wala ho akong problema don, if we can discuss it in plenary now.

CHAIRMAN ABUEVA.

Well, ah, well.. Our record shows that a very strong, even a vehement, expression was made regarding the way the voting was taken. It is part of the record. And this is why I appealed to you before the committee concluded its session last Monday that we will do something to involve all the members of this Committee on Form of Government here now to take this vote, make their vote anew.

So, I am calling all the, all the members of the Committee on the Form of Government here present, and I'd like to ask the Chairman of the Committee on, on the Form of Government to restate the, yeah, , Commissioner Angeles, to restate the last motion that was, that he made, which will be followed up by re-voting.

COMMISSIONER VILLANUEVA.  
Parliamentary inquiry, Mr. Chairman.

Are we voting again by virtue of the fact that we setting aside the vote last Monday? Or, because there is a big difference here. Or are we voting again because there is reconsideration?

In the case of the latter, only a member who has voted in favor of the resolution can vote, can move for reconsideration. Whereas, if we set aside the approval by virtue of certain infirmities, then we open again the matter to debate.

CHAIRMAN ABUEVA.  
Yes. You are speaking of parliamentary procedure. I appealed to you at our meeting in the Form of Government that we would revisit. I am using formal language, not parliamentary language, advisedly, because there was a very strong feeling expressed that there was something irregular about that voting. The quorum was challenged. These are all on record. And therefore, we want to, to clean-up the process by this. It will not take very long.

COMMISSIONER ESPINA.  
Mr. Chairman. Mr. Chairman, since I have been several times alluded to in the explanation of the Chairman, may I just clear the atmosphere?

CHAIRMAN ABUEVA.  
Yes.

COMMISSIONER ESPINA.  
Whether we revisit or not the decision of the committee, it cannot be erased that there was no quorum when it was discussed.

CHAIRMAN ABUEVA.  
That is why we wanted...

COMMISSIONER ESPINA.  
That is why, Mr. Chairman, I said...if you remember, in the meeting of that committee, provided my reservation to speak against this report, is allowed, then there is no need to revisit.

COMMISSIONER BENGZON  
Mr. Chairman.

CHAIRMAN ABUEVA  
Commissioner Bengzon. Point of order?

COMMISSIONER BENGZON  
Point of order, Mr. Chairman.

COMMISSIONER ESPINA  
Because it will not erase the fact that there was no quorum...

COMMISSIONER BENGZON.

Maybe what we should do, if that person who rose, who registered the formal objection regarding any infirmity could waive that now, then we can go to the plenary. That should be the proper motion. If that person is willing to waive that, then it would cure the infirmity. Or whoever objected that would withdraw it, then the resolution will stand.

COMMISSIONER ESPINA.

That is, may I, Mr. Chairman? That is precisely what I wanted to do because I wanted to cut already...

COMMISSIONER BENGZON.

But it has to be formally, it has to be formally waived and on record, Mr. Chairman.

COMMISSIONER ESPINA.

There is nothing to be waived under what rules of procedure.

COMMISSIONER ANGELES.

Mr. Chairman.

CHAIRMAN ABUEVA.

Commissioner Angeles is recognized.

COMMISSIONER ANGELES.

Mr. Chairman, I would like to make an observation or make an exception of what is being discussed here. The committee, when it decided to take a vote, there was a quorum. There was no question about the number of those physically present who took their vote. In fact, when I tallied the number of votes, we were twenty-one. Out of the thirty-nine members of the committee, there were twenty-one physically present.

And I would like to object to the, to the plan of revisiting the decision made by the committee. I would like to move that we honor the decision made by the committee. The vote that has been taken is in order and it should be respected.

COMMISSIONER BENGZON.

Mr. Chairman, if I think that's the, that's the...the chairman of the committee should rule therefore and stand by the resolution despite the objection, so we can go to plenary. Or if he does not want to rule, you could do two things, he can rule out the objection stating that there was indeed proper quorum and that it was in order or that person, whoever registered his objection would withdraw it so we can go to plenary. I'm just doing the order here.

CHAIRMAN ABUEVA.

I think, Commissioner Espina has, in effect, withdrawn his objections.

COMMISSIONER BENGZON.

Can we deem that as a withdrawal?

COMMISSIONER ESPINA.

As a matter of fact, when I proposed that we now proceed to discuss in plenary the resolution...okay na sa'kin. Anyway, I made the reservation that I will speak in plenary against the report of the committee.

(Commissioners speaking at the same time)

CHAIRMAN ABUEVA.  
Order please.

COMMISSIONER ABUEG  
Point of order.

COMMISSIONER APOSTOL.  
I have a motion to suspend plenary but I am withdrawing that motion. Now, I am proposing a little modified plenary. We'll allow the sponsors to sponsor the resolution but allow also Commissioner Espina and Commissioner Lim to speak before the interpellation. Then after that, we go to interpellation. From interpellation, we go to amendment, then of course, voting. A little modification, I think, will not, will help. I was saying that this is not strictly the law-making body. We should have a little leeway.

CHAIRMAN ABUEVA  
Yes. Yes.

COMMISSIONER BENGZON  
That's true.

COMMISSIONER ABUEG  
I would like...

CHAIRMAN ABUEVA.  
Yes. Commissioner Abueg?

COMMISSIONER ABUEG.  
Thank you, Mr. Chairman. I would like to raise a point of order. The distinguished gentleman, Commissioner Espina, has already withdrawn his objection on the propriety of the decision taken by the Committee in sending the report to the plenary. So, there are no more issues to discuss, no more impediment for the plenary to take cognizance of the same. What Commissioner Espina made then was merely a reservation for him to speak against the report in the plenary later. So we can already proceed.

CHAIRMAN ABUEVA.  
So, are we, so, we may proceed.

COMMISSIONER APOSTOL.  
We may proceed but in the meantime Mr. Chairman, I move that we may be given a little time to treat Item 4 because the minutes has not been distributed yet.

## **DEFERMENT OF APPROVAL OF MINUTES**

CHAIRMAN ABUEVA.  
Now, let me say something about the minutes. Those of you have read the minutes might have noticed that the quality of our minutes is really below standard. I don't find it acceptable. In the meantime, they are looking for a good editor to take charge of our minutes. But in the meantime, I would urge you, as I have done before, to look at the minutes with regard to your own individual interventions, if you may want to edit your interventions. But in the meantime, they are looking for that editor.

So, that is why it doesn't say approval of the minutes, it's just (unintelligible) the minutes.

COMMISSIONER APOSTOL.

Mr. Chairman, I move.. Mr. Chairman, I move for the deferment of the approval of the minutes of October 4, 5 & 6, 2005 sessions.

COMMISSIONER ORTEGA

I second the motion. I second the motion.

CHAIRMAN ABUEVA.

It is moved and seconded that we dispense with the minutes of October 4, 5 & 6.

COMMISSIONER APOSTOL.

Chairman, we go to Item 5. I have a proposal which I can easily convert into a motion that we allow first the two sponsors to sponsor the committee report and then allow two other speakers to speak.

COMMISSIONER ROMUALDO.

Not necessarily two. Those who desire to talk.

COMMISSIONER APOSTOL.

We have two sponsors.

COMMISSIONER ROMUALDO.

Only one will speak for the...

CHAIRMAN ABUEVA.

Mr. Floor leader, we have 5.1. I would like to make a brief report before continuing with this, if I may.

COMMISSIONER APOSTOL.

I was, Mr. Chairman, making a proposal on 5.2. Since we have two sponsorship speeches, we should allow another two commissioners to speak.

## **REPORT OF THE CHAIRMAN**

CHAIRMAN ABUEVA.

Yes. 5.1. We follow the agenda.

Briefly, I have written a report to you on a meeting where Speaker de Venecia invited the officers of our Commission to meet with him and leaders of the House, as well as leaders of the Union of Local Authorities of the Philippines. And I did this in writing so it will not take us time. I think it is very important for you to know what took place in this meeting.

Of particular concern, I think, to all of us is the request of the Speaker that we share with the House committee our proposals, as they are prepared, our draft proposals as they are prepared. And my response to that was that we report to the President. Even our partial progress reports, we submit to the President. It is up to her to share these reports with whomever she wants to do. But we should not be directly reporting or sharing our drafts with the House or the Committee, the House Committee on Constitutional

Amendments. So, I thought that this was necessary for me to report. So, you may kindly read the report.

I have other reports which are still very slow in coming. They will be with you shortly, I hope. One is a report on the press conference that we had in Malacañang yesterday. We were invited by Secretary Ermita...myself, our Secretary General and our Deputy Secretary General...to attend the weekly press conference in Malacañang. This was in full view and participation of the Malacañang Press Corps. We have a report on that as printed in the Inquirer.

I also addressed a letter to Senator Richard Gordon, inviting him to our Commission session at his convenience next week or the week after next because I was informed he might go abroad next week. This is to balance our invitation. We have already invited the House Committee Chairman. And therefore, I would like to invite his counterpart in the Senate; and perhaps also Senator Angara who is openly in favor of charter change.

#### COMMISSIONER ORTEGA.

Mr. Chairman, may I just add to your report to the Commission on the meeting with Speaker de Venecia, leaders of Congress, leaders of the local government units and some of our members, what was made clear is that we are here to help out in any way we can by suggesting some inputs to help out either the Constituent Assembly or the Constitutional Convention task it is maybe, because we do not know yet if they will go through with the Constituent Assembly or the Constitutional Convention. In either case, our main task here is to come with inputs that we can recommend to Congress or to the CONCON through the Office of the President. We are a creation by the Executive Order of the President so we course all our suggestions, our reports, our recommendations to the Office of the President. What was made clear in that meeting is that this Commission is not under Congress neither it is a competitor of Congress. In other words you do not have to race against time to come up with a draft earlier than Congress can finish it. In any case whatever we do, we go to them eventually if they constitute themselves into a Constituent Assembly. Ours is just to study, discuss, come up with suggestions and that is our function.

Thank you.

#### CHAIRMAN ABUEVA.

Just.. finally, Congressman Jaraula repeated what he told us here, it was very important because many House leaders were there and also the leaders of the League of Local Governments Units. And he said, he stressed the importance of CONCOM as a body that represents the views of various sectors of civil society, the private sector and local governments concerning the revision of the Constitution. He said that CONCOM would add greatly to the credibility of the reform process.

And this was in the presence of all the leaders there. Then the next and final item I have is one of our consultations. I am not talking about our sorties to the provinces which should be the subject of a report later by our Secretary General. But I'm talking of the day by day consultations that are actually taking place. Whenever anyone of you meets with media that's a form of consultation with our people through the media whenever you guest on TV programs, on radio interviews, that is part of our consultations. Whenever you individually appear in various fora to talk about our work, you are engaged in consultations and I want to be every sure that we have an accurate and full record of these. So I would suggest that the Secretariat make a very short form to give you. Day

by day, please record all of the consultations that you are making because they are very important. It is not just our sorties to the provinces and cities that are, the consultations we are doing. It's happening everyday. We would like to have a full record because later on we have to report to the President and this will be of public record, an important record of history. The extent of our consultations, we want a full record of individual, as well as our group consultations. So kindly do that and the Secretariat will prepare the appropriate form for that. That's all I have. The other reports will be coming shortly.

## **BUSINESS OF THE DAY**

COMMISSIONER APOSTOL.

So Mr. Chairman, in the business of the day, I move that we approve a modified system. The proposal is to allow to deliver the sponsorship speeches - the Chairman and the Co-Chairman, then we should allow contra speeches, two also, 2 commissioners. Then after that we will go to now, to the period of interpellations. After the period of interpellations, we go to the period of amendments and after that we go to voting. We just want to make it clear that whatever we will approve today is merely a draft to be submitted for consultation with the people. Then we come back here and finalize it, that's the time we will finalize the articles. So, I so move, Mr. Chairman.

*(male voice) Second.*

COMMISSIONER LAMBINO.

Mr. Chairman before we vote on that motion of the Floor Leader, point of clarification.

CHAIRMAN ABUEVA

Yeah. Commissioner.

COMMISSIONER LAMBINO

Since there are 2 speakers for the committee report and 2 speakers against the committee report, and then we proceed to interpellate, who among the speakers will be subject for interpellation? Will it be, will they be the speakers for or even those who speak against will also be subject for interpellation?

COMMISSIONER APOSTOL.

The interpellation will be directed against the sponsor of the committee report, not against the contra.

COMMISSIONER LAMBINO.

Not against the contra?

COMMISSIONER APOSTOL

Not against the contra.

COMMISSIONER LAMBINO

So that is very clear, Mr. Chairman, that the interpellation should only be directed against those who will speak in favor of the Committee report.

Thank you Mr. Chairman.

COMMISSIONER ANGELES

Mr. Chairman.

CHAIRMAN ABUEVA.  
Yes, Chairman Angeles...

COMMISSIONER ANGELES.  
I would like to correct the statement of the Floor Leader. Our job here as a Chairman and as a Co-chairman of the Committee on the Form of Government is just to report what transpired in the Committee meeting. We are going to report to the plenary session what has been decided and discussed in the committee meeting last Monday.

COMMISSIONER APOSTOL.  
No, Mr. Chairman. The job of the Committee Chairman, once the Committee report is finished is to submit the Committee report to the floor and sponsor it. It's not merely reporting.

COMMISSIONER ANGELES  
Of course.

COMMISSIONER APOSTOL  
So you sponsor.

COMMISSIONER ANGELES.  
I will. I am going to perform that job with my Co-Chairman.

COMMISSIONER AZURIN  
Yes.

COMMISSIONER ANGELES  
To report to the plenary session what transpired in the committee meeting.

CHAIRMAN ABUEVA.  
It's not so much that. The essence I think of your report is that you are reporting already the decision of the committee and let the plenary discuss your suggestions.

COMMISSIONER ANGELES.  
If you will see the resolution that we...that was distributed by the Secretariat, we have a resolution here to include in the plenary session today in the agenda, discussions on the need to shift from the presidential form of government to a parliamentary form of government; and also the need to shift from a bicameral legislature to a unicameral parliament. That is the resolution that..

CHAIRMAN ABUEVA  
Yes.

Now, is this been approved? They are now in the agenda, though we considered, we interpret this, in the inclusion in the agenda, that the, this plenary session, as indicated in the agenda, we are to discuss our report. And then we can...

COMMISSIONER BENGZON.  
It's not.

COMMISSIONER TABANDA  
Mr. Chairman. Point of order.

COMMISSIONER BENGZON.

Can I just ask? Point of.. can I just say something? I want to..in, if you look at the deliberation of the Constitutional Convention, we are doing sort of akin to their jobs. Every plenary session opens with a reading by either the Committee Chairman or the Secretary General of the proposals, or resolutions taken or decided by the committee, by any committee meeting which is supposed to be put to the plenary. So I think Chairman Angeles is in the right track, by reading the proposed resolution of the Committee. It should always open...

CHAIRMAN ABUEVA.

Yes. But in reading that, he is also submitting the work of the committee for... to be taken up...

COMMISSIONER BENGZON

For.. yes, sir. I mean, yes, Mr. Chairman.

... in the plenary. That's the purpose, that's what I was saying.

COMMISSIONER TABANDA.

Mr. Chairman. Point of order.

CHAIRMAN ABUEVA.

Yes please.

COMMISSIONER TABANDA.

Mr. Chairman. I think there is going to be a very big difference between what is being proposed in a motion, in a resolution by Chairman Angeles and that being proposed by our, by Commissioner Apostol, because if we are to take the resolution being proposed by Commissioner Angeles, it's going to open up all discussions again. So it seems like it is not going to be a sponsorship speech, it's not going to be a motion to present the decision of the committee to the plenary. It's going to open up discussions again. So my point of order is exactly what are we going to follow? Is Chairperson Angeles now putting in, making a formal motion for the inclusion of Committee Resolution No. 1, series of 2005 into the Agenda? Or are we going to stick to the amended, modified agenda as being proposed by Commissioner Apostol?

COM ESPINA.

Mr. Chairman. Point of clarification lang. I agree...

CHAIRMAN ABUEVA.

Commissioner Espina, I should recognize Commissioner Duavit.

COMMISSIONER ESPINA

Okay.

CHAIRMAN ABUEVA

He had been raising his hand earlier.

COMMISSIONER DUAVIT.

Mr. Chairman, may I move to suspend for about 5 minutes, Mr. Chairman?

CHAIRMAN ABUEVA.

I'd like to suspend the session for 5 minutes.

*[The session was suspended at 3:11 p.m. and resumed at 3:17p.m.]*

CHAIRMAN ABUEVA

The session will now resume.

COMMISSIONER ANGELES

Mr. Chairman. May I..

COMMISSIONER APOSTOL.

Mr. Chairman, I have a pending motion to modify the rules. I would be happy to suggest that there should be one speaker who will sponsor the committee report and another one who will talk contra to the committee report.

CHAIRMAN ABUEVA.

Okay. Can we proceed? Commissioner...

