Charter Change: An Annotated Timeline 1934-2014

RUSHLO, GERARD | FLORENTINO, JOE | CHUVAGUIN, JOSEPH

Share

"[The Constitution is not, and should not be, an] idol under which tribute is to be paid, and which, as a great patron of the pomp and prerogative of nation which it was made to serve, The Constitution itself outlines the procedure for its own amendment, and it does expressly decree the principle that it is neither inviolate nor permanent, but a working instrument to secure the general welfare of the people." Chief Justice Marcelo Fernan

Charter Change is the term used in Philippine parlance to refer to the process of formal changes to the ongoing Philippine Charter (Charter).

While the series of Charter Change articles from Interaksyon - the 2003, 2005 and 2007 Charter Change articles by Gerard Rushlo, the 2006 Charter Change Timeline by Joe Florentino, the 2008 Charter Change Timeline by Joseph Chuvaguin, and the 2009 Charter Change Timeline by Gerard Rushlo and Joe Florentino - have been extremely popular, and contain valuable information and commentary on what it means to be a Charter Change, the lack of a single, comprehensive, and free-to-access timeline has been felt by many.

A Charter Change Timeline is a useful tool for the Philippine Congress and the Philippine People as it allows them to see the history of the Philippine Constitution, and the various Charter Change attempts that have been made over the years. It can be a useful tool for civics education, and for those who want to see what has been done before, and what has been tried and what has been successful and what has been unsuccessful.

This Timeline is an attempt to fill that need. It is a work in progress, and will be updated as new information comes to light, and as events unfold. It is also a work in progress because it is a work of one person, who is a lawyer, but not a Constitutional lawyer, and who is doing this in his spare time. It is not to be taken as the last word on the subject, but it is a good place to start. It is also a work in progress because I am hoping that people will find it useful, and will let me know what I have missed, what I have got wrong, what they think should be added, what they think should be taken out, what they think should be highlighted, what they think should be downplayed, and what they think is just plain wrong.

Comments, criticisms, and suggestions are welcome. Please feel free to leave them in the form of comments on this page, or by e-mailing them to me at rushlo.gerard@gmail.com.

Thanks and enjoy!

Gerard Rushlo

1935 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1940 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1947 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1950 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1959 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1962 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1967 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1972 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1973 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1976 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1981 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1984 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1986 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1987 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1988 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1989 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1990 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1991 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1992 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1993 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1994 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1995 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1996 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1997 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1998 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1999 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2000 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2001 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2002 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2003 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2004 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2005 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2006 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2007 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2008 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2009 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2010 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2011 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2012 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2013 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

2014 Charter Change: Amendments to the Constitution of the Commonwealth of the Philippines

1934

1934 Philippine Constitution

Source: Chapter 1934 Philippine Constitution, Wikipedia

1934 Article 15, Section 1 Amendments

Source: Chapter 1934 Philippine Constitution, Wikipedia

1934 Article 15, Section 2 Amendments

Source: Chapter 1934 Philippine Constitution, Wikipedia

1934 Article 15, Section 3 Amendments

Source: Chapter 1934 Philippine Constitution, Wikipedia

1934 Article 15, Section

> “AYE!” With a tired roar that echoed hollowly in the dark bowl of the Rizal basketball stadium in Manila, one night last week, the Nationalist party convention approved the proposal to amend the Constitution, so as to allow the reelection of the President.
> “Nay!” A half-hearted and scattered cry in opposition went up, after hours of resounding but futile debate.
> An undisputed majority sent up an “Aye!” again, the following morning, approving another amendment, to revive the old senate.
> The “Nay!” was even weaker.
> For three days and nights last week, the party which rules the country met in the stifling shadow of a gathering typhoon to deliver itself of a series of historical mandates to its members in Malacañan, in the Assembly, in the cabinet, in every important office of the government. The mandates, expressed in resolutions, were to:
> 1. Change the Presidential term from one six-year period, to two four-year periods;
> 2. Revive the old bicameral legislature;
> 3. Create an administrative body to take charge of all elections;
> 4. Revise local governments to make them more, responsible and efficient (presumably, along the lines of the Quezon plan for appointive mayors and governors);
> 5. Readjust the three-year terms of assemblymen, provincial and municipal officials, so as to make them fit the new four-year presidential term;
> 6. Reaffirm loyalty to the coalition platform, including independence in 1946;
> 7. Request President Quezon to call a special session of the Assembly;
> 8. Ratify Presidential and Assembly action on the JPCPA report;
> 9. Congratulate President Quezon for his social justice program, and to request him to remain in office (that is, take advantage of the reelection amendment);
> 10. Congratulate Party President Yulo for his handling of the convention;
> 11. Increase the representation of governors in the Nationalist executive commission, from five to 12, thus putting them on a par with the Assemblymen.

