

## RECORD OF THE SENATE

THURSDAY, OCTOBER 8, 1992

### RESUMPTION OF THE SESSION

*At 10:25 a.m., the session was resumed, with the Honorable Neptali A. Gonzales, Senate President, presiding.*

**The President.** Session No. 25 of the Senate is hereby resumed.

The Majority Leader is recognized.

**Senator Romulo.** Mr. President, I believe there is an additional Reference of Business.

**The President.** The Secretary will read the second additional Reference of Business.

### SECOND ADDITIONAL REFERENCE OF BUSINESS

#### BILL ON FIRST READING

**The Secretary.** Senate Bill No. 824, entitled

AN ACT AMENDING SECTION 5 OF REPUBLIC ACT NO. 7353, OTHERWISE KNOWN AS AN ACT PROVIDING FOR THE CREATION, ORGANIZATION AND OPERATION OF RURAL BANKS, AND FOR OTHER PURPOSES.

Introduced by Senator Romulo.

**The President.** Referred to the Committee on Banks, Financial Institutions and Currencies.

**Senator Maceda.** Mr. President.

**The President.** The Senate President Pro Tempore is recognized.

#### QUESTION OF PRIVILEGE OF SENATOR MACEDA (Probe of Senators if Linked to Drug Lords)

**Senator Maceda.** Mr. President, a brief question of personal privilege.

I read in today's newspapers that the Vice-President has issued a statement on a press conference that certain politicians are protecting drug lords, and are part of those who are funding a smear campaign against him and the PACC.

In view of that, I just want to state that I am filing a resolution coauthored by Senator Romulo to ask the Committee on Ethics

and Privileges to investigate as to whether any politician-Senators are involved, and to ask the Vice-President to come here, or to write us formally to state for the record whether any Senators are involved or not.

Mr. President, when the Vice-President of the country, the second highest ranking official makes a statement, it should be given all the seriousness that is consistent with the responsible position that he holds. And so, I am giving it the seriousness that it deserves.

All the 24 Members of the Senate are politicians. And so, we are among those who are possible suspects in this particular matter. So, I am filing the corresponding resolution.

Senator Herrera is also coauthoring the resolution.

Thank you.

**Senator Tatad.** Mr. President.

**The President.** Senator Tatad is recognized.

**Senator Tatad.** Will the distinguished Gentleman yield for one or two questions?

**Senator Maceda.** Willingly, Mr. President, the distinguished Gentleman from the Bicol area.

**Senator Tatad.** Mr. President, I share the anxiety of the distinguished President Pro Tempore. But as a matter of policy, must we always react in this manner to statements made by other politicians in the newspapers? It appears to me that in the past several months, the media have been loaded with all sorts of statements about the most trivial and the most important things. Many of the statements are irresponsible. They are meant only to land one's name in the headlines.

Should we not, first of all, ask the distinguished Vice-President to be more specific in his allegation instead of immediately going into this process of an inquiry into the conduct of 24 Senators, none of whom has been tainted with any insinuation in the past of having anything to do with the protection of drug lords? That is the question.

**Senator Maceda.** Mr. President, to the general question, no. We should not always react to statements or stories in the media but, as I have premised my statement, when a statement is made by the Vice-President in a press conference attended by members of the Senate Press Club who also cover us and who cover him in the same building, and a statement has been made very definitely, all I want to accomplish — and I am leaving it up, of course, to the Committee on Ethics and Privileges — is for the Vice-President to

MEMBERS OF THE FRATERNITY, GROUP, OR ORGANIZATION, THE PARENTS SHALL BE HELD LIABLE AS PRINCIPALS WHEN THEY HAVE, EXPRESSLY OR IMPLIEDLY, GIVEN PERMISSION FOR SAID HAZING TO BE CONDUCTED THEREIN.