COMMISSIONER APOSTOL

Is my motion approved?

COMMISSIONER ANGELES

I second the motion.

COMMISSIONER LAMBINO.

Mr. Chairman, may I move to amend that motion? Because, as I pointed a while ago it is really unprecedented in any parliamentary proceedings that someone who is going to speak for the Committee report and then immediately someone is going to speak against the Committee report and then we proceed to the period of interpellation. The normal procedure is that whoever is going to speak for the committee report will have to do that then after which we proceed immediately to the period of interpellation. The reason behind that is because the one most interested to interpellate the sponsor would be the one who is against the measure.

CHAIRMAN ABUEVA

Yes.

COMMISSIONER LAMBINO

And so I suggest... I move to amend that motion of the Floor Leader that we first proceed with one speaker to the Committee report and then we proceed to the period of interpellation. After the period of interpellation then let one speaker to deliver his contra speech and then we proceed to the period of amendments if that is still going to be undertaken.

CHAIRMAN ABUEVA.

Will you accept that amendment?

COMMISSIONER APOSTOL

Not accepted.

CHAIRMAN ABUEVA

Alright. So let's go ahead. So Chairman Angeles is recognized.

COMMISSIONER APOSTOL.

The Chairman of the Committee on Form of Government is now recognized.

COMMISSIONER ANGELES.

Mr. Chairman, I would like to do some amendments. I would like to read the committee report that, this resolution I would like to present to the plenary session...resolution to include in the plenary session agenda the recommendation of the committee on the form of government to shift from the presidential form of government to parliamentary form of government and the need to shift from the bicameral legislature to unicameral parliament.

*Whereas in a conference held by the Consultative Commission, Committee on the Form of Government held on Oct. 10, 2005, the motion was submitted for the inclusion in the plenary session agenda the recommendation on the need to shift from the presidential form of government to a parliamentary form of government;*

*Whereas, in the same conference another motion was submitted for the inclusion in the plenary session agenda the recommendation on the need to shift from a bicameral legislature to a unicameral parliament;*

*Whereas by majority vote, the members of the Committee on the Form of Government approved and adopted the foregoing motions;*

*Now therefore, be it resolved, as it is hereby resolved, that the recommendation on the need to shift from a presidential form of government to a parliamentary form of government and the need to shift from a bicameral legislature to a unicameral parliament be then included in the plenary session agenda to be held on Oct. 13.*

I move for the approval of this motion.

COMMISSIONER APOSTOL.

It seems that there is only one sponsorship speech, may we now allow the contra to say something. We now recognize Com...

COMMISSIONER TABANDA.

May I have a point of order Mr. Chairman?

CHAIRMAN ABUEVA

Yes.

COMMISSIONER TABANDA

May I just ask that the committee recommendation...motion... is simply to include in the plenary session agenda? Should not it be for approval in the plenary session?

COMMISSIONER APOSTOL

That's what he said.

COMMISSIONER TABANDA

His statement is simply, to include in the agenda.

COMMISSIONER ANGELES.  
To include and the approval of this motion.

COMMISSIONER TABANDA  
As amended.

COMMISSIONER ANGELES.  
Amended.

CHAIRMAN ABUEVA.  
Please make that correction, also in the second part.

COMMISSIONER APOSTOL.  
Yes, that is a motion orally done. That will be done later on formally if it is approved.  
Now may we recognize now Commissioner Espina?

COMMISSIONER ROMUALDO  
Espina, where? Do not look at me, I am not Espina.

CHAIRMAN ABUEVA.  
Is Commissioner Espina there?

COMMISSIONER TABANDA.  
Point of order, Mr. Chairman?

CHAIRMAN ABUEVA.  
Yes?

COMMISSIONER TABANDA.  
I thought we are supposed to have a sponsorship speech in favor of the committee recommendation? How come somebody who is supposed to be in the contra is being called already?

COMMISSIONER APOSTOL  
That's my motion for modification...(laughing)... you modified it already...

CHAIRMAN ABUEVA.  
We were expecting the Chairman of the Committee to sponsor the resolution. And you told me that you are going to deliver a little speech.

COMMISSIONER ANGELES.  
It is not really a speech it is a summary of observations given during the Committee Meeting on the Form of Government. So, may I just mention some of the highlights of what happened during the committee meeting?

The question here is why the Committee on the Form of Government resolved to propose a shift from the Presidential form of government to a Parliamentary form of government:

- In the presidential system, there is too much centralization of power and resources in the national government at the expense of the local governments and countrywide development. The parliamentary system is more conducive to

an equitable distribution of power and resources. Concentration of power in one person, who is the President, is reduced in the parliamentary system and then decentralized to local governments. There is redistribution of power, wealth and opportunities to benefit the most number of people.

- Second, there is an adversarial separation of powers in the presidential system resulting in conflict and gridlock between the executive and the legislative branches. This will be eliminated in the parliamentary system because of the fusion of the 2 branches of government.
- Third, our presidential form of government is obsolete and dominated by dysfunctional political parties which sustain a politics of personality, patronage, cronyism and corruption without public accountability. Accountability of public officers in the parliamentary system will be more efficient. Party programs, rather than personalities will govern the leadership in the parliamentary system.
- Fourth, we have a glaring lack of good governance in the present form of government that has made us lag way behind the progressive neighbors such as Japan, South Korea, Taiwan, Thailand, Singapore and Malaysia. This lack of good governance is the offshoot of personality-based, opportunity-based election and the continuing gridlock between the legislative and the executive branches. The parliamentary form of government will bring about good governance because it is better able to more effectively respond to the nation's problems, challenges and goals in a more swift and sustained capacity.

Our present system does not offer a serious program of government, it is dominated by factions and alliances, united mainly for elections and patronage. In contrast, a parliamentary form of government is also called a "party government" because the parties are envisioned to offer a serious program of government.

Let me also add some additional information here. The advantages of the parliamentary system:

- First, it is more accountable than presidential system, since power is not divided...voters are to tell possible force in action. The Chief Executive, Prime Minister is often questioned by the legislature, or by the Parliament which ensures this held to account the acts as it checked on his power.
- Easier to pass a legislation because the executive branch is dependent upon the direct or indirect support of the Parliament. It is often comprised of the members of the legislature. In contrast, in a presidential system, the executive is often chosen independently from the legislature.
- If the Executive and the legislature, in such a system, are comprised of members from different political parties, then a stalemate can occur. The attractive features for nations that are ethnically divided like the Philippines, in a unitary presidential system, all executive power is concentrated in the President. In a parliamentary system, with a collegial executive, power is distributed.
- It allows the change in power without an election; it allows election at any time, if there is a need to replace the Prime Minister.

COMMISSIONER APOSTOL  
No more coup d' etat.

COMMISSIONER ANGELES

- Less prone to authoritarian collapse. Since World War II, 2/3 of third world countries establishing parliamentary governments successfully transitioned to democracy. By contrast, no third world presidential system has successfully transitioned to democracy without experiencing coups and other constitutional breakdown.

The advantages of unicameralism.

The principle of the indivisible sovereignty of the people is preserved. There is no supreme body. The Upper House tends to have a conservative character to control the representatives of the people, the Lower House.

Democratic principle of representation is based on universal suffrage and is better realized in a single chamber parliament. The aim of the legislation is the advancement of the general interest. If the second chamber also represents a general interest, it is redundant.

Electoral mechanism, nature of the legislative representation, collective decision of the ballot box represents the voice of the people.

Unitary state ideology. A bicameral legislature can be viewed as the enforcement of a federalist structure that would institutionalize trivial division lines in the nation as experienced in our country. Single-chamber parliaments are generally viewed as more efficient in accomplishing law making activities. Rapidly enact proposed legislation because there is no need to reconcile divergent bills produced in different chambers. Bicameral parliaments take longer to deliberate upon and produce legislation. Unicameral parliaments are financially more feasible, less costly to the government and taxpayers.

Resources needed to sustain the activities of the second chamber increase the overall budget expenditure of the legislature. There are other policy and institutional mechanisms to achieve the goals of interest representation by giving more power to regional and local governments. It provides more increased accountability. Elected representatives cannot point to the other chamber if the legislation is not approved. There are fewer elected officials for the population to monitor.

So, that, in effect, Mr. Chairman is the summary of what transpired during the committee hearing of the Committee on Structure of Government.

I would like to include as part of my sponsorship speech, recommending the 2 motions that have been approved by the Committee, a shift from the Presidential form of government to a parliamentary form of government and a shift from a bicameral legislature to a unicameral Parliament.

Maraming Salamat po.

COMMISSIONER APOSTOL.

Mr. Chairman, on contra may we recognize now Commissioner Espina. No, no, no, talk. Later on, you interpellate.

COMMISSIONER ESPINA.

Mr. Chairman. I..

CHAIRMAN ABUEVA

Commissioner Espina.

COMMISSIONER ESPINA

Thank you. I suppose at this point in time it is very clear that more than a majority have already made their mind in favor of shifting from presidential form of government to a parliamentary form of government. I would like to say that everyone is entitled to his opinion and decision on this issue. And I would like to begin by saying that I will respect the decision of every member of this committee, in the same manner that I also would expect that everyone would respect my position on the issue. With that as basis, Mr. Chairman, I would like to attempt to change the minds of some of the members of the committee to my position of retaining the presidential system with modification.

In the pamphlet that I have been distributing since 1995 among members of Congress, the number one in my listing of amendments was a review on the form of government and possibly retain a President nationally-elected with the powers that is now in the position of President but with a cabinet chosen from among the members of a unicameral legislature. Those in Congress before will attest to the fact that I have been distributing that since 1995 when I was elected.

And by way of trying to convince, let me just at this point picture what I believe would be problems that would adversely affect the future of this country and the future of every Filipino if we adopt the parliamentary system.

Number 1, the issue of dictatorship. It has been said that in the presidential system, dictatorship thrives because it is difficult to remove a sitting president, because of the formalistic and highly structured manner of the impeachment process. Assuming that dictators do come in a Presidential system, I say that a dictatorship could be more pervasive under a parliamentary system of government. Why? In a parliamentary system of government, a dictatorship may not be seen at the surface but it is insidious and hideous and lasts longer because the dictatorship is not only represented by one man but a small ruling class, mostly economic elites, who control the party. Being that, the dictatorship generally is longer than the dictatorship in the presidential form of government. Marcos was a dictator only from 1973 to 1986 or a total only of 13 years. It has been admitted in this body that dictatorship, quotation, in parliamentary countries, have been much longer. In Japan 4 decades, in India a much longer period, in Malaysia and I am sure several others mostly in the Asian-Pacific countries and perhaps, even in the Middle East. And it is a kind of dictatorship which is difficult to stop or end because as I said it is hidden. Unlike in the Presidential where you see one person. *So hindi diffused yung perception ng tao na ito* dictator. But in a parliamentary system, one person, but you know that there is a group, which could, because under the parliamentary system, the President of the party, automatically, almost always becomes the Prime Minister. You change the President of the party and the new head of the party will dictate who will be Prime Minister but most often it is he who heads the party who

becomes the Prime minister. So it is longer , dictatorship under the parliamentary system, it is hideous, it is sometimes in disguise of collective leadership but a dictatorship nonetheless and it is hard to end, hard to remove.

Number two issue. Instability. I warn the members of this committee and our people who will finally decide this issue of amendments that there will be great potential for political instability in a parliamentary system. Why? Because the Prime Minister can dissolve Parliament and the members of Parliament can vote lack of confidence on the Prime Minister which then brings the issue to the people requiring an election. If it happened in Italy that they have elections every 2 1/2 years, and then France during the 5<sup>th</sup> Republic where they have several elections they had to practically kneel before de Gaulle and asking to come and join. But de Gaulle said, “no, I will, but give me more powers as President.”

So, instability. Let us not picture an ideal which might not be achievable in reality and thereby further frustrate the aspirations of our people.

Too expensive is the argument against a presidential system because you spend a lot of money, billions, to finance a nationwide campaign. Again, let me warn and advise the members of this Commission and our people that in a parliamentary system it could become more expensive and destructive of independence, economically and politically. Why? Because there will never be a regularity of election expenses. There are several levels of election expenses and therefore political debt becomes a lasting debt that has to be paid every time there is an attempt to vote a lack of confidence of the Prime Minister or on the other hand when the Prime Minister conceives or thinks of dissolving Parliament. What could happen is, positions, contracts, could be handed left and right to the members of Parliament so that the Prime Minister can retain the vote of confidence which could be used against him by members of Parliament. In other word there will be constant threat that any member can stand up and say, “I move to declare a vote of lack of confidence on the Prime Minister”. To prevent that, there might be a lot of backdoor negotiations between the Prime Minister and the members of Parliament continuously because a fundamental feature of a parliamentary system is that there can be elections any time there is conflict between the Prime Minister and the members of Parliament. So here you have to spend when you nominate a candidate in the district.

Ting Paterno is trying to send a message to the Chairman to stop me.

COMMISSIONER PATERNO.

No. I want to interpellate.

COMMISSIONER ESPINA.

Because this is not the first time. During the committee meeting he was saying I was speaking longer. Please grant me this, I am the only voice promoting the presidential system. Anyway, I will respect your vote, Ting, in favor of the parliamentary in the same manner that I will respect everyone’s vote.

So, Mr. Chairman, dangerous *po ang* parliamentary system *sa pangarap ng bawat Pilipino na patuloy niyang matamasa ang karapatang pumili ng kanyang lider*. And that is my last point. In a parliamentary system the people have no participation directly to the choice of the one leading the country. He makes his influence indirectly only through the election of a member of Congress and they, the members of the assembly, will choose the Prime Minister. I say that at least I am not ready at this point in time to

remove from the people their right to vote. And that, to me, that is a strong argument during the period of the plebiscite.

I will end by saying and proposing, which I did in the transitory provision which held the meeting last night, that we retain the presidential system and to help reduce political friction and conflicts, let us have a transitory provision from 2007 or from the time the new Constitution is approved and hold the first the first election under the new Constitution in the year 2010.

Let me just, very briefly, explain why I want this transitory provision Mr. Chairman:

1. It will not disturb the present position of the Office of the Presidency, because anyway she was elected up to 2010. So if we can have a transitory government under a presidential form of government with the cabinet chosen from, it will be effective only after the election of 2010 and of course, necessarily, after the approval of our amended Constitution.
2. It might reduce the resistance of some members of the Senate because those members of the Senate who are to end the term in 2007 will have an added 3-year continuous functioning of their position. Those who cannot run in 2007 because they have been elected twice as Senators will have again a bonus of 3 years.

To show my sincerity on this proposal, I am right here saying that if we approve this, I will end my term as mayor in 2007. I will not continue in office. This is the same proposal I made, when I made the same proposal in Congress when I was there, that there should be no election in 2004 with the offer that I will also not continue in office as Congressman if that proposal of mine was approved.

COMMISSIONER APOSTOL.

The Speaker has 2 minutes to wind up.

COMMISSIONER ESPINA.

Thank you. Thank you, Mr. Chairman. So I say let us follow what was suggested by a group of congressmen the other night during a press conference that the KAMPI political party held. While during a press conference on television they said that they will not agree to a fasttracked approach in shifting from Presidential to Parliamentary, I think we should consider that. I think okay *na rin sa akin dahil* anyway there will still be consultation later and I think I can still speak out my position during this public consultation wherever we are going. So with that, Mr. Chairman, I end my deliberation and presentation of my position on the retention of the presidential system with a very fundamental feature of the Parliamentary system incorporated and that is the choice of cabinet members coming from a unicameral legislature. I had this proposal since 1995, the same proposal and I maintain that and I hope that I might be able to convince some of the members here to join me in this position.

Thank you Mr. Chairman for the opportunity.

*(applause)*

COMMISSIONER APOSTOL.

Thank you Commissioner.

CHAIRMAN ABUEVA.

Excuse me. As you know, we are really practicing the policy of maximum tolerance for which I have been receiving a lot of criticisms, we belong to 3 cultures, as I said, the parliamentary, the academic and the business culture. I've been receiving notes here as I preside, saying that the chairman should be dictatorial. No, but I believe in moderate tolerance.

COMMISSIONER ESPINA.

Thank you Mr. Chairman for that observation but sometimes one element is also important to be incorporated and that is wisdom.

COMMISSIONER APOSTOL.

So, Mr. Chairman, we are on the stage of CPR. Now we go to the period of interpellation. The first interpellator is Commissioner Carmen Pedrosa. The interpellator is given 3 minutes and then the defender will have also 3 minutes. But the interpellation should be directed to the sponsor not to the contra because he is not sponsoring anything.

COMMISSIONER PEDROSA.

Sorry, but, I am not used to strict legislation. I am a journalist.

COMMISSIONER ESPINA

Baka makumbinsi nya ako.

COMMISSIONER PEDROSA

Hello. This is okay? This is working? I think that most...that's not what I think... What do you think is the most significant reason why there is a clamor for a shift to parliamentary form?