The whole menu being called, by Speaker Yulo, a series of “Conservative Reforms,” which were opposed by one Assemblyman as going against public opinion (see Free Press straw vote will feature reelection, May 6, 1939. according to the October 1939 article above, public opinion, as expressed in the poll, opposed re-election).

National Assembly tackles amendments

Jose E. Romero:

> As I was entering the session hall of the National Assembly a few hours later, I was met at the aisle by Speaker Yulo, who asked me what it was that I had told President Quezon which made him change his mind. I narrated the whole story, but the Speaker was adamant, and he said he would proceed with the campaign for the approval of the amendments irrespective of President Quezon’s desires. I told him that the process of amending was not easy as we needed only a few votes to defeat the proposed amendments. At that time we were adhering strictly to the interpretation that questions had to be approved by three-fourths of all the members of the National Assembly, and not only of those present. There were many vacancies at that time in the National Assembly, mostly due to the appointments in the Executive Department, and a mere twenty votes either voting against or abstaining from voting or absenting themselves would defeat the proposed amendments. I told the Speaker that I had the President’s permission to oppose the amendments and I thought I had the votes to succeed in our opposition.
> I began getting the signature of those opposing the amendments. Many assemblymen were wary about signing although, at heart, they were opposed because of their regard for, or more candidly, fear of President Quezon. I assured them I had the President’s permission and they signed on condition that they were assured that the President really had no objection to our move. Predictably, the Assemblymen from Cebu and from Capiz were among the first to sign. Thereafter, others followed and I thought I had the required number of votes to defeat the amendments. The leadership of the house, seeing we were making headway, appealed to President Quezon to ask us to withdraw our opposition. This came about one night, at a gathering at Manila Hotel when everybody who was anybody in politics was in attendance. I was surprised and flattered when, leaving all the other political moguls, the President took me by the arm to a corner. He began by asking me if my political antagonists in my province were still bothering me. I told him they were still preparing the ground against me in the next election. He told me I had nothing to worry about for, if need be, he would go and campaign for me. Then finally, as if incidentally, he said that as regards the matter of the amendments, the leadership of the Assembly had committed themselves too deeply, that their prestige was involved, that that he was therefore requesting me to withdraw my opposition to them.
> As I have already said, the opponents signed the agreement on condition that really President Quezon was not interested one way or another in the approval of the amendments and so, naturally, when I told them about the final word of the President, the whole movement collapsed…

September 15, 1939: Constitutional Amendments approved

By a vote of 81 to 6, the National Assembly dominated by the Nacionalistas approved the constitutional amendments concerning the restoration of the Senate, a two-term presidency, and the creation of a Commission on Elections.

September 16, 1939: President Quezon commends the National Assembly

President Quezon commended the National Assembly on having approved the proposed constitutional amendments with a statement to the press.

September 19, 1939: Plebiscite for Commonwealth constitutional amendments approved

Commonwealth Act No. 492 set October 24, 1939 as the date of the plebiscite on proposed amendments to the Constitution, was approved by the National Assembly.

October 24, 1939: Plebiscite on Economic Adjustment

Aside from the ongoing debate on amendments to the Constitution, another issue intervened at this point: the approval, or rejection, by plebiscite, of a proposed Ordinance to be appended to the Constitution, concerning economic adjustments. On March 18, 1937, as later reported in the State of the Nation Address for 1937, the Philippine and American governments had decided,

> Arrangements are being made for the appointment shortly of a joint preparatory committee of American and Philippine experts. The committee is to study trade relations between the United States and the Philippines and to recommend a program for the adjustment of Philippine national economy. This announcement followed conferences between President Quezon of the Philippine Commonwealth and the Inter-Departmental Committee on Philippine Affairs, which is acting on behalf of President Roosevelt in the preliminary discussions. Assistant Secretary of State Francis B. Sayre is Chairman of this Committee.   Inasmuch as the Independence Act provides that complete political independence of the Philippines shall become effective on July 4, 1946, and inasmuch as President Quezon has suggested that the date of independence might be advanced to 1938 or 1939, it was agreed that the joint committee of experts would be expected in making its recommendations to consider the bearing which an advancement in the date of independence would have on facilitating or retarding the execution of a program of economic adjustment in the Philippines. It was further agreed that the preferential trade relations between the United States and the Philippines are to be terminated at the earliest practicable date consistent with affording the Philippines a reasonable opportunity to adjust their national economy. Thereafter, it is contemplated that trade relations between the two countries will be regulated in accordance with a reciprocal trade agreement on a non-preferential basis.