THE SCHOOL AUTHORITIES WHO CONSENT TO THE HAZING OR WHO HAVE KNOWLEDGE THEREOF BUT FAILED TO TAKE ANY ACTION TO PREVENT THE SAME FROM OCCURRING SHALL BE PUNISHED AS ACCOMPLICES FOR THE ACTS OF HAZING COMMITTED BY THE PERPETRATORS. THE OFFICERS, FORMER OFFICERS, OR ALUMNI OF THE ORGANIZATION, GROUP, FRATERNITY OR SORORITY, WHO ACTUALLY PLANNED THE HAZING, ALTHOUGH NOT PRESENT AT THE TIME OF THE HAZING, SHALL BE LIABLE AS PRINCIPALS. THE PRESENCE OF ANY PERSON DURING THE HAZING IS *PRIMA FACIE* EVIDENCE OF PARTICIPATION THEREIN AS A PRINCIPAL. A FRATERNITY OR SORORITY ADVISER WHO IS PRESENT AT THE HAZING SHALL BE LIABLE AS PRINCIPAL.

OFFICERS OR MEMBERS OF ANOTHER ORGANIZATION, GROUP, FRATERNITY OR SORORITY WHO KNOWINGLY COOPERATED IN CARRYING OUT THE HAZING BY INDUCING THE VICTIM TO BE PRESENT THEREAT SHALL BE LIABLE AS PRINCIPALS.

FOR PURPOSES OF THIS ACT, OFFICERS-IN-CHARGE OF THE TRAINING OF RECRUITS OF THE ARMED FORCES OF THE PHILIPPINES, THE PHILIPPINE NATIONAL POLICE, THE CITIZENS MILITARY TRAINING OR CITIZENS ARMY TRAINING SHALL NOT BE ENTITLED TO THE MITIGATING CIRCUMSTANCE THAT THERE WAS NO INTENTION TO COMMIT SO GRAVE A WRONG.

SEC. 2. This Act shall take effect upon publication in at least one (1) national newspaper of general circulation.

**Senator Romulo.** Mr. President, I ask that Senator Lina be recognized to sponsor this bill.

**The President.** Senator Lina is recognized.

#### SPONSORSHIP SPEECH OF SENATOR LINA

**Senator Lina.** Thank you, Mr. President.

Distinguished Colleagues, I rise today to sponsor Senate Bill No. 176, a measure designed to curb and to put a stop to so many deaths involving young people, students, and trainees in some military and police institutions, as a result of what we call the act of hazing.

Mr. President, while we Filipinos have been described as a people with short memories, I am sure many of us still remember the tragic and senseless death of Lenny Villa and the injuries suffered by his classmates at the Ateneo College of Law when said young men were subjected to hazing when they tried to apply for membership in a fraternity in that prestigious institution.

The publicity that cropped up after the death of this Lenny Villa did not discourage, Mr. President, these hazing activities in the country. In fact, after the death of Lenny Villa, there were six more cases of deaths due to hazing involving young and promising students, namely, Frederick Cahiyang of the University of Visayas in Cebu, Raul Camaligan in San Beda College, Felipe Narne of Pamantasan ng Araullo in Cabanatuan City, Dennis Cenedoza of the Cavite Naval Training Center, Joselito Mangga of the Philippine Merchant Marine Institute, and Joselito Hernandez of the University of the Philippines in Baguio City.

Naalaala ko po, Ginoong Pangulo, that after the death of Lenny Villa, the media were full of reports of groups that have been organized condemning the senseless and tragic death of Lenny Villa. There was a very strong clamor to put a stop to this activity called hazing, and that is the reason why this Representation filed a bill in the last Congress, which unfortunately, though reported out for Second Reading, was not discussed on the Floor of this Chamber in the last Congress because of the lack of time.

In this present Congress, the same bill as reported out by the Committee on Constitutional Amendments, Revision of Codes and Laws was refiled by this Representation, and another bill on the same subject matter was filed by the Gentle Lady from Quezon City and Iloilo, Senator Nikki Coseteng, urging that this Chamber immediately enact into law a measure that will criminalize the act of hazing.