COMMISSIONER ANGELES.

The experience of almost...is that directed to me? The experience of almost 60 years will bear out that the presidential system has not given us a better ...there is always a gridlock in the system. So since we have already experienced failure in the present system then what should prevent us from trying a better system that might bring a better and a brighter future for the country by adopting a different form of government? May I request my Co-chair to also say some comments?

COMMISSIONER AZURIN.

This is maybe controversial but I suspect that the most compelling reason for a shift or the demand for a shift is that it's an opportunity to break the protracted political stalemate currently on going. It is an opportunity for everybody to step down and have a fresh election. In other words, a new beginning for the country. This is why I think the shift should also include the transitory provision that all the selected officials must step down and let the whole nation start afresh. If this is going to be fresh start let it be really a fresh start and we will just pray that the new system will work. Thank you.

COMMISSIONER APOSTOL.

May we recognize Commissioner Paterno?

COMMISSIONER PATERNO.

Thank you Mr. Floor Leader. My question is of course directed to the sponsor. I would like, I hope he will comment during his response on the seeming duality of perception

about the parliamentary system that it can lead to a dictatorship, while at the same time it is also unstable. So *parang* inconsistent *yung* dalawa. You are worried about a dictatorship by the Parliament and you are worried about the instability of the Parliament. My view, Mr. Sponsor, is that there is much greater instability in the presidential system why? Because a president is elected for 6 years, he has a program. That program has a 6-year perspective. *Pagbalik ng bagong* President, *pagpunta ng bagong* President, *iba na naman ang programa*. So how can we have progress when the form or the program of government is changing every 6 years? So where is instability in terms of national direction?

Second, Mr. Chairman, I really am not worried about the fears for a dictatorship by a parliamentary system because actually the parliamentary system allows for a program of government to be continued beyond the term of the present Parliament because it is a program of a party. And in the case of Malaysia, in the case of Singapore, in the case of Korea, they attained progress because they had a national direction, not changing presidents every so many years and changing the direction of the nation every so many years. Would you agree, Mr. Sponsor, that these are valid observations.

COMMISSIONER ANGELES.

Yes Commissioner Paterno, I fully agree with your observation that's why I think it is very timely that our nation should chart a new direction so that we can have more stability and continuity in government programs. I fully agree with your observation that... and this we have witnessed it, during, almost for the past 60 years, every leader installed as president of the country adopts its own agenda. In fact, prior to the 1987 Constitution, even before, on day one, as the President assumes office on day one, he is already preparing for his re-election. That has been observed in the previous constitution where it allows one re-election and once the elected President is installed in office or finishes his term, the new President discard all those plans and adopts a new economic agenda. That is why there is no continuity in our program of government, in our economic development. That is why the experience that you mentioned in Singapore and in Malaysia, are very successful models of collective, you may call it a collective, party dictatorship, call it whatever name it is as long as it would benefit the country and the people then let it be a dictatorship by the party. If it benefits the greater number of the people then let it be a dictatorship.

COMMISSIONER APOSTOL

Ano?

COMMISSIONER ANGELES

Than just having one person being a dictator, as what we have experienced in the past, especially during the Martial Law days, Martial Law years, I fully support your observation, and the observation of my Co-chairman, that there's an urgent need for our country, to give it a a new shot. We suffered too much already. So many of our countrymen are... three minutes? So, are suffering and, it's about time that we should take a drastic action to reform our government system.

Thank you.

COMMISSIONER ESPINA.

Interpellation, Mr. Chairman, to the sponsors.

COMMISSIONER APOSTOL.

We have a list here of interpellators, if you want to be include, I will include your name.

COMMISSIONER ESPINA.

Yes, please. Thank you.

COMMISSIONER APOSTOL.

The next interpellator...oh answer... yes, the Co-Chairman.

COMMISSIONER AZURIN.

Can I just make a quick comment on this question about the duality, instability and the possibility of dictatorship? I think the response to that is that a parliamentary is unstable when a ruling coalition cannot be formed. In other words, the balance of power is too tentative. And that is when we have period of instability because of the constant conflict. But I think once a coalition is formed and when it can be sustained then the possibility of the long periods of the ruling coalition holding sway becomes a real thing. That is neither a bad thing nor a good thing, the problem is whether that coalition does good thing or does bad things; and both are certainly possible. As an example, even in Japan which has a very mature parliamentary system, you have, like in the 90's, when they were undergoing a recession, you had a burst of public spending under the rationale that this is (unintelligible) pump-priming. Essentially, the ones who benefited were the construction cartel, members of the cartel who are partners of the LDP, these abuses happen. So, I think it is, it has its pros and cons.

Thank you.

COMMISSIONER APOSTOL.

Mr. Chairman, the next interpellator is Commissioner Lim.

CHAIRMAN ABUEVA.

Commissioner Lim is recognized.

COMMISSIONER LIM.

Thank you Mr. Chairman. Without preempting my presentation later on and of course without really disagreeing with Commissioner Espina, because I am one with him in opposing the shift. As a matter of fact, if you look at it the arguments being presented with regards with the parliamentary form, wala naman pong prinepresentang bago na hindi natin mareresolba under the present system. As a matter of fact, when we're talking about why is it that the party programs, in the current situation, not promoted simply because in our present set-up, it is the person that creates the party, not the party creating the person, yun kasi ang problema today. If you look at it, I think, one problem that we have sort of developed is na- split natin masyado, marami yung mga partido, and we've created so much confusion in the situation today. So, ang question ko siguro, if I have to ask the sponsor, what is it that he is actually espousing that cannot be cured under the present system, because later on, if I will be allowed to present. Unfortunately, I didn't know that we will be voting already in plenary session today, we are still currently looking for that one key problem that cannot be solved.

Ang issue ho natin ay kailangan pag-present later on sa taongbayan, kaya natin sabihin na wala nang ibang solusyon kundi ang mag-shift sa parliamentary form. Pag hindi natin successfully nai-produce yan, talo na ho tayo sa presentation natin. I think, Mr. Chairman, later on I will reserve that in my presentation even if it is a little bit half-baked

because of lack of material time, but my question really is, what is our sponsor espousing that cannot be resolved in the current system and this I will try to prove later on, otherwise. Thank you Mr. Chairman.

COMMISSIONER ANGELES.

The change of the form of government will not entirely solve the problems of our country. It is not a ...

COMMISSIONER LIM.

Then why are we shifting?

COMMISSIONER ANGELES.

Excuse me. I'm trying to... the people managing in government maybe, should be replaced, that's one process that may arise in the shift or in the change of the form of government. I believe that the shift to a parliamentary system will solve the stalemate that is going on, that we have experienced for almost 60 years between the executive and the legislative, because there is apparent lack of coordination and cooperation between these two independent, co-equal branches of government. The problem of the presidential system is... it's intrinsic in itself, it is built-in, there's a built-in dictatorship in the presidential system, because the moment the president is elected, do you expect to serve during the duration of his term and cannot be removed unless there is coup d' etat or people power or unless there is an impeachment.

But the experience that we have had for the last fifty years, there was no impeachment that has ever succeeded in the presidential system, while in a parliamentary system, by a vote of no confidence that Prime Minister can be replaced by a better one, by a better leader who can respond, who can be responsive to the needs of the country and the people. So, I beg to disagree with the observation that it is easier to serve our country, country's problem by just retaining the presidential system. I believe that there is urgent need to overhaul the whole system so that the entire government machinery can be responsive to the problems of the country and to the needs of the people.

COMMISSIONER LIM.

Mr. Chairman, I never said that there is no need to change, as parts of the Constitution, but what you have actually espoused, doesn't respect and a strong two party system will also solve the same problem that you are mentioning today? Actually, the issue today is, on the only gridlock aspect, it's a question of party wit, on the aspect of issues that they are not, that they are hitting each other, is actually an issue of respect. One branch is not respecting the rights of the other branch. And a strong two party system with a strong party wit would have solved all of these problems.

COMMISSIONER ANGELES.

I'm afraid that the current system that we have now, although it is presidential and we're supposed to have two party system as you have recommended, we are multi-party in a presidential system which is...

COMMISSIONER LIM.

Exactly my point...

COMMISSIONER ANGELES.

So many parties, so much so that for a majority to be a coalition of parties before it can be, it can involve, there's a lot of horse-trading, unlike in the parliamentary setting which

is party platform of government and it's a collective program that is decided by the majority of the Parliament. But in the presidential system in the present legislature even, ah, we have two, although we have two chambers, that is, the Senate and the House, when they have differences in the passage of a law. They create a bicameral committee which in effect is in the Third Congress. So before you can pass a very urgent legislation, there's a lot of time spent, time wasted, before they can respond to the urgent need of the country. We have experienced this for almost 60 years so I think that the best argument is... thank you sir... is to try to present to our people a shift on a new form of government.

We are not yet sure after consultation with the different sectors of society whether they will listen to our recommendation here. Our role is just recommendatory. That's why after we have made productive consultations in the different sectors in the different regions then we will be able to come back here and maybe report in a plenary session the results of our own consultations. So the ideas that we are now espousing here, like the shift of the system of government is still just a proposal, there is still in need to consult our people, the people all over the land, the different regions before we can come out with a definite recommendation to the President.

COMMISSIONER PEDROSA.  
Mister Chairman?

COMMISSIONER LIM.  
Thank you very much Mr. Chairman... (unintelligible)

COMMISSIONER PEDROSA.  
I would like to amplify the answer of our sponsor by directly answering his query that what in the system cannot be reformed? I think it is a very important question and also deals with the most important defect of the present system whereby our elections are nothing but a popularity contest and because they are what they are, we elect actors and celebrities and not able leaders with a vision. Now, if you then proceed to have what they call an electoral reform you will only be aggravating the problem. Because what will happen is that you will only count the votes for the actor and the broadcaster. Rightly so, electoral reform or anything else, has nothing to do with making government better or making this as the better.

COMMISSIONER LIM.  
That has nothing to do with the framework if you, because you can actually....

COMMISSIONER APOSTOL.  
Thank you. Thank you Commissioner Pedrosa, Thank you Commissioner Lim. The next interpellator is Commissioner Villanueva, Mr. Chairman.

COMMISSIONER VILLANUEVA.  
Thank you, Mr. Floor Leader.

CHAIRMAN ABUEVA.  
Commissioner Villanueva is recognized.

COMMISSIONER VILLANUEVA.  
The Chairman of the Committee as well as the Vice Chairman who sponsor the resolution, mutually agree that one of the stumbling blocks of the presidential form of the

government is the gridlock between the executive and the legislative. Nevertheless, a study of the Philippine political history shows that the gridlock occurs only and exclusively between the Senate and the President. If we look at the political history of the country the gridlock has always been between the President and the Senate and so what I'm trying to say is, on the contrary, the lower house actually most of the time works together with the President and so the remedy maybe is not to become parliamentary but just to abolish the Senate. My second question is...

COMMISSIONER APOSTOL.

One question at a time. What is the question now, Commissioner?

COMMISSIONER VILLANUEVA.

My question now is, are we treating this as a complete disjunction where our choice is limited between parliamentary and presidential? Can we not gather the minds of the commissioners here and maybe develop a hybrid political system of governance which is indigenous to the people of this country where we can adopt the strengths of parliamentary and the strengths of the presidential and combine them so that we may have a government that is suitable to the temperament and to the culture of our people?

COMMISSIONER APOSTOL.

Please repeat your question, because the Chairman was not listening.

COMMISSIONER ANGELES.

I'm sorry.

COMMISSIONER JURADO

Mr. Chairman.

COMMISSIONER ANGELES.

Please state your query please.

COMMISSIONER VILLANUEVA.

I was saying that are we completing, are we considering the situation as a complete disjuncture, where we can only choose between parliament and presidential? Can we not gather the brilliant minds of this Commission, consult with the people and then develop an indigenous system of the governance that would adopt the strengths of the presidential and the parliamentary that is more suitable to the culture and temperament of the people? Why are we rushing in deciding? Why don't you give us more time so we can use our experience as well as our joint opinions and incorporate the aspirations of our people so that we may have a government that may not be parliamentary or presidential, but a hybrid, but incorporating the strengths of both presidential and parliamentary?

COMMISSIONER ANGELES.

May I remind Commissioner Villanueva that our mandate here is not to draft a new constitution?

Can you please close your microphone?

Our mandate is to make a study whether it is practical for the country to shift from presidential form of government to a parliamentary form of government. The task of the Commission is to make those drafts and to consult the people. We are not here to

change the form of government, that's not our role, we are here to deliberate what is most practical and most beneficial to the country whether we were to shift in the form of government. So this committee has recommended two resolutions which we are submitting to this plenary session and if we successfully convince this Commission to approve our recommendation then we will proceed to the more important step before we can make the final recommendation to the Office of the President. We will have to consult the different sectors of the society whether we are in favor to retain the presidential system of government or shift to a new form of government, which is parliamentary.

COMMISSIONER VILLANUEVA.  
I think the gentleman...

COMMISSIONER JURADO  
Mr. Chairman..

COMMISSIONER VILLANUEVA  
... did not get my position clearly. That's exactly what, I'm not changing the process, we will still recommend, what I'm just asking is, are we limited to a choice between a presidential and parliamentary? Don't we have the capacity to be able to develop an indigenous system of government that is more akin to the temperament and culture of our people and if we do then let's do it and follow the same process as what the Chairman was saying.

COMMISSIONER ANGELES.  
We are not limited to the choice of presidential or parliamentary, if the result of our consultations will indicate that there is a better form of government that we should adopt, then maybe we can bring it up back to the Commission, and because of the time constraint, we will have be given until December 15 to make recommendations and propose amendments to the 1987 Constitution. So may I...

CHAIRMAN ABUEVA.  
If I may intervene?

COMMISSIONER ANGELES  
Excuse me.

COMMISSIONER VILLANUEVA  
Why don't we...

CHAIRMAN ABUEVA  
I think it is a given. And we are all assuming that whatever form of government we will finally adopt is not a copy of just any existing form of government of any country. It is assumed and I think it is well understood by us that we are going to shape a specific, a particular form of government suited, as Commissioner Villanueva is saying, to our political experience, our political history, our political culture, our experience and so on. So in the end, we very much hope and we confidently expect that that form of government will be suited particularly to our needs, to our requirements, in our particular country. So we appreciate your reminder, but in fact, I think, we should, from the outset I think individually we were seized with this particular interpretation of our task in this Commission. We are designing a form of government best suited to all the factors mentioned here and even more.

COMMISSIONER AZURIN.  
May I add something, Mr. Chairman?

CHAIRMAN ABUEVA.  
Yes Commissioner.

COMMISSIONER AZURIN.  
I think no one is arguing that the problems of the country will be solved by a change in the form of government. In fact, my presentation at the beginning of the committee meeting last Monday was to show how certain problems can be addressed by either system. I think the argument, there are many problems in the country therefore we should change the form of government. It's an intellectual non-sequitur.

But having said that, I think, the fundamental, the more, as I mentioned earlier, the more compelling reason to, I mean, granting that we can solve the problems under both a parliamentary and a presidential system, I agree that the mixture of features from each can be melted in whatever form we call it, we can call it a parliamentary system simply meaning that we fuse executive and legislative power and include features that are powered from what we have now call the presidential system. I think there is nothing that prevents that. I think the compelling reason to argue for a shift to this parliamentary system, is so that we can have, at least in the perception of the country a new start, a fresh start, and people can at least imagine that this is a new beginning and with the hope presumably that the certain behaviors will change.

Again, I don't know whether that will happen or not. But I think it is a given that we can introduce features in either system that will address the problems of the country now, then we might as well try for this perception of a fresh and new beginning. At least that is my point of view.

COMMISSIONER VILLANUEVA.  
Thank you. But I just want to correct, Mr. Floor Leader...

COMMISSIONER APOSTOL.  
Your three minutes is up. Commissioner Villanueva, your three minutes is up.

COMMISSIONER VILLANUEVA.  
... that the motion does not reflect what has being discussed here and at the right moment I would like to raise the point of order to amend the motion that's being presented for approval to reflect what it really has.

COMMISSIONER APOSTOL.  
We will come to that, because we will be on the period of amendment. Mr. Chairman, the next interpellator is Commissioner Tendero.

CHAIRMAN ABUEVA.  
Commissioner Tendero is recognized.

COMMISSIONER TENDERO.  
Good afternoon, thank you very much. First, just a comment and observation... just a comment first before I give the question. It could have been better if a sponsorship of a major presentation would have been given in writing so as all of us would be able to read

it even as we, later on, since this is a product of committee report, it would have been better if it was written.

Now, regarding some of the questions I have, the main question that was raised about the shift to parliamentary system is in relation to, one, having obsolete form already, where we have a personality patronage without public accountability. I don't think that will be solved by a shift to parliamentary system. Our presidential system of government, part of our problem why we have personality and patronage is we have allowed for a multi-party system. If we limit our presidential system having a two dominant party system, then the party will be the one to choose who will be nominated and who should run for the office that are being contested for particularly in the Office of the Presidency. So we would have one screening by the party on who will be there to be brought to the people.