In the end, a report was completed, although the proposal to advance the date of Philippine independence to 1938 or 1939 did not prosper. This is perhaps the least well-known of all our constitutional plebiscites. See Philippines: Brain, March 27, 1937 for a backgrounder of the economic issues threshed out between 1937-39:

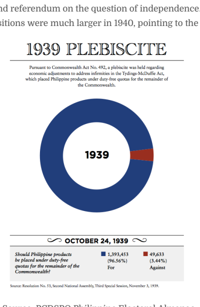
> The Independence Act was supported in Congress by two groups, one inspired by international altruism, the other inspired by national selfishness. Those inspired by selfishness were Congressmen, mostly from sugar-producing States, who wanted to put the Philippines outside the U. S. tariff barrier so as to get rid of business competitors. Into the law they wrote provisions which would institute a series of export taxes on Philippine goods shipped to the U. S. – the equivalent of a U. S. tariff – beginning at 5% in 1940 and mounting 5% a year. Since the U. S. is the Philippines’ best market and the Philippines’ chief export, sugar, goes almost entirely to the U. S., the Independence Act, as Señor Quezon well knows, is the next thing to sure ruin for the economy of the Islands. But independence means to the Philippines much what isolation means to the U. S. So three years ago when independence was offered, it was politically impossible …to refuse. Now his job as President of the Commonwealth is to fix it so that Filipinos can eat the cake of independence and at the same time keep the cake of free trade with the U. S. Last week it looked as if he might gain his ambiguous end when, after several days’ conferences, he agreed with the Committee in Washington to create a joint committee of experts: 1) to study and recommend a program “for the adjustment of the Philippine national recovery,” 2) to consider the economic merits of advancing the date of complete Philippine independence from 1946 to 1938 or 1939.

See Primer on the plebiscite, October 21, 1939 for a summary of the plebiscite issue itself.

The Ordinance to be appended to the 1935 Constitution, proposed by Resolution no. 39, was ratified, with 1,393,453 voting for and 49,633 against duty-free quotas on Philippine products for the remainder of the Commonwealth. (See The referendum scorecard 1935-1987, June 9, 2009)

1,393,453	Affirmative
49,633	Negative

Hayden, note 53 pp. 869-870, summarizes the whole thing as Amendments to the Tydings-McDuffie Act by Public Act No. 300, 76th Congress, August 7, 1939; Amendments to “Ordinance Appended to the Constitution of the Philippines,” proposed by Resolution No. 39, adopted September 15, 1939, ratified October 24, 1939. Per Resolution 53, Second National Assembly, Third Special Session, November 3, 1939. More people participated in this plebiscite than in the May 1935 one; to be expected, since the population and electorate had been growing; but the number also surpassed the much more controversial plebiscite held the next year; one reason I can think of, is that the 1939 plebiscite, concerning economic questions, was viewed as significant because a necessary part of putting the country on a stable economic footing for independence; so, essentially, a second referendum on the question of independence. On the other hand, the figures registered in opposition to the propositions were much larger in 1940, pointing to the ferocity of public debate.



Source: PCDSPO Philippine Electoral Almanac

January 22, 1940: State of the Nation Address on proposed amendments:

> On September 15, 1939, the National Assembly adopted a resolution proposing important amendments to the Constitution. I refer to the amendments establishing a bicameral legislature, changing the tenure of office of the President and the Vice-President, creating an independent Commission on Elections, and fixing a compensation for Senators and Representatives higher than that now received by the members of the National Assembly. By Commonwealth Act No. 492, it is provided that these amendments shall he submitted to the people for their ratification at the next general election for local officials. After hearing the views of provincial and municipal officials and the members of the Council of State, as well as other persons who have no partisan interest, I deem it my duty to recommend that the law be amended so as to authorize the holding of a plebiscite on these amendments on a date different from that fixed for the election of provincial and municipal officials. While this may entail more expenses for the Government, I believe that the change is imperative from the standpoint of public interest.
> The proposed constitutional amendments are in effect a revision of the present Constitution, and the resolution proposing the same clearly contemplates that they should be submitted to the people in an integrated form. The amendments so affect the entire document and in this sense are so interrelated as to preclude any manner of having them voted upon separately or severally.
> The importance of these amendments requires that they be submitted to the people for ratification or rejection squarely and without the introduction of extraneous and irrelevant issues, and this would be impossible if the plebiscite were held on the same date as that set for the next regular election of local officers. The proposed amendments affect only the national Government and should be acted upon by the voters independently of local political interests or considerations.