Mr. President, in addition to the purpose of criminalizing the act of hazing in Senate Bill No. 176 and the other bill filed by Senator Nikki Coseteng, the bill also puts to task the authorities of the educational institutions, officials of said institutions, and also officials of military/police training institutions. They will be made liable either as accomplices or accessories for allowing hazing to be conducted within the institutions or with their knowledge or with their consent.

In addition to really discourage this act of hazing, even the owners of the houses or premises where hazing is conducted will also be put to task by making them liable if they knowingly allow the conduct of hazing within their houses or within their premises, or even by parents of the members of fraternities or sororities who resort to hazing as a precondition to membership of a new member of their associations.

The bill, Mr. President, increases the penalties that normally would be imposed on crimes of serious physical injuries, even slight physical injuries. We increase the penalties if said crimes or said results of an act are due to hazing.

Mr. President, the bill also included even those members who did not participate in the act of hazing but who were present during the hazing rites as principals or accomplices, depending on circumstances that we enumerated in the bill; if they did not do anything to stop the hazing or, at the very least, report to authorities the incident so that the hazing could be stopped.

These are the salient features of the bill, Mr. President. And we are very hopeful that if this bill is enacted into law, this will be a strong signal to officers and members of fraternities, sororities or any other associations that require hazing as a precondition to one's membership in said organizations or associations.

This bill if enacted into law will also send a strong signal to officials of police and military training institutions, including the Philippine Military Academy, that the State is definitely against any form of hazing that has resulted in the deaths of many of our young people and that it is an evil that has to be stopped.

Mr. President, in view of the foregoing, and in response to the clamor of families, friends, and sympathizers of the victims of hazing, I urge that this bill be approved.

Thank you, Mr. President.

#### SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 67

**Senator Romulo.** Mr. President, I move that we suspend consideration of Senate Bill No. 176 consolidated into Senate Bill No. 67, Hazing as a Crime bill.

**The President.** Is there any objection to the said motion? [Silence] There being none, the motion is approved.

**Senator Romulo.** Mr. President, printed copies of Senate Bill No. 704, "An Act Constituting the Legislative-Executive Development Council, Providing Funds Therefore and for Other Purposes" have just been distributed. They are now on the desk of the Senators. This is in accordance with Article VI, Section 26 (2) of the Constitution on the three-day rule.

#### MANIFESTATIONS OF SENATOR ROMULO (Inclusion of Coauthors of Various Bills)

**Senator Romulo.** Mr. President, may I manifest that upon request of Senator Herrera, Senator Sotto be made coauthor of Senate Bill Nos. 143, 146, 160, and 165.

**The President.** Is there any objection? [Silence] There being none, the request is granted.

**Senator Romulo.** At the request of Senator Angara, Senator Webb is made coauthor of Senate Bill Nos. 93, 104, 248, 249, and 255.

**The President.** Is there any objection? [Silence] There being none, the request is granted.

**Senator Romulo.** Mr. President, upon the written request of Senator Guingona, Senator Gloria Macapagal-Arroyo be made coauthor of Senate Bill No. 707.

**The President.** Is there any objection? [Silence] There being none, the request is granted.

**Senator Romulo.** Mr. President, upon request of this Representation, Senator Mercado be made coauthor of Senate Bill No. 625.

**The President.** Is there any objection? [Silence] There being none, the request is granted.

**Senator Romulo.** I manifest that Senator Coseteng be made coauthor of Senate Bill Nos. 19, 23, 27, 30, 38, 39, 80, 82, 87, 101, 151, 196, 413 and 697.

**The President.** Is there any objection? [Silence] There being none, the motion is approved.

#### ADJOURNMENT OF THE SESSION

**Senator Romulo.** Mr. President, as there are no other matters to be taken up in this morning's session, I move that we adjourn this session until Monday at three o'clock in the afternoon.

**The President.** Is there any objection? [Silence] There being none, the session is hereby adjourned until Monday at three o'clock in the afternoon.

*It was 11:55 a.m.*