Number two, one reason that was given is the too much centralization of power in the presidential system. I think that will also be the problem with the parliamentary system where you've have a dominant political party who will almost eradicate the opposition. When you have a strong dominant party that would be a real problem when we have a parliamentary system. Those would be my two major points, sir.

COMMISSIONER APOSTOL.  
Question?

COMMISSIONER JURADO.  
Mr. Chairman, what is the question?

COMMISSIONER APOSTOL  
Just a minute, I am asking what is the question.

COMMISSIONER TENDERO.  
The main question is... the two main points that were given from the shift to the parliamentary system is not really that convincing because that, first, too much centralization of power can also be the problem in the parliamentary system. In fact the strong party in power could almost obliterate any opposition and we will have also the problem of the have-nots or the people. You know, it will be a group of people who would dominate the whole country, because there is no more check and balance between the executive as well as legislative. And then, as I have said, about being obsolete, the question is, I think if we can make those changes in our party system in the presidential form then it will be more effective in terms of electing the right people in the national leadership.

COMMISSIONER ANGELES.  
I wish ....

COMMISSIONER APOSTOL.  
You want to interpellate, Commissioner Jurado?

COMMISSIONER JURADO.  
Interpellate... but partly to amplify answers of the Chairman.

COMMISSIONER ROMUALDO.  
Inquiry, Mr. Chairman.

CHAIRMAN ABUEVA.  
Yes, Commissioner Romualdo.

COMMISSIONER ROMUALDO.  
May I know if one who is a member of the committee will be asking questions to the very committee of which who voted in favor? Is it not wise that if you are member of the committee and then voted in the committee's report, you ought not to ask questions anymore? Because all the questions have been ventilated during the committee meeting, unless you want to grandstand.

COMMISSONER APOSTOL  
The rules states that...

CHAIRMAN ABUEVA.  
I think Commissioner Romualdo is really giving us a wise advice, we give priority to those who are not members of the committee to make the interpellations because, the members of the committee have had a lot of time during the 6 hours of meeting, so, we will not exclude them but we will give priority to those who are not members of the committee. Mr. Floor Leader, are there other ...

COMMISSIONER APOSTOL.  
If we follow the rules on plenary, members of the committee are not allowed anymore to interpellate but I think we have to give a little leeway

COMMISSIONER ROMUALDO  
Oh, c'mon.

COMMISSIONER APOSTOL  
... instead of being very... on a straight jacket. Of course, priority, but the problem is we do not, we are listing. Okay, the next interpellator...

COMMISSIONER ESPINA  
Mr. Chairman...

COMMISSIONER APOSTOL  
... is Commissioner Espina.

CHAIRMAN ABUEVA.  
Commissioner Espina.

COMMISSIONER TENDERO  
Was there a response...

COMMISSIONER ESPINA.  
Thank you Mr. Chairman.

COMMISSIONER TENDERO.  
Point of order, there was no answer yet from what I raised.

COMMISSIONER APOSTOL.  
May I beg your pardon, Commissioner Espina. Commissioner Tendaro is saying that he was not answered. I don't know if you understand the question, it is a very long question.

*(laughter)*

CHAIRMAN ABUEVA.

Commissioner Tendaro, could you repeat your question kindly?

COMMISSIONER TENDERO.

Well I'm saying, the main reason given does not really give a substantial reason to shift to a parliamentary form of government. Therefore, basically as I have said, for my clarification, it is important for us to say, if we are making that argument make it more convincing argument.

COMMISSIONER ANGELES.

Well, Commissioner Tendaro, I am not here to really argue whether the present system should be retained or not. I would like to refer you to an article that has been distributed here to form part of our arguments, of the committee's report on why we should shift to a parliamentary system, authored by Commissioner Carmen Pedrosa, which I would like to become part of this ... Now, if you receive your copy, I think most of the questions that you asked are, can be answered by this article.

But regarding the limitation of parties that should exist whether on a parliamentary or presidential is perhaps, undemocratic. I don't think our political leaders, or the character, the idiosyncracies of the Filipinos will allow a two-party system. A multi-party system evolve in a presidential system, I don't know how it evolve, I think, it was, it happened during the dictatorship of President Marcos that several parties were organized and they coalesced, and now they are still existing up to now. In fact we even have party list, I don't know how we can... Now, this several parties existing in our political system, they are suited, very much suited to a system of parliamentary. In a presidential system, a two-party system is more ideal but in a parliamentary, a multi-party system can, well, exist and yet can become the ruling party in a parliamentary system. But, in a presidential system like what we have now, they coalesce for convenience, for patronage, for the presidency. That's why you see Congress, that is our present Congress, we have a multi-party system in our present Congress ...

COMMISSIONER TENDERO.

Probably, that's part of the problem that we have in our political system right now, because we have a presidential system that allows for a multi-party structure, and you have said earlier that if we have a presidential system that have only a two-dominant party then we could provide the kind of screening of the candidates. But, because we have precisely a presidential system that, a multi-party structure, then we have all of these problems in this country.

COMMISSIONER APOSTOL.

Okay, so we'll have the next speaker. Mr. Chairman, the next interpellator is Commissioner Espina.

CHAIRMAN ABUEVA.

I'd like to ask our... May I ask our vice chairman to chair the meeting because I would like to participate in the discussion.

COMMISSIONER APOSTOL.

The Vice Chairman is recognized. Our next interpellator is Commissioner Espina.

COMMISSIONER ORTEGA.  
Commissioner Espina.

COMMISSIONER ESPINA.  
Thank you, Mr. Chairman. Earlier, it was pointed by those in favor to the proposal to shift that there is greater continuity of programs of government under a parliamentary system than under a presidential system. Would that interpretation, or does the chairman agree with that? The chairman of the committee making the report, sponsoring the proposal.

COMMISSIONER ORTEGA.  
The sponsor will please answer.

COMMISSIONER APOSTOL.  
The problem is the chairman is not listening, so I refer the question to the chairman of this committee who was listening, the chairman of the plenary.

COMMISSIONER ORTEGA.  
The sponsor.

COMMISSIONER APOSTOL.  
He was not listening. So may we request now the chairman to answer?

CHAIRMAN ABUEVA.  
How do you know that he was not listening?

COMMISSIONER APOSTOL.  
He was asking me to ask again the question. To ask...

COMMISSIONER ORTEGA  
Commissioner Espina, will you please...

COMMISSIONER ANGELES  
Can you please restate your question?

COMMISSIONER ESPINA.  
I will repeat the question.

COMMISSIONER ORTEGA  
Commissioner Espina.

COMMISSIONER ESPINA  
It only requires a yes or no answer.

COMMISSIONER ORTEGA  
Commissioner Espina.

COMMISSIONER ESPINA  
My question is, is it the position really of the sponsors that in the parliamentary system there is greater continuity of programs of government?

COMMISSIONER ANGELES.

Yes. As experienced by parliamentary governments that we have observed and a, especially in our neighbors, Malaysia and Singapore and even Japan.

COMMISSIONER ESPINA.

Okay. So if, it follows also that it is the position of the sponsor that in the presidential system there is lack of continuity of program implementation.

COMMISSIONER ANGELES.

Yes, there is a lack of continuity, that's exactly what was mentioned by Commissioner Paterno that a ...

COMMISSIONER ESPINA.

Okay. Mr. Chairman, the land reform program of the Philippines started with President Macapagal followed through by all succeeding Presidents, improved even by succeeding Presidents. Does that not give us a dramatic example that a program can become, can be continued by succeeding Presidents under a presidential system regardless of per political party affiliations? Simply yes or no.

COMMISSIONER ANGELES .

I don't think so. The experience is that every time there is a change of leadership in a government, the programs are also changed. That's our observation and experience.

COMMISSIONER ESPINA.

So the land reform program which has been continuing and continuing to be improved is not supported by facts? I say it is, it proves that in a presidential system, programs can be continuous.

COMMISSIONER ROMUALDO

Mr. Chairman.

COMMISSIONER ESPINA

Next question Mr. Chairman.

COMMISSIONER ROMUALDO.

MR. Chairman...

COMMISSIONER ANGELES

Can I answer that?

Commissioner ROMUALDO

... may I be allowed to amplify the answer of the Chairman? You know, that land reform...

COMMISSIONER APOSTOL.

... For and in behalf of the Chairman? Welcome ...

COMMISSIONER ROMUALDO.

I will, may I be allowed to supplement the answer of the Chairman?

COMMISSIONER ANGELES

Granted. Granted. Yeah.

COMMISSIONER ROMUALDO.

Now, actually..

COMMISSIONER ORTEGA.

Floor Leader, (unintelligible) for the next interpellation.

COMMISSIONER ROMUALDO.

May I be allowed to amplify the answer of the Chairman?

COMMISSIONER ANGELES

I am ah...

COMMISSIONER APOSTOL.

Amplification.

COMMISSIONER ORTEGA.

With the indulgence of the next interpellator. Who is the next one?

COMMISSIONER ESPINA.

Point of order. I am still interpellating, Mr. Chairman.

COMMISSIONER ANGELES

But, no, I would like to...

COMMISSIONER ORTEGA.

Yes, after Commissioner Espina.

COMMISSIONER ROMUALDO.

No, no, no, I requested if I'd be allowed to supplement the answer of the Chairman to the question of Commissioner Espina.

COMMISSIONER ORTEGA.

That's up to the Chairman, to the sponsor.

CHAIRMAN ABUEVA.

I mentioned Commissioner Romualdo is granted the permission to ...

COMMISSIONER ORTEGA.

Okay, go ahead Commissioner Romualdo.

COMMISSIONER ROMUALDO.

Thank you Mr. Chairman. Thank you Chairman of the committee. Now, that kind of program is a populist, more of a populist issue, the land reform, but up to now, did it really improved the lots of the tenant or farmers of this land reform. It did not. Because that is, to me, it might be consider as a program but because it is a populist issue, that's why everyone wants to ride on it. That's the answer.

COMMISSIONER ESPINA.

Anyway, the issue is not whether the program was effective or not, the issue is, it is possible in the presidential system that the program maybe adopted by the succeeding President, that's was the question. So ...

COMMISSIONER ROMUALDO.

That is the exemption because it is, as I have said it is a very populist issue.

COMMISSIONER ESPINA.

Populist or not, my point is, let us focus on the issue. Now, okay, Mr. Chairman ....

COMMISSIONER APOSTOL.

Commissioner Espina, you are only allowed 3 minutes. You have already consumed 2 and a half minutes.

COMMISSIONER ESPINA.

Anyway, Mr. Chairman, in France they have their election every, during the 5<sup>th</sup> Republic, almost every 4 months, and in Italy almost every 2 and a half months, where is continuity of program implementation in a parliamentary system?

COMMISSIONER ANGELES.

Are you asking that question, Commissioner Espina?

COMMISSIONER ESPINA.

Yes.

COMMISSIONER ANGELES.

As I have cited, and as cited also by Commissioner Romualdo, that the agrarian land reform is a law that is passed by the Congress.

COMMISSIONER ESPINA.

Mr. Chairman, the question is ...

COMMISSIONER ANGELES.

Wait, wait, wait. Let me answer your question. It is just one of the rare programs that has been continued, because as mentioned it is a populist program. Now, your question is, is there, are there experiences where in a parliamentary system, is there any guarantee that there will be continuity of programs of government? I said yes, because experience will show that our neighbors, like, who have successfully, who are parliamentary form of governments, have successfully implemented their economic development programs and I can name Singapore as one of experience, Korea, Japan, Malaysia and others.

COMMISSIONER ESPINA.

I will accept the answer if only to emphasize the fact that there can also be instability in parliamentary governments as shown by the experience in France and Italy and soon Germany. Merkel became Chancellor of Germany with only 4 votes, and anytime henceforth, there is potential of changes of government and therefore potential changes of programs. Is that not, true appreciation of political events, Mr. Chairman?

COMMISSIONER ANGELES.

Not necessarily, I, yes I think France, but, Germany, in Germany...

COMMISSIONER APOSTOL

France is a combination of presidential and parliamentary..

COMMISSIONER ANGELES

I think France is a combination of presidential and parliamentary. I would like to cite our neighbors, our immediate neighbors, who have experience a successful, who have a successful experience in their form of government which has propelled their economic development much faster than our own personal experience in the Philippines.

COMMISSIONER ESPINA.

In other words, Mr. Chairman, we should be selective in our choice of examples depending on whether it will support our position or not, and we disregard the experience of France and Italy. Mr. Chairman, it was mentioned, and I am sure this is true, that one of the fundamental weakness of the presidential is that maybe elections become a contest of popularity and that is a weakness, I understand, on the part of the presidential system, is that correct?

COMMISSIONER ANGELES.

Yes.

COMMISSIONER ESPINA.

Is the Chairman aware that some years back, a very popular actor was elected in India? And even the Time magazine predicted that he would become a Prime Minister because the people of India, were, you know, attracted by this actor until he committed some very scandalous activities that he fell out of grace of the Indian people. But there was that fear that his election in one district could make him a strong candidate for Prime Minister. My point is, and I would want the Chairman to agree or not, or to hear his comment, that the problem of popularity in any democracy is always present. And it is more a function of the capability of the voters to use their wisdom whether popularity comes with efficiency and devoted public service. Is it not correct, Mr. Chairman?

COMMISSIONER ANGELES.

I am afraid popularity as experienced in the Philippines has not resulted into a better governance. I, our experience speak for itself. In a parliamentary system, it maybe difficult for an actor who, without experience of government management, and it maybe impossible, next to imposible to become a Prime Minister. The experience in India is quite different, the Presidency is, the Prime Minister is different from the election of Presidency in India, I believe it did not result into a better governance. He committed suicide, so there must be, maybe he can't handle his job. That's why he committed suicide.

COMMISSIONER ESPINA.

Anyway, Mr. Chairman, is it not the fact ...

COMMISSIONER APOSTOL.

Commissioner Espina, you're 3 minutes is up.

COMMISSIONER ESPINA.

Just one last question. Mr. Chairman, is it not a fact that a few weeks ago, Prime Minister Koizumi disregarded the so-called wisdom of a parliamentary system where, supposedly there is more rational choice of leaders, Koizumi in order to defeat those against him in Parliament and to avoid a vote of lack of confidence nominated as candidate for district representatives popular TV hosts, popular personalities regardless of whether they were qualified or not in the sense that we look at the qualifications in an ideal parliamentary system. Is that not?

COMMISSIONER ORTEGA.

Before the sponsor answers, may I know what is the pleasure of Commissioner Jurado?

COMMISSIONER JURADO.

I want to express, first, dissatisfaction with the way our debates are going on and I would like to suggest a way of proceeding in order to enable us to more speedily come to hard conclusions. So the point is, really for me to help the Chairman of the reporting committee. I am not happy with the way ...

COMMISSIONER ANGELES.

Thank you very much.

COMMISSIONER JURADO.

...and our colleagues, I sympathize with our colleagues on the opposite side, because the questions they are raising are fundamental and the proponents of a shift have provided only partial, I will say, unsatisfactory answers.

COMMISSIONER ORTEGA.

Thank you, Commissioner Jurado.

COMMISSIONER JURADO.

I would like to cure that.

COMMISSIONER ORTEGA

(unintelligible)... noted.

COMMISSIONER ESPINA.

Thank you for dramatizing that the answers of the proponents have been unsatisfactory.

COMMISSIONER ORTEGA.

When we ask questions, let us go to the point so that it will not be too hard for the chairman to understand the question and be able to answer it right away. The chairman, the sponsor rather, may answer the last question.

COMMISSIONER ANGELES.

Mr. Chairman, I think, as a outstanding member of the Committee on the Form of Government, Commissioner Jurado has also an obligation to come to the rescue of the chairman and such questions are a ....

COMMISSIONER JURADO.

I would like to do that Mr. Chairman.

COMMISSIONER ANGELES.

... repetitious, all this questions that have been going on regarding this shift of government is, will not bring us any good in the end, unless we come to a very, more serious discussion on more fundamental issues that will solve the nagging problem of our country, which is poverty, misgovernment, etcetera. So, I believe, Commissioner Jurado can be allowed to say his ideas on how we should have a more responsive discussion here.

COMMISSIONER APOSTOL.

Mr. Chairman, your 3 minutes is also up. So we now go to the next interpellator. May we recognize Commissioner Ortiz-Luis.

COMMISSIONER JURADO

(unintelligible) .. two minutes...

COMMISSIONER ORTEGA.

Please, please, order please. Let's give a chance to those who have their names listed and have not been able to have their chance to talk.

CHAIRMAN ABUEVA.

Include me.

COMMISSIONER ORTEGA.

Mr. Floor Leader, the Chairman would like to include his name as the last interpellator. Yes.

COMMISSIONER APOSTOL.

Okay.

COMMISSIONER JURADO.