April 1940: National Assembly approval of constitutional amendments

The most far-reaching amendments to date were approved by the National Assembly in April of that year [1940] and accepted in a plebiscite in June: it cut the term of the president from 6 years to four, but allowed reelection for another 4; it restored the Senate; and it established the Commission on Elections. (See Plebiscitary Democracy)

June 18, 1940: Presidential re-election; Senate elected at large; creation of COMELEC

(See The referendum scorecard 1935-1987, June 9, 2009)

Hayden, Note 58 p. 870 gives an insight into the mechanics of the plebiscite:

> Commonwealth Act No. 517, April 25, 1940. Proposed amendments published in English and Spanish in three consecutive issues of The Official Gazette, at least twenty days prior to the election; and copies of the amendments in these languages and principal native languages posted and made available for examination in the voting places.

Note 60 provides the official returns of the election of June 18, 1940, on the constitutional amendments proposed (Plebiscite votes 1,135,000 / population of 16,356,000.):

Source: PCDSPO Philippine Electoral Almanac

The first elections under the amended 1935 Constitution were held in November, 1941, but before the new Congress could convene, World War II broke out. The turnout in that election was lower than for the plebiscite in 1940. As for the plebiscite itself, there was marginally more enthusiasm for the restoration of the Senate, but this time, on a nationally-elected basis than for allowing presidential re-election; the most opposition was registered on the question of a Commission on Elections. The conventional wisdom today is that popular interest and enthusiasm for constitutional questions and thus, participation in plebiscites, is historically low. I can only assume this conventional wisdom emerged during the martial law “plebiscites” but this assertion certainly didn’t hold true for the first plebiscites. In fact, the opposite is true: public participation was higher for constitutional plebiscites.

1. Changing the President’s term from six years, no re-election, to four years, with one re-election, with a special election in 1941 qualifying the incumbent to a two-year extension to make for eight years; furthermore, the change in the President’s term was reflected in the proposed lower house, making the terms of representatives and local officials 4 years instead of three years, while senators would be elected for 6 year terms.

The argument of the “indispensable” man was put forward by Quezon himself, as a signal to his partymates that their forty year old one-party dominance (in the 1938 mid term election, for the first time, not a single opposition Assemblyman had been elected) might be imperiled on the eve of independence:

> “The only thing that I am afraid of,” he confessed, “is that after I leave the presidency the country may be divided, not along political lines, but on the choice of my successor. The country is not prepared for a great division among our people.”

— Question 1: Presidential and Vice-Presidential terms (from six years, no re-election, to four years with one re-election)

1,072,039	FOR
240,632	AGAINST

2. Restoring the Senate but on a purely national basis; unicameralism had only won out in the 1935 Constitutional Convention because the bicameralists were divided on whether the Senate should be elected according to districts, as was the case under the Jones Law, or nationally. (One compromise no one has noticed is that the restoration of the Senate came at a price: the Congress of the Commonwealth and the Republic would both have a Commission on Appointments composed of congressmen and senators, in equal measure, a deviation from the Jones Law and American practice that puts the vetting of executive appointments strictly in the hands of the Senate. Further research, I think, might reveal that this was a very clever move to make assemblymen agree to diluting the powers of their chamber, while ensuring that no Senate President would be able to wield the powers Quezon had so effectively wielded in fighting the American governors-general by threatening to reject the confirmation of appointments. The always-pliable House would at least be able to obstruct any senatorial inclinations to put a squeeze on appointments: thus, while future Senate Presidents would always look back to the 1916-1935 Senate as a blueprint for their presidential ambitions, in truth, the 1940 setup makes using the Senate Presidency as more than a rhetorical podium a structural impossibility)

— Question 2: Re-establishment of a bicameral legislature of the Philippines

1,043,712	FOR
275,184	AGAINST

3. Establishing a Commission on Elections: combined with bloc voting, this made for the kind of equity of the incumbent that remains a reality in other Southeast Asian countries; removing bloc voting in the early 1950s, however, began a quarter century of erosion that led to the parties being unable to stand up to Marcos in 1972; and the multiparty system, in turn, has entrenched executive influence on national elections but in terms of a single person and not a ruling party, which reconfigures with every new presidency. — *Question 3: Commission on Elections (creation of)*

1,017,696	FOR
287,923	AGAINST

4. (Actually accomplished, separately, in 1939) **approving the amendment of the Tydings-McDuffie Act to establish preferential trade relations with the United States up to the 1960s**.