Mr. Floor Leader, if my name is not there yet, can you put it down too?

COMMISSIONER ORTEGA.

It is listed, only we have not yet reach your place because you have been too long on a ... can we have the next interpellator, Mr. Floor Leader?

COMMISSIONER APOSTOL.

Commissioner Ortiz-Luis.

COMMISSIONER ORTIZ-LUIS.

Mr. Chairman, I came to this Commission with an open mind as far as the form government is concerned. As a matter of fact, because of present realities, I was even a little biased for parliamentary. But, sad to say, after all the presentations of the pros and cons of parliamentary, I personally have not seen any compelling reason why we have to change the form of government because the reasons that were cited for change is to be basically begging the questions, if non sequitur at times, or emotionally, but the fact is I would like to go along with Commissioner Lim in his previous interpellation which says that we have to see reasons that cannot be cured by other, by changing the party system, the manner of election, the terms of office, that cannot be cured other than changing the form of government and still waiting for it.

I would like to therefore go along with, I'm not sure if it's Commissioner Villanueva, who says that the resolutions we have, basically saying change of parliamentary shift, that is the resolution that is being proposed, but that, in effect, will take away the possibility that in the process of the consultations that we will forget, what was precisely Commissioner Villanueva was saying were the best minds here, unless we put in the consultation or specifically what is the hybrid point or what is the best in presidential and parliamentary that you would like to include, we will never get it in the consultation and we will end up with a purist, I don't know what kind of parliamentary resolution we have later on. So I think, it is incumbent for the committee to discuss at this point, (unintelligible) the

committee discuss at this point what are these best features that should be proposed to the body so that consultation comes, it is part of the consultation that we will have. Thank you.

COMMISSIONER ANGELES.

We will be going to the... that observation can be taken up in the period of amendment. The decision of this, in this plenary session, whatever it may be, whether to support our endorsement, our resolution, is not final, because we are still going to consult the people, the different sectors of society, that's why the observation of Commissioner Villanueva is not, it was not, he must not worry about whether this proposal will be adopted already as the form of government. This is the first step towards the plan to shift to a parliamentary government. We are not even sure whether these recommendations of the committee, of this Commission, will be endorsed by the President.

COMMISSIONER ORTIZ-LUIS.

Then why even make a resolution?

COMMISSIONER ANGELES.

I think we are tasked to ...

COMMISSIONER ORTIZ-LUIS.

Why not just submit the minutes or whatever is the proceedings and let the consultations decide what the resolution will be.

COMMISSIONER ANGELES.

I am afraid that is not our mandate. Our mandate is we should submit to the President whether there is a need to shift from the presidential system of government to a parliamentary form of government. And then, before we can do that, we will have to agree in this Commission, in this plenary session, whether to adopt this resolution or not, and then if we decide to adopt it then this will give us all the process of bringing it to consultation with the different sector of society.

COMMISSIONER ORTIZ-LUIS.

That's what precisely I think Commissioner Villanueva's point was. If we adopt this resolution, then what happens to the hybrid, what happens to the best features, it will not be part of the consultation anymore.

COMMISSIONER ANGELES.

I think those details about amending the different provisions of the constitution is not our mandate. That is the mandate of the Constituent Assembly that may be ...

COMMISSIONER ORTIZ-LUIS.

Why should we ever consult if we are not going to go on details?

COMMISSIONER ANGELES.

We are asked by this, by the Executive Order to consult ...

COMMISSIONER ORTIZ-LUIS.

To consult what?

COMMISSIONER ANGELES.

To consult ...

COMMISSIONER ORTIZ-LUIS.

Whether they want parliamentary or presidential, is that all the questions they are going to ask? Are we not going to ask what are the features that we are talking about?

COMMISSIONER ANGELES.

Wait, Commissioner Azurin would like to answer your question.

COMMISSIONER ORTEGA.

Excuse me. With the indulgence of the gentlemen, I see the hand of Commissioner Paterno up. What is the pleasure of Commissioner Paterno?

COMMISSIONER APOSTOL.

He has already interpellated. Commissioner Paterno has already interpellated.

COMMISSIONER ORTEGA.

That is why I am asking what is his pleasure now. It may be not to interpellate again, but may be some other things, he might raise a point of order or point of parliamentary inquiry. That's why I'm asking what is the pleasure of Commissioner Paterno?

COMMISSIONER PATERNO.

It's a parliamentary inquiry, Mr. Chairman.

COMMISSIONER ORTEGA.

Yes, what is the parliamentary inquiry?

COMMISSIONER PATERNO.

The parliamentary inquiry is what is the next step that each committee will undertake after this kind of discussion in the plenary session. Because in the case of our committee on economic reforms, our plan is to discuss in our committee the main issues or the main features of the proposals on hand and then inform or report to the plenary session on Thursday what are the issues that we intend to bring up for consultation. It is not making a decision; it is identifying the issues that will be brought up in consultation. And I would like guidance whether this is a correct perspective ...

COMMISSIONER ORTEGA.

Yes. Chairman Abueva will answer the query of Commissioner Paterno.

CHAIRMAN ABUEVA.

At this, in our meeting today, there was the proposition that we shift coming from the committee on the form of government, that we shift from the presidential system to the parliamentary system, or precise wording of it, because we amended your draft in the, as we started. So, there are this two propositions, related propositions as to the shift to a parliamentary system and a shift from a bicameral legislature to a unicameral body.

So we were supposed to, after all our discussions, interpellations, come to a vote, of the whole plenary on this issues, and if we agreed with the propositions presented then this would be a general idea that would be fleshed out by your suggestions as to what are the reasons why we are going to shift. So, that this has become the basis for the consultations that we will undergo shortly. So, we are expected to, as a plenary, to vote on the motion of the committee, after the intensive committee meetings we had last

Monday. So that is, and we only have until 6 o' clock to, I suggest, to do this, because we have to adjourn earlier, but when is my chance to ...

COMMISSIONER AZURIN  
May I just...

COMMISSIONER APOSTOL  
You will be the last interpellator. We have...

COMMISSIONER DUAVIT  
Mr. Chairman.

COMMISSIONER AZURIN  
Mr. Floor Leader, can I just respond...

COMMISSIONER APOSTOL  
Mr. Chairman, I move for a 5-minute recess.

COMMISSIONER ORTEGA  
I, yeah, I was about to suggest that. Let us take a break for 3 minutes.

COMMISSIONER ORTEGA.  
Session is resumed.

Fellow Commissioners, I think we have come to a point where there is sort of an impasse. In the sense that there are many who would like to proceed with a vote on the report of the chairman of the committee. In the same manner there are many also who would rather not put this matter to a vote right now. So, I think it is best that the Commission itself decide, first, the prejudicial question on whether we will vote on the report or not and we will divide the house and we will abide by the majority.

COMMISSIONER VILLANUEVA  
Mr. Chairman. Mr. Chairman. Mr. Chairman. Over here.

COMMISSIONER ORTEGA.  
Yes, Commissioner Villanueva.

COMMISSIONER VILLANUEVA.  
May I move for the deferment of the vote on this particular resolution.

COMMISSIONER LIM  
I second, Mr. Chairman.

COMMISSIONER ORTEGA.  
It has been moved and seconded...

COMMISSIONER ROMUALDO.  
Mr. Chairman, there is a deferment...ah, there is...

COMMISSIONER ORTEGA.  
Yes, Commissioner Romualdo.

COMMISSIONER ROMUALDO.

No less than the Chairman himself has said that there is prejudicial question. So, the prejudicial question is either to vote on the prejudicial question or not.

COMMISSIONER ORTEGA.

That's it. That's where we are going right now.

COMMISSIONER ROMUALDO.

But you are entertaining the motion to defer.

COMMISSIONER ORTEGA.

To defer the voting. Meaning to say, 'wag munang magbotohan ngayong hapon. So we will decide whether we will decide or not. But to decide that we have to vote.

COMMISSIONER APOSTOL.

Mr. Chair, is it alright if we finish the interpellation.

COMMISSIONER ORTEGA.

Please. Order please. Order please.

COMMISSIONER APOSTOL.

Is it alright if we finish the interpellation and go to the period of amendment and later on we decide to vote or not to vote... (unintelligible)

COMMISSIONER ORTEGA.

Does the movant accept the amendment? Let's finish the interpellation and then go into this.

COMMISSIONER VILLANUEVA

Accepted Mr. Chairman.

COMMISSIONER ANGELES.

We have 2 more interpellators and let's give them a chance to give their piece.

COMMISSIONER VILLANUEVA

Accepted, Mr. Chairman.

COMMISSIONER ORTEGA.

Okey, Mr. Floor Leader, who is the next interpellator?

COMMISSIONER APOSTOL.

There's no answer yet on that interpellation of Commissioner Ortiz. So, the Co-Chairman will answer.

#### COMMISSIONER AZURIN

I think the comment of Commissioner Ortiz-Luis is very appropriate. I think the response to that is, I think the reason why we took up the question of form of government first, is that, it is difficult to write the other provisions of the Constitution without knowing what form of government we are adopting. I think that was the basic rationale for deciding that question first. In response to Commissioner Ortiz- Luis question is, I do not think that we will go to the public for consultation simply asking the question “are you for parliamentary or are you for presidential or we recommend for parliamentary or not.” I think we will go to them with a draft containing the features of whatever system it is we proposed.

If it is a parliamentary with the features, and these features will be, what is being discussed and what will continue to be discussed in the various committees. For example, the features on the Constitutional Commission on the judiciary, etcetera, etcetera, and therefore we will actually flesh out the kind of government structure that we are going to propose to the public after we have, after the various committees would have decided that these are the amendments and revisions to the different, other features. In other words, we will not say, this is the, we will be recommending a parliamentary system. We will be telling the people, the system that we are recommending is parliamentary or presidential, as the case may be, and we are recommending these particular features, these particular amendments and these particular systems, these particular articles, with respect to whatever we are recommending.

So I think it will be more substantial than simple saying parliamentary. So, I agree with you when you say parliamentary we don't know what that means. What are the features of this system that we are recommending and I think that is what we will go to the public for consultation for.

#### COMMISSIONER ORTIZ-LUIS.

Then, does not that mean that we should defer the voting and let's see the picture first.

#### COMMISSIONER AZURIN.

With respect to voting today or not, I think there will be a motion later to divide the house. But I think that whether we vote now or later, I think that question of form must be decided before we tackle the other issues. We cannot be...because the mind set we will have will depend on whether we are fusing legislative and executive power or we are not. If we decide to fuse a legislative and executive power then we will have to think about the other structures of government and the other functions of government in relation to that particular decision. If we decide “no, we will not fuse legislative and executive power” then we have a different mind set In terms of appreciating the various provisions of the rest of the Constitution. So, I submit that whether we... I think we can continue debates if that is the pleasure of the body. I think that question should be resolve so that the other committees can work effectively.

#### COMMISSIONER ORTIZ-LUIS

May I submit that's precisely the issue is, I don't think people have already have made up their mind to vote. Many of us do not care what we call it whether presidential or parliamentary. It's the details, the fusion, in many times is the issue and we have not decided on that. A lot of the committees, even without deciding the form, the economic

reform committee for instance, it does not care what form of government should be... (unintelligible)...

COMMISSIONER LIM

Mr. Chairman. Mr. Chairman.

COMMISSIONER ANGELES.

With the permission of the Chairman and Co-Chair, Chairman Abueva would like to add something in relation to that point.

CHAIRMAN ABUEVA.

Thank you, Mr. Chairman. As a presenter before the committee on the form of government, I have had my chance not only to make my presentation but also to respond to the interpellations. What I propose to do now Mr. Chairman is this. One of our four senior advisers is former President Fidel V. Ramos and it would have been good if we had a chance to invite him to the committee meeting but we missed that opportunity that's why I would like to take advantage of this very short time Mr. Chairman to enable our senior adviser to present his main ideas on the change of government. It will take only 3 minutes.

This is from the column of former Fidel V. Ramos on charter change in the Manila Bulletin dated August 14, 2005. On the form of government that's his number one priority. "...because the Presidential system that we have inherited from the American's has not worked for us. After years of deterioration, presidential democracy has become a downright hindrance to our country's programs or progress. The American constitutional system was designed deliberately to favor states rights by weakening of the federal government. Hence, it set up complex set of checks and balances among the 3 co-equal branches: the executive, legislature and the judiciary. In the Philippine setting, this system of deliberately dividing government merely perpetuated the tradition of factionalism in our politics. In contrast, the parliamentary system provides better opportunities to unify the now separate processes of policy making and program implementation, and government would become directly accountable to the people's representatives through a regular but intense question hour.

The high cost of national elections would be significantly reduced for the government and for the candidates themselves. For the aspirants to national leadership, sheer popularity would no longer be enough. Young leaders have a better chance to rise to the top through the combined legislative executive ladder in terms of training and experience.

Equally important is that our people would no longer need to resort to extra constitutional means such as invoking military intervention, to remove the non performing Prime Minister and governments in mid-term".

That's the end of his very succinct arguments in favor of a shift to a parliamentary system. I took this opportunity Mr. Chairman so that we would be formally informed of the views of our senior adviser as we engage further in this debate and I should also recognize that at one point, Commissioner Lorenzana and I had three hours with former President Ramos where he explained to us his views on this. So, in our participation in the committee meetings I was informed by his views without citing him. But this

afternoon, formally, we have taken cognizance of his views and it is as if we had given him the opportunity to speak to us. That is the opportunity I wanted you to know.

COMMISSIONER ANGELES.

Thank you Chairman Abueva. Yes Commissioner Dee.

COMMISSIONER DEE.

Mr. Chairman, I, by accident, met one of the other adviser we have and that is former Central Bank Governor Gabby Singson in Wack Wack the other day during our golf tournament and has said he is waiting for an invitation from the Commission so that he can also give his views. I feel that while we heard the privilege of getting the written views of the former President, maybe we should ask the other advisers as well. Thank you, Mr. Chair.

COMMISSIONER ESPINA.

I suggest, Mr. Chairman, that Speaker de Venecia be also given the opportunity to convince us.

COMMISSIONER ORTEGA.

Noted!

CHAIRMAN ABUEVA.

Mr. Chairman, yesterday I addressed a letter to Senator Gordon as Chairman of the Senate Committee on Constitutional Amendments. In spite, of a news items that says that he is not in favor of charter change at this time.

COMMISSIONER ORTEGA.

Okay. Is the interpellation of Commissioner Ortiz finished?

COMMISSIONER APOSTOL.

Finished.

COMMISSIONER ORTEGA

Is his time up?

COMMISSIONER APOSTOL

The three minutes is up.

COMMISSIONER OREGA.

Who is the next interpellator?

COMMISSIONER APOSTOL.

Commissioner Jurado, Mr. Chairman

COMMISSIONER ORTEGA.

Commissioner Jurado has the floor for his interpellation.

COMMISSIONER JURADO.

Thank you Mr. Chairman.

COMMISSIONER APOSTOL.

Mr. Chairman, Commissioner Jurado is a member of the Committee and he is one of the sponsors.

COMMISSIONER ORTEGA.

Thank you for the reminder.

COMMISSIONER JURADO.

I shall present a few thoughts that I think will buttress the arguments already made by our Chairman, the Chairman of the Committee that is, it can be argued successfully that our country should shift from the current presidential system to a parliamentary system. Now, I think that in a case where a change of form is being proposed, the arguments in favor of changing must spring from that form so that the argument cannot be overthrown by anything that is common to both. Alright, if we all argue only continuously, inferentially piling little evidence upon little evidence it will never come to an end. Plus, for every advantage that can be cited by the parliamentary people, the presidential people can cite counter-arguments and the arguments they can say, in fact, can sound even more convincing than those who are in the parliamentary because they are more factual, they are based on empirical reality, whereas, the proponents of parliament will necessarily include speculative elements in their arguments.

On these grounds alone, I think, the proponents of parliamentary must argue carefully using reason and not just base their arguments on the expectation that many people in this group have already made up their minds anyway in favor of parliamentary. Wrong.

The reason I'm in favor of parliamentary reasons are these. One, the presidential system, characterized by the co-existence, the checks and balance of two, I'm not mentioning the judiciary because our judiciary should remain as independent as it can be. The two, legislative and executive, being equal, inherent in this set up here is the reality and possibility of gridlock. In a parliamentary system where you merge legislative functions with executive functions, the probability of a gridlock is very small. Because, those who will legislate will carry out the policies and actions as well. Therefore, the questions of gridlock which has paralyzed our country, inflicting harm upon many of our people, specifically on the poor, which our politicians, you know, happily had used to in their attempt to appear populist, this gridlock will not happen or is very unlikely to happen in a parliamentary system. One. Second.

COMMISSIONER APOSTOL.

I interrupt you Commissioner Jurado. Just to interrupt you.

COMMISSIONER JURADO.

Yes.

COMMISSIONER APOSTOL.

This is a period of interpellation. We are through with the period of sponsorship. Please limit yourself to interpellate, if not, then volunteer yourself, if there is an interpellator, that you be allowed to answer the interpellation.

COMMISSIONER JURADO.

No, but in fact, Mr. Chairman, I was helping our Chairman put the arguments somewhat more, a bit more coherently!

COMMISSIONER APOSTOL.

Yes it's true, but there is no interpellation where you can answer. Now, later when we will go into voting, you will be allowed to explain your votes. So, otherwise...

COMMISSIONER JURADO.

I'm not insisting Mr. Chairman. No problem.

COMMISSIONER APOSTOL.

We will never be able to finish this period of interpellation.

COMMISSIONER ROMUALDO

Okay! No more interpellator anyway.

COMMISSIONER ORTEGA.

Shall we give a chance to the others who would want to interpellate?

COMMISSIONER APOSTOL.

Yes. May we go to now the next interpellator, Commissioner Abarico.

COMMISSIONER ORTEGA.

Nakalista ka na. Commissioner Abarico is recognized then I see the hand of Commissioner Lambino. Do you want to interpellate also or do you want to raise a point.

COMMISSIONER LAMBINO.

Yes I would like to interpellate, Mr. Chairman because during the voting in the Committee, I abstained... because of (unintelligible)

COMMISSIONER ORTEGA.

Okay, so you will be the next interpellator.

COMMISSIONER ABARICO.

Thank you Mr. Chairman, I thought I'll never get the chance with so much brilliance and verbosity around. Anyway, my interpellation is very basic. I just want to ask my friend, Manny Angeles, because I'm not a member of the Committee, the Chairman of the Committee, whether a parliamentary system of government can reduce effectively the instability of our political society. That's number one. Number two, can it also effectively reduce the culture of corruption that is prevailing in our society today? Number three, whether the Presidential system was only a victim of unfortunate circumstances because the electorate choose a President with a basic flaws of character.

COMMISSIONER ORTEGA.

Commissioner Abarico, may I interrupt you?

COMMISSIONER ABARICO

Those are my three questions.

COMMISSIONER APOSTOL.

Yes, but, you see, the one answering may not be able to memorize everything. Isa-isa lang! Mahina ang kalaban!

COMMISSIONER ABARICO.

Okay. I think the Chairman, Vice Chairman can write down sequentially my questions. Okay, my first question Mr. Chairman, can you guarantee or at least assure us that the adoption of parliamentary system of government will drastically reduce political instability. Because according to lessons of the contemporary history, will you please listen Mr. Chairman, (*laughter*) so you can answer it very well? The lessons of contemporary history, world history shows us that parliamentary systems are more prone to instability. Yeah, that's my first question. Therefore, can it reduce the political instability in our country? On the contrary it might even add more. Can you answer that first question?

COMMISSIONER ANGELES

Can I ask Commissioner Jurado to answer in my behalf?

COMMISSIONER JURADO.

Thank you very much, Mr. Chairman. Not that the answer I'll give is in anyway superior. I don't think so. But let's define instability first. I think political instability is that situation where either policies change so rapidly that they cannot be depended upon, the structures of enforcement are in (unintelligible) because of gridlock things like this, meaning that the future of that country, the future of its policies are difficult to predict, such a society and such policies are unstable. If they are stable they can be predicted. Now, the question is, will policies and the structures of government be more stable in a parliamentary than a presidential system? I think yes, for this reason, one, if there is no gridlock, if there is no gridlock we will have the ability to predict the direction of policies. Second, the leadership will be stable. There will be no danger of ouster, termination and things like that, much less the threat of military action because everything is transparent. If the policy, structures of government are there, predictable in character, and the policies that they are carrying out is similarly continuous and stable, then that society will be stable. The people who will make it dynamic, the businessmen, they will know exactly how to proceed, how they can plan out their programs. Young people will know how to plan their careers.

COMMISSIONER ORTEGA.

Next question!

COMMISSIONER ABARICO.

Your optimism is very admirable because I have read somewhere that in Italy, which is a parliamentary government, they almost change government every month. I hope that won't happen here in the Philippines considering the volatility of the Filipino mentality for politics. Now, my second question, can the parliamentary system, if adopted, reduce the culture of corruption in this country, Mr. Chairman?

COMMISSIONER ORTEGA.

Commissioner Jurado, please proceed to answer that question.

COMMISSIONER JURADO.

Alright. I think there is good reason to believe that corruption will be reduced in extent. It is not correct I think, the facts of the matter will not justify saying "there will be no corruption in a parliamentary" and I think there will be but the structure will prevent with the occurrence of really big corruption, acts of corruption. For this reason, you have there a Parliament wielding legislative and executive power where the people making the decisions are closer to the people by definition, because this is a parliamentary

system, not representing a nationwide constituency, and being limited in their responsibility to warm-blooded people many of whom they can practically identify the tendency to be corrupt, to carry out activities inimical to the interest of those people whom they represent, will be rather small than big. Whereas, when your constituency is the nation, the Filipino people are an abstract concept and whatever are the protestations of national leaders they cannot have the feeling of close affinity to the people they represent therefore...

COMMISSIONER APOSTOL.  
Your 3 minutes is up. Next question.

COMMISSIONER JURADO  
So there you are. So, therefore..

COMMISSIONER APOSTOL  
So this is the last one?

COMMISSIONER ABARICO.  
Okay. Last question.

COMMISSIONER ORTEGA.  
Last question. Last question.

COMMISSIONER ABARICO.  
By the way, I asked that question because people are afraid that, if the presidential election, thousand of voters can be bought, 300 members of parliament could be bought easier. Now, for my last question, is it possible Mr. Chairman and gentlemen, fellow Commissioners, is it possible that the presidential system, as adopted in this country, was only victim of circumstances which led to its apparent failure? Not because the system is bad but because the people elected, person with character flaws, perhaps there was one shining moment in the presidential system, and that was when President Ramon Magsaysay was elected. Unfortunately he did not last long. But there was, Raul Manglapus, but he was not elected, he would have been a good President. President Estrada was very popular but with a character flaw, so would you agree with me or not that if our people elected the right candidates to be President, the presidential system could have been very successful?

COMMISSIONER JURADO.  
I agree with you, Mr. Commissioner. Yes. If we have elected people with something upstairs and something in the middle, which, what you are describing, good people with intellects, with high moral character, definitely, we will have gone very far within the presidential system. In other words the issue will not even arise... (unintelligible)

COMMISSIONER ORTEGA.  
Thank you, Commissioner Abarico. May we have now the next interpellator. How many more do we have?

COMMISSIONER APOSTOL.  
We have no interpellators. We have no more interpellators. But I would suggest that the Chairman should come in last.

COMMISSIONER ORTEGA.

Okay.

COMMISSIONER APOSTOL.

So, we will have Commissioner Lambino before the Chairman.

COMMISSIONER ORTEGA.

Commissioner Lambino is recognized.

COMMISSIONER LAMBINO.

Thank you, Mr. Chairman. Thank you, Floor Leader. It has been said that most of the states in the world adopted a parliamentary system of government. But, it is not true, however, that the 5 most powerful countries of the world today, or even after the war, 4 of them has a presidential system of government and only 1 has a parliamentary form of government. Do you agree with me on this assumption?

COMMISSIONER ANGELES.

May I know what these five countries are?

COMMISSIONER LAMBINO;

We have the United States of America, we have now Russia, we have China, we have France and we have Great Britain. Of the 5 major powers who are permanent members of the Security Council, only 1 has a parliamentary system of government and that is the United Kingdom of Great Britain.

COMMISSIONER ANGELES.

I think they have a different situation. That's my answer. I...

COMMISSIONER LAMBINO.

My question deserves a yes or no answer, Mr. Chairman.

COMMISSIONER APOSTOL

No.

COMMISSIONER ORTEGA.

I...no, I don't think...

COMMISSIONER LAMBINO.

It's clear, Mr. Chairman, that we have President Putin of Russia now, President Chirac of France, President Bush of the United States, President Hu Jin Tao of China. Only Prime Minister Tony Blair of the United Kingdom. I asked this, Mr. Chairman, because I do not know whether our present government is good or bad. How do you categorize this present government? The Presidential system that we have is it good or is it bad?

COMMISSIONER AZURIN.

Can I ask a clarification from the interpellator? Is the contention of the interpellator that these countries are powerful because they are not parliamentary system? (unintelligible) ... that is what you are contending?

COMMISSIONER LAMBINO.

Because your premise is that most of the progressive nations in the world are parliamentary system of government.

COMMISSIONER AZURIN.  
I didn't mention (unintelligible)...

COMMISSIONER LAMBINO.  
Is it not true that the 5 most powerful nations in the world today, only one is a parliamentary form of government and that is the United Kingdom of Great Britain.

COMMISSIONER AZURIN.  
I think the question is a non sequitur. Unless you are contending that there is a cause that the fact that they are not parliament, that they are not parliamentary causes the fact that they are powerful. Unless you are making that statement, your question is irrelevant.

COMMISSIONER LAMBINO.  
No. It is very relevant, Mr. Chairman.

COMMISSIONER AZURIN.  
No, no, no. Are you making that contention that... (unintelligible)... powerful...

COMMISSIONER LAMBINO.  
I'm just asking you whether you agree with me that of the 5...

COMMISSIONER ROMUALDO.  
He is not agreeing.

COMMISSIONER LAMBINO.  
You are not agreeing? Okay.

COMMISSIONER AZURIN.  
My question is, are you saying that they are powerful because they are not parliamentary. Because if you are saying that then I will answer the question.

COMMISSIONER LAMBINO.  
Well in effect, Mr. Chairman...

COMMISSIONER AZURIN.  
You're making a correlation but you are not saying that there is a cause and effect.

COMMISSIONER LAMBINO.  
It is like, going back to the question, are you saying that the United States is not progressive because it is not parliamentary? Of course not, Mr. Chairman.

COMMISSIONER AZURIN.  
In fact I have not made that contention myself. I've said that the form of government is irrelevant to whether a country is progressive or not. The matter whether the country is progressive or not, I submit, is not really the function, if the comparison is between parliamentary and presidential, I think it is not a function of that. It is a function of other policies, whether they are protectionist, whether they are autocratic, etcetera, etcetera. But if you are comparing parliamentary and presidential, I have not made that claim that there is a relationship between progressiveness, as you might put it, or this thing, and you're mentioning, and what you mentioned is power. You're talking about whether they are powerful. Again I will ask you what do you mean by powerful? They are militarily

powerful? Russia and China are militarily powerful but they are not necessarily progressive. Russia is a very backward country.

COMMISSIONER ORTEGA.

With the indulgence of the interpellator and the sponsor, I see the hand of Commissioner Paterno up. Do you have any point to raise?

COMMISSIONER PATERNO.

Yes, Mr. Chairman. In my understanding, Japan is one of the 5 most powerful countries, economically, and Japan is a parliamentary government. France is also a parliamentary government with a strong President. Germany is likewise a parliamentary government with a strong Chancellor. So I do not understand the 1 out of 5.

COMMISSIONER LAMBINO.

My point is very simple, Mr. Chairman because the leaders of these 5 powerful nations which are permanent members of the Security Council, except for 1, the 4 called leaders President and primarily because they have strong leaders that have...they are strong leaders that have direct contact with the people. Now, I am not saying that I am against the parliamentary system of government. Because this is an argument that keep on coming up whether progressive nations are parliamentary or presidential or powerful nations are presidential or parliamentary.

The reason why I asked this, Mr. Chairman, is because, you know the Constitution, as a student of political law, is supposed to be the embodiment of the past, the reflection of the present and the anticipation of the future. The Philippines has a presidential system for almost 100 years since the Americans came over. That is the past, if you wanted it to make it the past, but it is also the present, at this point in time we still have a presidential system of government. We are now thinking of the future and that is to shift to a parliamentary system. Would it not be good that if we are going to adopt the French model, as suggested by Senator Paterno, that we have a President who is going to exercise maybe foreign relations power and military power and let the foreign minister take charge of the other executive function? Would it not be a good situation whereby instead of abruptly changing to parliamentary system we slowly change from the present presidential system into a parliamentary system but meanwhile we are going to adopt a situation whereby we retain a President who is going to be as powerful as the French President?

COMMISSIONER ESPINA.

Clarification.

COMMISSIONER AZURIN.

Can I respond? Can I respond?

COMMISSIONER ESPINA.

Point of clarification, Mr. Chairman.

COMMISSIONER ORTEGA

Yes please. With the admonition that time is almost running out on the period.

COMMISSIONER AZURIN

Yes. The statements you made about whether we can adopt this or that, I have problem no with that in fact, as I've said, the features of the particular system we will adopt is still

to be determined. But in response to your question, if your statement is that they are powerful because they are not parliamentary and in fact I voted for presidential, but that is neither here nor there, but if your contention is that these countries are powerful because they are not parliamentary, I say that this is a ridiculous statement.

COMMISSIONER LAMBINO.

I'm not saying that if the government is parliamentary it is not powerful anymore. What I'm saying is a fact -- that the 5 most powerful nations in the United Nations ...

COMMISSIONER AZURIN.

Yeah. But it is non-sequitur. That does not follow.

COMMISSIONER LAMBINO.

...they do not have, necessarily, a parliamentary system of government.

COMMISSIONER ORTEGA.

Order please.

COMMISSIONER ESPINA

Clarification, Mr. Chairman.

COMMISSIONER ORTEGA.

One at a time. Mahina ang kalaban. Chairman Abueva?

COMMISSIONER APOSTOL.

We will come to the last speaker but this one is not an interpellator, only remarks.

CHAIRMAN ABUEVA.

The Chairman has recognized me.

COMMISSIONER APOSTOL.

Yes.

CHAIRMAN ABUEVA.

The contention that those 5 countries that are permanent members of the Security Council are the most powerful countries in the world. Are we talking of raw power alone? Our models should be democratic models. The Chinese communist system is a one party dictatorship, an authoritarian regime. The Russian government, as it is now, is hardly a model of democracy. When we talk about parliamentary system and presidential system we should have in mind a democratic political system. We can hardly use a dictatorial or authoritarian system as a model. Besides, Commissioner Paterno has given many examples of other progressive highly developed industrialized countries and all democratic systems. So we should clarify what our models are.

COMMISSIONER LAMBINO.

I'm in full accord with the statement of the Chairman. But you know, the fear cited by Commissioner Espina of a possibility that a powerful parliamentary government with a one party like the UMNO of Malaysia, or that of Singapore which has been in power for so many years, or that of Japan, the LDP, which has been in power for so many years. The fear that a political party could also be as authoritarian as a singular dictator is not far-fetched in a parliamentary system of government. What I'm saying, Mr. Chairman, is very simple, when we would want to change the government from the present

presidential system into a parliamentary system. I have no quarrel, I'm for parliamentary system. What I'm afraid is that, are we not going to violate the very basic principle of a good government or a good constitution that it must embody the past, reflect the present and anticipate the future? We should not jump from the past and immediately go to a parliamentary system unless we have listened to all the other sectors that they have different opinions. The Barangay Council here led by Commissioner Martin, according to him, the barangay leaders of the country would not necessarily adopt a pure parliamentary system of government, that's why he is ready to present a paper.

COMMISSIONER ORTEGA.

Commissioner, I will just interrupt you. Your 3 minutes is up and you are no longer (unintelligible)...

COMMISSIONER LAMBINO.

Thank you, Mr. Chairman, but I would like to make a reservation during the voting on this issue.

COMMISSIONER ESPINA

Clarification. Clarification lang.

COMMISSIONER ORTEGA.

Commissioner Varela and then Commissioner ...

COMMISSIONER APOSTOL.

No. No. No. Tapos na. Let's finish this. The listing is, we have the remark now.

CHAIRMAN ABUEVA.

Let the Chairman rule. Let the Chairman rule.

COMMISSIONER ORTEGA.

We do not know if he's going to interpellate or listen. So I want to know what is it that... What is your pleasure?

COMMISSIONER VARELA.

This is only a clarification, Mr. Chairman. Am I to understand that after the, well, based on the Resolution No. 1, we will undertake our consultations. After the consultations, we will finalize the consensus in a final report together with all the details and then this will be submitted back to plenary for approval.

COMMISSIONER APOSTOL.

After the consultation, we come back, the Committee again will work on it. After that we submit the matter to plenary for approval. Now, Mr. Chairman, can we go to now the last speaker?

COMMISSIONER ORTEGA.

Yes. May we have the last interpellator please. Who is the last one?

COMMISSIONER APOSTOL.

No more. Commissioner Abueva is, he is listed.

COMMISSIONER ORTEGA.

I see the hand of Commissioner Espina. Do you want to raise a point?

COMMISSIONER ESPINA.

Yes. Yes. I just wanted to support the position of Chairman Abueva that we are falling into the problem of judging on the basis of labels. This is really a question of power whether it shall be in one body or in one man. Because, like, for instance, my suggestion that we maintain a strong President but have a Cabinet from Congress. So, we should decide on the basis on how, of course the democratic principle is fundamental, but it is really a question of how the power is shared. That is the fundamental issue and not the name, because how would you name if my suggestion is adopted from President but adopting the good feature of the parliamentary such as, making cabinet responsible not only to the President but also to his colleagues in the House.