The amendments were approved in a national plebiscite. See Prelude to Dictatorship? Monday, Sep. 02, 1940for *Time*'s account of the campaign for amendments in the context of the Far Eastern situation, and Bedroom Campaign: Monday, Nov. 24, 1941 (where block-voting was first practiced) for an account of the amendments finally operating for the first time: and the establishment of what, if the war hadn’t intervened, would have been a political system very familiar to the Malaysians and Singaporeans today (hence my belief that the Philippine experience since World War II has been a tug-of-war between our political class, whose instincts and preferences aren’t far removed from their peers in Malaysia and Singapore or even Japan, and the public, increasingly Western or at least broadly populist in its political actions and orientations; hence the constant frustration of the political class, which has failed to return to the comfortably setup envisioned before the War but came quite close to it in under martial law).

January 31, 1941: State of the Nation Address acknowledges National Assembly about to pass into history due to Constitutional amendments:

> You have initiated amendments to our Constitution designed to strengthen the foundation of our democratic institutions and to insure their stability and permanence. And because of such a splendid record the members of the National Assembly have merited the lasting gratitude of our people.
> As this body is about to pass into history by reason of the recent amendments to the Constitution creating a new bicameral legislature to be known as the Congress of the Philippines, I desire to express my deep gratification at the manner in which the members of this Assembly have dealt with the many important public questions requiring their attention.

The Constitution of 1935 was amended, dividing the National Assembly into two separate houses. The Senate of the Philippines and the House of Representatives were reestablished, with a Senate President and a Speaker of the House leading their respective chambers. The elections for members of these newly created chambers were held.. However, the onset of World War II prevented the elected members from assuming their posts and the legislature of the Commonwealth of the Philippines was dissolved upon the exile of the government of the Philippines. (Official Gazette)

May 25, 1946: 2nd Commonwealth Congress Convened

The second Congress of the Commonwealth convened on May 25, 1946. It would only last until July 4, 1946, with the inauguration of the Third Republic of the Philippines with Manuel Roxas as President. (Official Gazette)

July 4, 1946: 1st Congress of the Third Republic was formed

Upon the inauguration of the Third Republic, the Second Congress of the Commonwealth was transformed into the first Congress of the Republic of the Philippines, also made up of the Senate and the House of Representatives. (Official Gazette)

Bell Trade Act and Parity Rights Issue

In October 1945, Congressman Jasper Bell of Missouri introduced the Bell Trade Act in the U.S. Congress that would grant free trade between the Philippines and the United States until 1954, after which traded goods will be taxed 5% tariff increase every year until the full 100% was reached in 1974. One of the conditions included in the Bell Trade Act was parity rights for Americans. This meant that Americans would have the same access to the country’s natural resources as Filipino citizens do. Since the parity clause was unconstitutional, the Philippine constitution had to be amended. Pressure was upon the Congress to amend the Constitution because the Tydings Rehabilitation Act, which would have provided $620,000,000 as war reparation to the country, was connected to any trade relations agreement. Should the Philippines and the US not agree to a trade agreement, the Philippines would not have received more than $500.

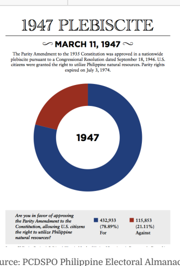
September 18, 1946: President Roxas gets legislative approval on Parity Rights

President Manuel Roxas was able to get a legislative approval for the Parity clause, through a resolution granting United States Citizens right to the disposition and utilization of Philippine natural resources or the Parity Rights. The plebiscite happened on March 11, 1947. (See Chris Pforr, Americans in the Philippines: An illustrated history, December 2010)

March 11, 1947: The Parity Amendment in the Constitution

The plebiscite held granted United States citizens the right to the utilization of Philippine natural resources or the Parity Rights. This plebiscite was the first after World War II, and the first under the two-party system, and the only plebiscite conducted as a stand-alone vote (the 1967 plebiscite was an additional question attached to the ballot during a regular election). Public participation, particularly in comparison to the pre-war plebiscites, was very low, although the public debate was ferocious and government had to use every means at its disposal to get what it wanted. *On the proposed Parity Amendment to the Constitution:*

432,933	FOR
115,853	AGAINST



Source: PCDSPO Philippine Electoral Almanac

See Report on the Plebiscite, April 5, 1947. The drama was much more evident before the plebiscite, as the Roxas administration had difficulty maneuvering it through Congress. See Two Freedoms, March 24, 1947:

> In spite of the untactful use of the word “exploitation,” the Philippines voted in a plebiscite last week (March 11) to amend the Constitution as Washington wanted. The vote was light (about 1,000,000 out of a registered vote of 3,000,000). With returns still limping in from outlying islands, the vote was about 5-to-1 in favor of the amendment. Even in Manila, center of Philippine economic nationalism, the amendment carried nearly 3-to-1. The only excitement occurred when Philippine President Manuel Roxas got a close shave from a Manila barber, one Julio Guillen y Cuerpo. Barber Guillen pulled a hand grenade from a bag of peanuts, missed Roxas but killed a bystander. Roxas had just finished a speech favoring U.S. parity in corporate control.
> Parity extends to 1974. To nail down freedom from fear, the Philippines three days later signed an agreement giving the U.S. military and naval bases until 2046.

See Economic Relations with the United States:

> The most controversial provision of the Bell Act was the “parity” clause that granted United States citizens equal economic rights with Filipinos, for example, in the exploitation of natural resources. If parity privileges of individuals or corporations were infringed upon, the president of the United States had the authority to revoke any aspect of the trade agreement. Payment of war damages amounting to US$620 million, as stipulated in the Philippine Rehabilitation Act of 1946, was made contingent on Philippine acceptance of the parity clause.
> The Bell Act was approved by the Philippine legislature on July 2, two days before independence. The parity clause, however, required an amendment relating to the 1935 constitution’s thirteenth article, which reserved the exploitation of natural resources for Filipinos. This amendment could be obtained only with the approval of three-quarters of the members of the House and Senate and a plebiscite. The denial of seats in the House to six members of the leftist Democratic Alliance and three Nacionalistas on grounds of fraud and violent campaign tactics during the April 1946 election enabled Roxas to gain legislative approval on September 18. The definition of three-quarters became an issue because three-quarters of the sitting members, not the full House and Senate, had approved the amendment, but the Supreme Court ruled in favor of the administration’s interpretation.
> In March 1947, a plebiscite on the amendment was held; only 40 percent of the electorate participated, but the majority of those approved the amendment.

What is significant in the 1947 Parity Amendment campaign were two things:

1. The first time an assassination attempt was made on a President (a crazed barber, as it turned out, not a full-scale plot; but a close call nonetheless for Roxas at Plaza Miranda).

2. The removal of enough opposition congressmen and senators (on charges of fraud and terrorism) in order to obtain the votes required to propose the amendment to the people.

See Time’s Two Freedoms, Monday, Mar. 24, 1947 for a contemporary overall report and Report on the Plebiscite, April 5, 1947 for a report from the critics of the plebiscite.

1949: After controversial elections, some legislators propose return to single 6-year term for the presidency.

1950: Claro M. Recto warned that the martial law provisions of the 1935 Constitution could easily be abused by a president without scruples.

Claro M. Recto warned of the dangers of martial law, when he opposed President Elpidio Quirino’s suspension of the writ of habeas corpus in Central Luzon on October 20, 1950. Quirino would try other ways to exercise emergency powers, but didn’t try martial law. (See Nuts and Bolts of Martial Law and Concerning Martial Law)

1958: Recto proposes amendment to strengthen Separation of Church and State

Claro M. Recto suggested, in an article in *The Lawyers Journal* (1958) that a Constitutional amendment be passed to further clarify the definition of the separation of Church and State in the Constitution. (See Filipinos and Freemasonry)

December 30, 1965: Ferdinand E. Marcos is elected as President in his first term. He is only the second president to be elected to a second term –and the first elected to a full second term (Quezon, after the 1930 amendments, was elected to a partial second term because of the eight-year maximum rule).

March 15, 1961: Senate and the House of Representatives Vote on the Resolution that proposed constitutional amendments

November 14, 1963: Increasing representatives: Members of Congress to sit in Convention

Substantially, the Congressional Record (April 6, 1961, pp. 6061) provides that the amendment to the Constitution proposed by the Senate and the House of Representatives, reads as follows:

The Congress, two-thirds of both houses concurring herein, that the following article and section are proposed as amendments to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE—

"SECTION 1. The District constituting the seat of Government of the United States shall appoint, in such manner as the Congress shall direct, electors of President and Vice President equal in number to the electors of Senators and Representatives to which the District would be entitled if it were a State, but in no event more than the least populous State. They shall be in addition to those appointed by the States, but they shall be considered, for purposes of the election of President and Vice President, to be electors appointed by a State. They shall meet in the District and perform such duties as the Congress shall prescribe.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

The 23rd Amendment was ratified by the required number of state legislatures and was officially declared to be part of the Constitution on March 29, 1961, when Secretary of State Dean Rusk issued a proclamation to that effect.