COMMISSIONER ORTEGA.

Thank you Commissioner Espina.

*(male voice) How do you call that?*

COMMISSIONER ESPINA.

You don't call it presidential or parliamentary. The French government is not known as parliamentary government of France. This labeling is only made by authors, by commentators, by observers. (unintelligible)... of the body.

COMMISSIONER ORTEGA.

Thank you, Commissioner Espina. With the end of the interpellation period, would you like to go back now to the pending motion which is the...

COMMISSIONER APOSTOL.

No. No. No. We still have one more speaker.

COMMISSIONER ORTEGA.

Sabi mo wala na?

COMMISSIONER APOSTOL.

Remark from the Chairman.

COMMISSIONER ORTEGA.

Wala na.

COMMISSIONER APOSTOL.

The Chairman has no more remarks. We are now on the next phase. We are now on the period of amendments.

COMMISSIONER ORTEGA.

But there is a pending motion here presented by Commissioner Villanueva which we deferred consideration with the generous consent of everyone and now we have to go back to that motion. We have to decide that motion. Can you re state the motion Commissioner Villanueva?

COMMISSIONER VILLANUEVA.

Mr. Chairman, may I move for the deferment of action in this matter and to remand the same back to the committee of origin.

COMMISSIONER ESPINA

I object.

COMMISSIONER APOSTOL

I object. We will not be able to finish.

COMMISSIONER ORTEGA.

Is there any objection?

COMMISSIONER APOSTOL

Objection.

COMMISSIONER ESPINA

Objection.

COMMISSIONER ORTEGA.

Okay. Since the motion has been seconded but there is an objection, let us have a division of the house. All those in favor of the motion of Commissioner Villanueva to defer action on the Committee Report, please raise your right hand. Secretariat is requested to make a headcount or a hand count.

Okay. Thank you. All those against the motion, please raise your right hand.

Thank you. May we get the report from the Secretariat, the result of the voting?

The results of the voting...

COMMISSIONER ROMUALDO

Mr. Chairman, may I request for the recount. There was a mistake in the counting.

COMMISSIONER ESPINA.

Point of order, Mr. Chairman, there has been no announcement of result yet. How can we request for a recount? Let us be informed what is the vote, then perhaps we can go on nominal voting.

COMMISSIONER ORTEGA.

The results of the voting if you will allow me. 16 in favor of the motion. 16 against.

COMMISSIONER ROMUALDO

I think there was wrong counting.

COMMISSIONER ORTEGA

Perhaps somebody was in the bathroom a while ago. in fairness to everyone who voted in favor or not, let us go through it again.

COMMISSIONER DUAVIT

Mr. Chairman. Mr. Chairman.

All those in favor of the motion to defer action on the Committee Report please stand.

Walang dagdag bawas ito. Eksato lang yung nakatayo.

Okay. All those against, please stand up.

The results of the voting -- 21 in favor of the motion, 17 against. Just a minute, we will add them up to see if there are more votes here than people seated on the table.

COMMISSIONER DUAVIT  
Mr. Chairman. Mr. Chairman.

COMMISSIONER ORTEGA  
Saan?

COMMISSIONER DUAVIT  
I'd like the Chair to note that I did not stand up on either voting. That means I abstained. Thank you.

COMMISSIONER ORTEGA.  
Okay. So in any case there were 38 votes cast and we have how many here? We have 40. So walang dagdag bawas po. That's the result.

COMMISSIONER ESPINA.  
Very valid counting.

COMMISSIONER ORTEGA.  
Okay. So, we defer action on the report until when the Chair will announce. Now, let us listen carefully as are Secretary General will make a presentation on the tentative schedule for the consultations and also something else.

COMMISSIONER TABANDA  
Related motion, Mr. Chair?

COMMISSIONER ORTEGA.  
Yes?

COMMISSIONER TABANDA  
May I move that the Committee prepare a presentation of the advantages of the Presidential, advantages or disadvantages of parliamentary.

COMMISSIONER ORTEGA.  
Meron na. Di ba meron na?

COMMISSIONER TABANDA  
After all it is deferred.

COMMISSIONER LIM  
Mr. Chairman. Mr. Chairman.

COMMISSIONER TABANDA  
It is deferred. If the committee can make a presentation which they can distribute to all the members for clarity.

COMMISSIONER ORTEGA  
Yeah.

COMMISSIONER ESPINA

Mr. Chairman, I move that the Secretariat starts, motion, the Secretariat and the leadership start to organize and schedule the consultation.

COMMISSIONER TABANDA

Point of order, Mr. Chairman. I have a pending motion.

COMMISSIONER ORTEGA.

That's what I was just saying. If you will allow me we will proceed to that.

COMMISSIONER TABANDA.

I have a pending motion, Mr. Chair.

COMMISSIONER ORTEGA.

Yes. I think that is being done.

COMMISSIONER TABANDA.

May I know who is doing it?

COMMISSIONER ORTEGA.

The Chair, the committee will prepare that.

COMMISSIONER APOSTOL.

Mr. Chair, all we have to do is transcribe the notes. The sponsors have already listed the advantages and disadvantages.

COMMISSIONER LIM

Mr. Chairman.

COMMISSIONER ORTEGA.

Alright. The Committee, okay, Chairman Abueva.

COMMISSIONER ANGELES

Mr. Chairman.

COMMISSIONER LIM

Mr. Chairman.

COMMISSIONER ANGELES

Mr. Chairman.

CHAIRMAN ABUEVA.

Commissioner Tabanda's motion. The motion has been made in light of our caucus during the break, the two breaks ago, regarding the manner of conducting the consultations in the provinces. And the suggestions, was that when we discuss our tentative ideas and consult our constituencies, the idea was to say that we start from the present system, say, what is good about the presidential system, what is wrong with the presidential system. On the other hand, what are the expected advantages of the parliamentary system and what might be the drawbacks of the parliamentary system. So that when we go to have a dialogue, both sides can be heard. And there are refinements to this in terms of getting the preferences of the people we are consulting...

COMMISSIONER DUAVIT  
Mr. Chairman.

CHAIRMAN ABUEVA

... so, this motion is very important not only for the report you are doing, we are going to make, in order to have a vote. But also it already anticipates the dialogue and consultations that we are going to make.

COMMISSIONER DUAVIT  
Mr. Chairman.

COMMISSIONER AZURIN  
Mr. Chairman.

COMMISSIONER LIM  
Mr. Chairman. Mr. Chairman.

COMMISSIONER ORTEGA.  
Commissioner Lim.

COMMISSIONER LIM.

Mr. Chairman, the issue being, one of the reasons why we kept on going around, actually, my presentation was suppose to be about the process on how we will come up with the, whether we are shifting or not, but I guess I'm deprived of the time already to present it. What I'm actually driving at is the methodology. The process is we're just presenting whether the presidential is good, parliament is good, and it's all theoretical. We get it all from theoretical issues. I suggest that we should base it on the Philippine setting, what is happening on the ground, why is it not working today, what are the faults. As a matter of fact, supposed to be, in my presentation...

COMMISSIONER ORTEGA.

That is a very good suggestion Commissioner Lim! Perhaps, if you can prepare a matrix and you can give us all a copy we would appreciate it.

COMMISSIONER LIM.

Okay. Mr. Chairman. But the bottom line Mr. Chairman, ang hinahabol lang po naming, para hindi po tayo mahirapan mag-explain. Because, right now I've already consulted about 2,000 barangay captains. As a matter of fact, next week I will be meeting with 1,200 barangays of the province of Quezon. And the issue being is, when you meet with them and just present to them the parliamentary federal, 98% will say "hindi namin naiitindihan yan!". Ang bottom line dito at ang tinatanong nila palagi and I will have it all on record, they always ask the question, "ano ba ang problema at gusto nating palitan?"

So, I think the issue should center on, if you are presidential, ano ang issue at bakit natin gusto, ano ang problema, Unitary, anong problema, bicameral, anong problema. So, that later on pag-process natin madali nating i-justify "oh ito, may problema dito kaya Parliament ang solution natin." I mean, cut the long story short...

COMMISSIONER ORTEGA.

Yeah. I suggest you submit your suggestions to the Chair so that they can have it prepared by the Secretariat.

COMMISSIONER DUAVIT.  
Mr. Chairman...

COMMISSIONER ORTEGA.  
Commissioner Sarmiento.

COMMISSIONER SARMIENTO.

Yes, Mr. Chairman, we've been under a presidential form of government under a 2-party systems. There was convention before, we were choosing the best possible presidential standard bearer and for so many years and it didn't work. We went back to a presidential form of government under a multi-party system and still it's not working. So, some are saying that we should shift into a parliamentary form of government. I fully subscribe with the proposal of our Chair, as we go around, we present the advantages, disadvantages of a presidential form of government, so as the parliamentary form of government. I fully, also subscribe with the suggestion of Commissioner Lim.

I've already done that in my city, sitting down with, and discussing all of these things with all the barangay captains and all of them are in favor of shifting into a parliamentary form of government. Basically the question that I've asked them is that "kung dadagdagan ko yung konseho nyo ngayon ng isa pang konseho at maging dalawang konseho, papayag ba kayo?". Ang sabi nga nila magulo na sa isa dadagdagan pa ng isa. Mas lalong magulo ata?. Anyway, our Commissioner is right that we should throw all these questions to the public and let them react.

COMMISSIONER LIM  
Yes.

COMMISSIONER SARMIENTO

The name of this Commission is a Consultative Commission. We should present all the models, encourage them probably as what Commissioner Villanueva has said earlier. If there is an indigenous model that they can probably offer to us so much the better. Thank you Mr. Chairman.

COMMISSIONER ORTEGA.

Thank you Commissioner Sarmiento. Yes, Commissioner Duavit?

COMMISSIONER DUAVIT.

One question to Commissioner Sarmiento? Just one.

COMMISSIONER ORTEGA.

Si Commissioner Duavit muna!

COMMISSIONER DUAVIT.

Mr. Chairman, I think the gentleman, the Commissioner from Biliran had his time earlier. Pasingit naman kami! Before everything becomes theoretical, and we are theoretical in our discussions, Mr. Chairman why not say, in the presentation, what is wrong with the Philippine presidential system.

*(voices) Yes.*

COMMISSIONER DUAVIT.

Why do we have to be so broad to, the worst is the French situation, as far as the form of government. Do we know that it is the president who appoints the Prime Minister in the French form? That is their constitution. And why do we have to compare? And why do we have to compare ourselves with Singapore, with some 2 million population? They are still importing now. To Malaysia, when we have 84 million Filipinos and 7,000 plus islands? So I think its more procedural, I think, that we are going through this procedurally and that's the reason for my abstention Mr. Chairman. Because..

COMMISSIONER ORTEGA.

Thank you, Commissioner Duavit.

COMMISSIONER DUAVIT.

Thank you.

COMMISSIONER ORTEGA.

Shall we listen to the Secretary General? Maybe, some of our questions or doubts will be cleared after he explains the program for the consultation. Secretary General?

COMMISSIONER LORENZANA

Okay. Ah, if I...

COMMISSIONER TABANDA.

What happened to my motion?

COMMISSIONER ORTEGA.

Ano? What is the motion, Commissioner Tabanda?

COMMISSIONER TABANDA.

My original motion and I will accept all the amendments is that the Committee will be tasked with, I don't know who will assist them, in putting down all that relevant features of presidential advantages and disadvantages, so with the parliamentary, suitable to the Philippine setting.

COMMISSIONER ORTEGA.

Any second?

COMMISSIONER LAMBINO

I second.

COMMISSIONER ORTEGA

Any objection? There being none, the same is approved. The Secretariat is tasked with the duty of preparing that matrix. Thank you.

COMMISSIONER LAMBINO.

Mr. Chairman this is just a short suggestion. I understand that the PCCR or the Preparatory Commission Caucus on Constitutional Reform has studied no less than 150 Constitutions during their time and I believe there are available records in the PMS regarding this Constitution. Can they furnish us an electronic copy of this, if they have, in case they have, if they don't, I don't insist on that.

COMMISSIONER ORTEGA.  
Anybody from PMS here who can answer that?

COMMISSIONER ANGELES  
Mr. Chairman. Are you referring to the PCCR?

COMMISSIONER LAMBINO.  
Yes. I'm not referring to the report. I'm referring to the Constitutions that they have studied.

COMMISSIONER ORTEGA.  
No, what we have is the report about, concerning about the economic provisions of the 1987 Constitution.

COMMISSIONER LAMBINO.  
I have that. I have that, Mr. Chairman. What I'm asking is that, since the PMS was also tasked to help the PCCR then, I believe that, if they have a copy of this so called 100 or so constitutions that they have studied where they based the economic reform...

COMMISSIONER ORTEGA.  
If you may allow me, perhaps I can give you the answer. PMS just told me now that they will be distributing discs later on the matrix between the presidential and parliamentary. How soon can we have that?

Can we have it ready next week?

*(Assec. Joanna Rodriguez) Yeah, it's here. It's available tonight.*

COMMISSIONER ORTEGA.  
It's available tonight. It's not in a matrix form, but it shows the strong points of each and every system or form of government. So, perhaps that will answer the question of everyone. Shall we hear now the Secretary General, please?

Approved na kanina pa.

COMMISSIONER APOSTOL.  
Mr. Chairman, before we hear the Secretary General. Is it now the format of all the committee hearings? Following the motion of Commissioner Tabanda. Because this will expedite. There will be no ...

COMMISSIONER ORTEGA.  
The motion of Commissioner Tabanda refers only to this particular point. She will have to come up with another motion for the others.

COMMISSIONER APOSTOL.  
Yes! Mr. Chairman, because, if this is the kind of motion, then perhaps we can have this procedure to all committees so that there will no more debate. Now, when we come to plenary we will...

COMMISSIONER ORTEGA.  
You are very correct.

COMMISSIONER APOSTOL.

... we just have to submit it here. Here are the different positions...(unintelligible)...

COMMISSIONER ORTEGA.

The Floor Leader is very correct. But the motion does not cover all. The motion only covered the report now, so that there is need for another motion to cover all other matters.

COMMISSIONER APOSTOL.

So, I move Mr. Chairman, that the motion, as approved, of Commissioner Tabanda be followed in all committee hearings and also on plenary.

COMMISSIONER ORTEGA.

Any second? Any objection?

COMMISSIONER JURADO

I second the motion.

COMMISSIONER ORTEGA.

There being none, the same is approved. May we now listen to the Secretary General?

COMMISSIONER LORENZANA.

Okay. First, I'd like to make just an announcement. Administrative ito ha? We have dinner at Commissioner Yuchengco's place at 7.30 which means we have to leave here at about 6.30, okay? You know, we've, he 'd said, this dinner last week.

Second, the President GMA, Arroyo, has invited the whole group, the members of the Commission for a dinner at the Palace on Tuesday, October 18. Please put that in your calendar. Dinner with GMA and she thought she would like to meet all of the members of the Commission. This special dinner by the President in honor of the Commission at 6:30, Tuesday, October 18, at the Palace. Protocol dictate that we should all be there at 6:30. No. No. No. The dinner is at 7:00 but we have to be there at 6:30. So please be there at 6:30. No short pants, please. Formal, okay? No. No. No. We park by the main gate. Main gate? Your cars can go ahead. It's in the Palace, okay. Therefore, we are going to change the schedule of the meeting of the Structure of the Republic on Tuesday and also Judiciary on Tuesday. From 2:00 o'clock, I suggest you meet earlier at noon, starting at noon, because we have to finish at 5:00 in order to be in Malacanang at 6.30, okay?

Third, I would like to present a resolution already, I will read this later on, because you see, we have some of the people who have not yet been given, I am not yet giving the P2,000.00 per diem but some of them will be needing. So, I suggest that we approve the resolution to give a P2,000.00 per diem to all of us and those who so wish to surrender them, especially the more affluent, to donate back so that we can reuse them for our outing. Okay, please? So this is the Resolution, etcetera, etcetera, "Resolution for the grant of per diem to members of the Consultative Commission. Whereas, the Consultative Commission to propose the revision to the 1987 Constitution was created pursuant to the Executive Order No. 453, series of 2005; whereas the Commission is composed of representatives of various sectors of the society coming from regions all over the Philippines; and whereas majority of the members recognized the need to provide per diem to each member attending the sessions of the Commission's activities; now therefore, be it resolved, as it is hereby resolved that the members of the

Commission shall be given per diem of P2,000.00 each per actual attendance to sessions of the Commission. Done this day of 2005". This is actually, resolution no. 1, di ba, ma'am? Because we do not have the reso... the committee hearing was not read. Was that?

COMMISSIONER LIM  
Mr. Chairman. Mr. Chairman.