Source: Senate Joint Resolution 1

Article one, the following amendment of Congress is now in the running: Constitutional Convention and been declining for years.

49.5%	47.6%
49.5%	47.6%

Source: FCC Plebiscite Electoral Division

Article one, the 49.5% of the Senate and the House of Representatives, Congress, Article Four, Section Two, Article Three, Section Two.

"Of the 60 provinces, 42 rejected both houses, of the 50 chartered cities, 40 voted 'no' as against 10 voted 'yes'."

The remarkable outcome of the rejection of Congress' proposals was plausibly (or by 100, prohibiting any political party and public office from being represented in the Constitutional Convention, which was adopted in exactly a public vote of 100 to 0 in the Senate and 100 to 0 in the House of Representatives. Congressional Record, Senate, 100 to 0 in the House of Representatives, the political implications of the plebiscite defeat.

According to Manalaysay, politicians began to consider abolishing the [unintelligible] four years twice lately [unintelligible] the election for another twice in 1949, because of the controversial elections of that year. By the 1960s, legislators were also being [illegible] to two other Constitutional-related proposals. First, that the membership of the House should be increased, and second, that the Senate be reorganized to same-for-same [illegible]

In 1967, fulfilling the provisions of the 1950 Constitution, Congress began sitting in joint session to consider these proposals, but no consensus could be reached on restoring a single one presidential term and on synchronized elections, there was agreement. Congress, in joint session, voted "no" as against 1 voted "yes" on the proposal to increase the number of representatives.

At which point, accusations of "Congress is a rubber stamp" began to be heard. Since we cannot agree and we cannot keep on meeting in joint sessions because the public will demand that we cease this futile exercise, let us call a Convention." [illegible] Mandayan added, "the intention of course was for Congressmen and the Senators were to control the Convention. And therefore when somebody said, 'Let us call a Convention, anyway we can all be members of that Convention and we can control it,' some other members of the Senate and We cannot Substantially Modified by the present Constitution." [illegible]

Clever colleagues proposed a solution. All we have to do is amend the present Constitution at the same time that we pass the increase of seats in the House. We will say: 'However, a senator or congressman may be a delegate to the Constitutional Convention.'" [illegible]

The problem was that any amendment had to be submitted to the people for approval in a plebiscite, and Congress was reluctant to do that. Some serving proposed, the round being "50 percent of them said 'no' And for next morning the Senators and Congressmen woke up to find they had created a fundamentalist monster. They had called a Constitutional Convention and they were not going to control it. And so they began to make noises that there was no need for the Convention, that [illegible] expensive, and cheaper and more convenient for the Senators and Congressmen to resume their work as a constituent assembly." Public opinion favored Congress to pass a Constitutional Convention Act, according to Manalaysay, but the Senate and Congressmen of the Senate of Senators and Congressmen.

Congress, in joint session, voting by political party, voted 100 to 0 in favor of the Constitutional Convention Act, which was signed into law by President Macapagal. Congress was then faced with a thorny process of selecting delegates to the Constitutional Convention. Congress was then faced with a thorny process of selecting delegates to the Constitutional Convention. Congress was then faced with a thorny process of selecting delegates to the Constitutional Convention.

June 1, 1971: Constitutional Convention called to order

After the roll-call-vote had an outdoor venue the Constitutional Convention was passed in 1967, election held in November 1970 and convened in June 1971 to draft a new Constitution. Congress was then faced with a thorny process of selecting delegates to the Constitutional convention. Congress was then faced with a thorny process of selecting delegates to the Constitutional convention.

Congressional Record, Senate, 100 to 0 in the House of Representatives.

Congressional Record, Senate, 100 to 0 in the House of Representatives.

1972: Controversies rock the Constitutional Convention.

Congressional Record, Senate, 100 to 0 in the House of Representatives. Congressional Record, Senate, 100 to 0 in the House of Representatives. Congressional Record, Senate, 100 to 0 in the House of Representatives.

August 19, 2005: GMA forms Consultative Commission

President Gloria Macapagal Arroyo signed Executive Order 474 creating a Consultative Commission to propose a revision of the 1987 constitution in consultation with various sectors of society. A year later, the Consultative Commission produced for the amendment of constitution in parliamentary federal government. See also Arroyo's Three Advantages of Parliament and Arroyo's Proposed Cut Off Dates

October 2005: Pulse Asia Survey on Charter Change

In October, 58% agreed that the Constitution should be amended. At the same time, 34% are in favor or changing the present presidential form into a parliamentary system of government

November 6, 2005: Matrix of various proposals for Constitutional amendments

Prepared by PCG and published online in Proposals for charter change: A comparison of the Abueva, Davide, and Consultative Commission Charter Change proposals

December 15, 2005: Consultative Commission on Charter Change finishes report

After three months of work, the Consultative Commission on Charter Change proposes the **parliamentary-presidential form** and **SWS, a parliamentary government is proposed, and a plural Federalism as well as the liberalization of economic provisions of the Constitution. See** sidebar of this Article. **Both the Senate and the Arroyo Administration are divided.**

November 6, 2005: House to begin debate on Constitutional Amendments

As reported by PGA

2006: Congress proposes People's Initiative

Figure of Constitutional amendments needed to be approved under the Constitution: Per amendments proposed, a unicameral parliament; People's Initiative proposed as means to accomplish Constitutional amendments; Supreme Court struck down people's initiative as means for amendments

February 15, 2006: Makati Business Club proposes the following amendments to the Constitution:

> (1) The President's and Vice President's term be limited to four years, with one re-election allowed as in the past. (2) The President and Vice President should come from the same party. (3) Revert to the two party system and pass measures that will penalize turncoats. (4) If a multiparty system is maintained, then a run off election for President and Vice President must be provided when none of the candidates achieve a clear majority.(5) The provisions or restrictions on economic activities should be removed from the Constitution and made a matter of law that Congress can amend, revise or repeal as the need arises to meet the challenges of a global competition.

Senate Commite RI commission meets to take snapshot of public opinion on Constitutional amendments. The results take anti-Charter Change advocates by surprise.

March, April and July 2006: Pulse Asia Survey on Charter Change

In the March 2006 Pulse Asia survey, **some Filipinos were in favor of amending the Constitution as compared to the previous year. 42% agreed that the Constitution should be amended. 21% are in favor or changing the present presidential system into a parliamentary system of government.**

Meanwhile, in April, 44% agreed that the Constitution should be amended. Only 18% agreed that Congress were in favor of the Constitutional amendments. Only 18% agreed that the Constitution should be amended.

According to the SWS survey in June, 17% will vote for a new Constitution that President GMA wants.

July 29, 2006: See Explainer: The difference between parliamentary and presidential government

August 2, 2006: See Explainer: Parliamentary and Unicameral Resources.

August 6, 2006: See Explainer: The difference between presidential and parliamentary government.

September and November 2006: SWS and Pulse Asia Survey on Charter Change

According to the SWS survey in September, 16% will vote for a new Constitution that President GMA wants.

In Pulse Asia's November 2006 survey, 18% are in favor of changing the Constitution. In the same month, SWS found out that only 16% will vote for a new Constitution that President GMA wants.

Senate Economic Planning Office publishes Electoral System, Parties and Representation: The Mixed Member Majority Plurality Option

October 25, 2006: Supreme Court rules in Lambino v. Comelec.

See Lambino v. COMELEC, G.R. No. 174153, October 25, 2006.

> There can be no mistake about it. The framers of the Constitution intended, and wrote, a clear distinction between "amendment" and "revision" of the Constitution. The framers intended, and wrote, that only Congress or a constitutional convention may propose revisions to the Constitution. The framers intended, and wrote, that a people's initiative may propose only amendments to the Constitution. Where the intent and language of the Constitution clearly withhold from the people the power to propose revisions to the Constitution, the people cannot propose revisions even as they are empowered to propose amendments.

December 5-7, 2006: Congress proposes move to parliament, postponement of elections and term extension

The month begins with the House of Representatives convening it second finally proper amendments to the Philippine Constitution. It would do so with or without the participation of the Senate. The House of Representatives will convene in two days to dispose with a previous (and long standing) requirement that constitutional proposals undergo the same process as legislation. Congress is a bicameral assembly and that next so-then-five. It is the House majority leader Prospero Nograles that change. The next day, the House proceeded to attempt to propose a resolution which would transform itself into a constituent assembly. Congress is a bicameral assembly. The House of Representatives voted 166-0 to 1 to 1 to 1