CHAIRMAN ABUEVA  
... informing the President.

COMMISSIONER LORENZANA  
Okay, the number one was informing the President that we are a Commission. Number two is informing... (unintelligible)

COMMISSIONER ROMUALDO.  
Mr. Chairman, the wordings of the, excuse me! The wordings should be not "give", because that's not a nice word.

COMMISSIONER LORENZANA.  
Okay, what word would you like to say, sir?

COMMISSIONER APOSTOL.  
Honorarium.

COMMISSIONER LORENZANA  
Ha?

COMMISSIONER ROMUALDO  
Honorarium.

COMMISSIONER LORENZANA.  
Okay, honorarium, no problem.

COMMISSIONER LIM.  
Comment, Mr. Chairman. Comment.

COMMISSIONER LORENZANA  
Yes?

COMMISSIONER LIM  
If you compute it at P2,000.00, if you have 50 days of attendance, it's already 50% of the budget allocated for each individual. There's only P200,000.00. On a 50, committee, if it's P10 million, there's only P200,000. If you attend 50 session days, that's already, at P2,000, half already goes to the honorarium.

COMMISSIONER LORENZANA.  
So what is your...

COMMISSIONER LIM.

My point being, Mr. Chairman is, before we...on the assumption that you attend 75% of the 90-day period, you consume almost everything towards the honorarium. I mean, that's just a comment.

COMMISSIONER LORENZANA.

So, what do you suggest?

COMMISSIONER LIM.

I throw it to the body if everybody will agree on the P2,000.

COMMISSIONER LORENZANA.

No. Let's put that to ... (unintelligible) ... because we need for people who are...

COMMISSIONER LIM.

I know, Mr. Chairman. I'm just questioning the amount.

COMMISSIONER LORENZANA.

No. No. We are not paid here anyway, so...alam mo, especially for, you know, especially for people from Davao, from Mindanao, malaki ito. They pay for their own transportation.. (unintelligible)... this is the most we can give. Besides I'm looking at the funds, because, you know, I've not even approved any of these yet. Because first, I don't have the resolution, don't have the authority. But, kailangang tulungan natin ang mga kapatid natin. That's why I admire Jarius Bondoc's position before that i-give up. Wag natin i-give up. Ibalik natin if you want. See?

COMMISSIONER PATERNO

Mr. Secretary General, you'll be exposing me to an income tax problem. Because you want me to receive and then donate.

COMMISSIONER LORENZANA.

You don't want to receive?

COMMISSIONER LIM.

Yeah.

COMMISSIONER LORENZANA.

Okay. Those who don't want to receive we will work out a modus vivendi. Okay?

COMMISSIONER LIM.

No, I'm sorry. Can't we just waive?

COMMISSIONER LORENZANA.

Okay, good. Romela. Commissioner Mela. Do you agree? Legal.

COMMISSIONER BENGZON.

Yes, you can waive, so it will be in a voluntary...

COMMISSIONER LORENZANA.

What I'm saying now is that, can we do this in principle, so we can move on? Di ba, in principle? But we'd have our own, kasama natin, kailangan nito. Okay?

COMMISSIONER VILAR.

Mr. Chairman, I move for determent of this resolution giving us honorarium.

COMMISSIONER APOSTOL.

I don't, how can I, I approve ... (unintelligible) ... tomorrow? That's why I'm asking this resolution because we've to give, some people already, they will be leaving tomorrow already eh.

COMMISSIONER LAMBINO.

Mr. Chairman.

COMMISSIONER LORENZANA

Buying tickets, walang mga pera yan eh. Ha? Can you just withdraw the deferment. Okay? I'm just asking, so we will be able to move things up, di ba? Okay?

COMMISSIONER APOSTOL.

So, Mr. Chairman, I move that we approve that motion.

COMMISSIONER MAROHOMBSAR

Second.

COMMISSIONER LORENZANA

(unintelligible)... I move that this resolution be approved.

COMMISSIONER ADAMAT.

Second the motion.

COMMISSIONER MAROHOMBSAR

Second the motion. Yeah.

COMMISSIONER LORENZANA.

Okay. Any.. Mr. Chairman. There's no objection, Mr. Chairman. So thank you very much. There is no objection. Thank you very much. We're going to present already the ...

COMMISSIONER APOSTOL.

Mr. Chairman, before we look at the presentation, I move that we revive the Committee on Ways and Means.

COMMISSIONER LORENZANA.

Okay. Can we just defer that to the next...

COMMISSIONER APOSTOL.

That's a very simple thing. Yes or no lang ito eh.

COMMISSIONER LORENZANA.

Okay. We were talking about this among the officers to revive these Committee on Ways and Means. We would like to do that so somebody will take care of the...

COMMISSIONER APOSTOL.

Yes. That's it. If we will go now, Mr. Chairman, on voting, then we will perhaps approve or disapprove.

COMMISSIONER LORENZANA.

Very good. Very good. This is very good. Mr. Chairman, there's a motion here. Can you put that to a motion?

COMMISSIONER APOSTOL.

There's a motion already! I move that we revive...

COMMISSIONER ADAMAT

Second.

COMMISSIONER JURADO

Second the motion.

COMMISSIONER ORTEGA.

Just a moment please. Talking of the per diems in the Ways and Means I would like to suggest to Chairman Abueva that we take it up in an executive session. We can do so right now by ending the plenary session and go into an executive session.

COMMISSIONER DUAVIT

I second the proposal.

COMMISSIONER APOSTOL.

No. No. I object to that. All the members here are very competent to decide on that. Perhaps we might appoint somebody who is not even talking, as the chairman!

COMMISSIONER ORTEGA.

Please state the motion, Floor Leader.

COMMISSIONER APOSTOL.

The motion is to revive the Committee on Ways and Means.

COMMISSIONER ESPINA.

Objection.

COMMISSIONER LAMBINO

Mister.

COMMISSIONER ESPINA

Objection. Because I argued against it last time. I just would like to maintain our position...

COMMISSIONER ORTEGA.

Just a moment. I haven't recognized you yet. Is there any objection to the motion? Yes Commissioner Espina.

COMMISSIONER ESPINA

I will reiterate my point the last time that Committee on Ways and Means generally pictures fund raising, generation of funds. That's why I suggested that instead of a Ways and Means, Committee on Accounts, which is management of the funds that we have.

COMMISSIONER ORTEGA.

Thank you Commissioner Espina. Since there is an objection we will have to divide the house. All those in favor of the motion to create the Ways and Means Committee, please raise your right hand. Please count, Secretariat.

Okay, thank you. All those against the motion please raise your right hand.

Thank you. By a vote of 19 to 10 the motion is carried. I supposed we are already tired and hungry kaya marami nang hindi bumoto ngayon.

COMMISSIONER LAMBINO

Mr. Chairman, may I...

COMMISSIONER APOSTOL.

Next motion, Mr. Chairman. I move that we give the Chairman the authority to appoint the Chairman, co-Chairman and members of this Committee.

COMMISSIONER LAMBINO.

Mr. Chairman, before you... Mr. Chairman, may I please, put on the record that I abstained in the last voting.

COMMISSIONER ORTEGA.

Yes. The difference between those present and the number of votes cast are understood to have abstained.

COMMISSIONER LAMBINO.

Thank you.

COMMISSIONER ORTEGA.

Either voluntarily or by accident.

COMMISSIONER DUAVIT.

Mr. Chairman, I second the motion of the Floor Leader.

COMMISSIONER ORTEGA.

Any objection? Any objection to the Chairman appointing the Chairman and members of the Ways and Means Committee? There being none the same is approved.

COMMISSIONER DUAVIT.

I move to adjourn.

COMMISSIONER ORTEGA.

Before we adjourn, before we adjourn, please, we'll just listen for one or two minutes on the presentation of the schedule. Nang ganun the earlier we know about this, the easier we can adjust our schedules if we should what to attend.

COMMISSIONER APOSTOL.

There is a motion to adjourn. I would suggest that that one should be xeroxed and distributed, because you see our memory is not very good.

COMMISSIONER ORTEGA.

There's a motion to adjourn. Any second?

*(voices) I second the motion.*

COMMISSIONER ORTEGA.  
Is there no objection?

COMMISSIONER LORENZANA.  
Let's put this like this. You know, our people are planning this and we need at least 2 weeks in order that our people in the regions will be ready.

COMMISSIONER APOSTOL.  
That's why... (unintelligible) ... by Monday they will distribute it to everybody. So there's no problem with that.

COMMISSIONER ORTEGA  
Yes, Commissioner Tabanda.

COMMISSIONER TABANDA.  
May we suggest that even if we will adjourn, we meet in the executive session so all those who want to stay behind and listen will listen. Those who want to listen will listen.

COMMISSIONER ORTEGA.  
Okay. There's a motion that we will proceed anyway in the presentation after adjournment. Those who want to stay may do so.

COMMISSIONER ROMUALDO.  
Adjourn na eh.

COMMISSIONER ORTEGA.  
Hindi, may nag object eh. May nag-object sa motion to adjourn.

*(laughter)*

COMMISSIONER APOSTOL  
It cannot be done.

COMMISSIONER ORTEGA  
It's hard to believe that, Commissioner Romualdo. But, once in a while, there is an objection to a motion to adjourn.

COMMISSIONER LORENZANA.  
Okay, anyway. Can I proceed? Okay na ba if I proceed? Ha? Okay. Okay. Good.

COMMISSIONER JURADO  
Please proceed.

COMMISSIONER LORENZANA  
Now, the reason for this...

COMMISSIONER ORTEGA.  
In any case, in any case, those who want to leave earlier may do so. We will not take up any other matter ahead I can assure you.

COMMISSIONER LORENZANA.

Okay. The launching of the nationwide, you know, we've talked this thing out already with the PMS and also with the Office of the President, because the President wants a nationwide, per our EO, yung bongga. So we have all of the government offices focus on this. We start on Cebu on October 24-25, basically on 3 issues, actually. First, we have divided ourselves, this is just administrative, we have divided ourselves into 3 teams, the Alpha, Beta and Gamma. Okay, this 3 teams will all go into the following.

Team A will all meet in Cebu because Cebu is the central area where we can take flights to Mindanao and Visayas.

COMMISSIONER JURADO

Some Commissioners are blocking our view.

*(male voice) Sorry.*

COMMISSIONER LORENZANA

From Cebu, Team A, for example, will go to Zamboanga, Region 9 and Puerto Princesa, which is part of Region 4.

Team B, will be Iloilo and Davao provinces or Region 6 and 11.

Team C, Tacloban and Cagayan. So you will notice that we are going to cover 7 regions immediately in this sortie. Next please.

The reason why I had to discuss this with you because tomorrow we have to inform the people already in the region about this because they are going to process 2 weeks before all of us can go there. They have to get people, local government executives, religious, youth, all of this people, sectors in the pulong-pulong or the nationwide consultation, farmers, fisher folks, academe, cooperatives, disabled.

Now, Team A, let's go to Team A first.

I will not give the names of the members of Team A, but I like to show first what we are going to do. We depart here on Monday, October 24, 12 o'clock noon, which means you have to eat first.

*(male voice) NGO...*

COMMISSIONER LORENZANA

NGO nga, and civil society, and all that. They are all there already. All of us will depart, we take Philippine Airlines. We arrive in Cebu at 1 PM. There's a press conference, we go to the, preferably at the Waterfront in Lahug. Press conference and then, at 3.00 o'clock... (unintelligible) press onference. We have Concom time. Itong Concom time is requested by the local press and the press here in Manila. What they want is...

CHAIRMAN ABUEVA.

I'm sorry to interrupt but...the idea here is to concentrate on 3 big issues, one, the Form of Government, two, the Structure of the Republic, and three, the economic provisions. Not the other issues. Not the other committee subjects.

COMMISSIONER LORENZANA.

By the way, the other issues will be taken, this is just the first sortie lang ito. Okay, in Cebu, everybody goes to Cebu. And we have a rest day there and Concom time is the request as I've said of the local and the Manila press because they would want to talk to each Concom members and bring them around Cebu. Itong Concom time is really free time with the press. 7 o'clock, we have dinner at the Lahug alternative hotel, Waterfront and some hotels which we are still trying to negotiate. Depends on the amount we have.

Okay, the next day. Let's go to the next day, Tuesday. TEAM A will depart from the hotel and we have a start of the launching ceremonies. This is more or less the program but we can change that if we want, invocation, national anthem, welcome remarks. The important thing there is 2-3 hour workshop. We are going to divide Team A, for example, into 4 teams, into 3-4 workshops. The reason for this is we would like to give as many participants as possible a chance to air and express their position. Now, we, the Concom members are going there to listen. We are not going to debate against each other or with each other. We are not going to debate, we are there to listen. Yeah. Everybody will be there for the launching. Team A, at 1 PM we end and then we have Concom time again with the press. You know they have press briefing. Team A ends at 7 o'clock.

The next day, third, lagay mo, third day. 7:30, very early, we wake up. We go to the airport and the TEAM A will fly to Zamboanga City where we have a consultation there also from the same type of program. We will be billeted at the Garden Orchid Hotel, Zamboanga. Then we drive to the ecozone where we have what we call the same consultation. The same type of format. Which means we have more or less, workshops. From the consultation, we again have the Concom time and then at 7 PM, the end, dinner, Garden Hotel, that is you free time.

The next day, Thursday, fourth, from Zamboanga we fly by air, fly, this is Team A, to Puerto Princesa. We will have immediately the 3:30 consultation up to 6:30. So, Commissioner Amor Abueg will be with your group there, Team A, goes to Puerto Princesa. Saturday, we go back to Manila after a press briefing at 9.00. Puerto Princesa back to Manila.

TEAM B, from Cebu, you will notice that Team B will be left. Team B will be attending. So, the Day 2 na ito, after Cebu. You depart for Iloilo. Iloilo yan. Team B will be Iloilo. The Iloilo will be staying at the Sarabia Manor Hotel. So the Ilonggos will be going...

COMMISSIONER APOSTOL

Question. What transportation will they take? Because there is no flight from Cebu to Iloilo.

COMMISSIONER LORENZANA.

There is. There is. We have checked it. There is. They have checked this out already. Okay. We will have, billeted at the Sarabia Manor, here will be 16 to 17 members of Team B plus our PMS Secretariat. Third day is the actual consultation at 9 AM and it ends at 1 PM. The same Concom time, press briefing, at 7 PM rest, dinner. The next day, Team 4, Thursday, motor to Iloilo City. We depart for Davao via Cebu. Walang direct flight eh. Unless there is that flight, we can work that thing out. We will be billeted at Davao City at the Apo View or Royal Bandayao we are going to negotiate. But, the consultation will be on the next day at 1 PM. We are going to have the venue at the Central Bank. From Davao, the next day, we fly back to Manila.

TEAM C, the second day, from Cebu. They depart the town, second day, saan ito, they are going to, yeah, but they stay overnight, but the next day, you go directly to Tacloban, so si Gerry will be with this team. In Tacloban, as soon as you come in at 8 o'clock, we go to Tacloban at 10:30 consultation at Tacloban. We end...(unintelligible)... Concom time, dinner, etcetera, etcetera.

Thursday, eto maganda ito. Because we depart from, alam mo, wala kasing mga direct flight eh, so they have to go, it's Tacloban to Cebu, Cebu to Cagayan de Oro, because there is no direct flight.

COMMISSIONER APOSTOL.

But there's no direct flight from Cebu to Tacloban? Is there?

COMMISSIONER LORENZANA.

No. There is. There is.

COMMISSIONER APOSTOL.

Wala.

COMMISSIONER LORENZANA

There is.

COMMISSIONER APOSTOL

Eh, taga-roon ako eh.

COMMISSIONER LORENZANA

Kahit na! Naayos na nila. We have worked this thing out. Asian Spirit. Because you only take PAL. We are Asian Spirit. Because ikaw, Serge, you are libre sa PAL. (unintelligible)... Cagayan de Oro so via Cebu... (unintelligible) is the consultation, we stay at the VIP Hotel. The next day, TEAM C goes back to Manila. So, si Ka Pepe and myself, we will be, if needed, Ka Pepe would be flying separately to wherever he is needed... He needs a helicopter.

COMMISSIONER ABUEG

May I suggest that their schedule be printed and distributed.

COMMISSIONER LORENZANA.

No. No. No. We will do that as soon as we all approve it because tomorrow we have to call the, you know it takes two weeks to prepare, kaya kung okay na kayo, we will approve this...

COMMISSIONER APOSTOL.

Approved na yan. Approved na.

COMMISSIONER LORENZANA.

Okay, good. If there's no problem, start, print this, and give you copies of this. I will give the names of the team leaders pag balik na natin on Monday. Okay, so, please, let's go to Yuchengco's place now because we have dinner there.

## **ADJOURNMENT OF SESSION**

COMMISSIONER APOSTOL

I have a pending motion to adjourn.

COMMISSIONER ORTEGA.  
Session adjourned.

*It was 6.41 p.m.*