

RECORD OF THE SENATE

MONDAY, JUNE 5, 1989

OPENING OF THE SESSION

At 10:24 a.m., the Honorable Jovito R. Salonga, President of the Senate, called the session to order.

The President. Binubuksan ang pulong ng Senado.

NATIONAL ANTHEM

Ang Pambansang Awit at ang *Pilipinas* ang iparirinig sa atin ng G.S.I.S. Quezon City Singing Group. At pagkatapos ay pangungunahan tayo sa panalangin ni Senador Agapito "Butz" A. Aquino.

Everybody rose for the singing of the National Anthem and remained standing for the opening prayer.

PRAYER

Senator Aquino.

Lord, we pray for all the victims in China's version of people power. May all the bitterness and sufferings terminate, and efforts towards reconciliation and freedom begin.

Amen.

ROLL CALL

The President. Babasahin ng Kalihim ang talaan ng mga Senador.

The Secretary.

Senator Heherson T. Alvarez	Present
Senator Edgardo J. Angara	Present
Senator Agapito A. Aquino	Present
Senator Juan Ponce Enrile	Present
Senator Joseph Ejercito Estrada	Present
Senator Neptali A. Gonzales	Present
Senator Teofisto T. Guingona, Jr.	Present
Senator Ernesto F. Herrera	Present
Senator Sotero H. Laurel	**
Senator Jose D. Lina, Jr.	Present
Senator Ernesto M. Maceda	Present
Senator Orlando S. Mercado	Present
Senator John H. Osmeña	Present
Senator Vicente T. Paterno	Present

Senator Aquilino Q. Pimentel, Jr.	***
Senator Santanina T. Rasul	Present
Senator Alberto G. Romulo	Present
Senator Rene A. V. Saguisag	***
Senator Leticia Ramos Shahani	**
Senator Mamintal Abdul J. Tamano	**
Senator Wigberto E. Tañada	Present
Senator Victor S. Ziga	*
The President	Present

The President. Labimpito ang mga Senador na dumalo sa ating pagpupulong; mayroon tayong korum.

THE JOURNAL

Senator Mercado. Ginoong Pangulo, hinihingi ko na huwag nang basahin ang *Journal* ng nakalipas na sesyon at ito ay ituring na sinasang-ayunan.

The President. Mayroon po bang tutol? [*Silence*] Pinagtibay.

The Secretary will now proceed with the reading of the Order of Business.

REFERENCE OF BUSINESS

BILLS ON FIRST READING

The Secretary. Senate Bill No. 1178, entitled

AN ACT AMENDING SECTION 6 OF REPUBLIC ACT NUMBERED SIXTY-SEVEN HUNDRED TWENTY-FOUR RELATING TO THE COMPOSITION OF THE FOREIGN DEBT COUNCIL.

Introduced by Senators Romulo, Tañada, and Herrera.

The President. Referred to the Committees on Economic Affairs; Finance and Ways and Means.

The Secretary. Senate Bill No. 1179, entitled

AN ACT ESTABLISHING TOURIST INFORMATION CENTERS IN CHARTERED CITIES AND PROVINCIAL CAPITALS, AND FOR OTHER PURPOSES.

Introduced by Senators Romulo and Herrera.

* Arrived after the roll call

*** On official mission but appeared after the roll call

**On official mission

of intellectuals in this country; but, also because it affects the 62.4 percent of our population that is below 21 years old. Any legislation that is for our young people is welcome and, certainly, much more so if and when the legislation is to give some form, not only of income, of training and employment to prepare them for a better life in the future. For those reasons, Mr. President, I vote *Yes*.

EXPLANATION OF VOTE OF SENATOR MERCADO

Senator Mercado. Mr. President, I also vote *Yes*. I am in favor of this measure, as one who has gone through college as a working student taking on all sorts of jobs. I know, as many others in this Chamber know, the value of being given an opportunity to earn income to be able to finish one's education. This is a very good bill, Mr. President, and I am in full support of the said measure.

EXPLANATION OF VOTE OF SENATOR PATERNO

Senator Paterno. Mr. President, we all know that it is the birthday of the Author on Saturday, but the vote of *Yes* is being cast without reference to that birthday. So, my vote is *Yes na Yes*, Mr. President, to Senator Gonzales.

EXPLANATION OF VOTE OF SENATOR RASUL

Senator Rasul. Mr. President, I vote *Yes*. The proposed legislation gives welcome relief to the many young men and women rendered idle during summer vacation.

Under the incentives provided under this law, the youth will be able to have productive vacations, earning good money while at the same time, gaining education vouchers for the coming semester.

We have had extensive discussions of the incentives provided under this bill. We have argued over the merits of the voucher plan proposed initially. This salary payment scheme is an interesting innovation. It allows the student-worker to earn a decent wage, provide him with incentives for continuing his education, and also stimulates employers to hire students during vacations.

However, Mr. President, we must be careful in reapplying this compensation scheme elsewhere. This cautionary note is important for me because our Constitution also protects the rights of workers as to the nature and payment of their wages. I am not saying that this particular innovation as applied today is invalid. I am saying, Mr. President, that, perhaps, we cannot so readily apply the same in future cases. Nevertheless, I join the other Members of this Chamber in wholeheartedly supporting this bill, and in congratulating the distinguished Sponsor, Senator Gonzales, for his foresightedness and his creativity.

EXPLANATION OF VOTE OF SENATOR ROMULO

Senator Romulo. Mr. President, may I be permitted to attach to the record the full text of my remarks.

But I would just like to say that I am voting *Yes* on this bill. I hope that there are more bills of this nature for our young people, for the poor, and for education. I think, Mr. President, we owe this to the foresightedness and wisdom of the principal author of this bill, Senator Gonzales.

I vote *Yes*, Mr. President, and may I also extend birthday greetings to Senator Gonzales.

Thank you.

EXPLANATION OF VOTE OF SENATOR SAGUISAG

Senator Saguisag. Thank you, Mr. President.

I likewise vote *Yes* without prejudice to my attaching to the record, if I may, a copy of my written explanation.

Thank you.

EXPLANATION OF VOTE OF SENATOR SALONGA

The President. I vote *Yes* because this bill can stand on its own intrinsic value, and also because, on the basis of the reluctant grudging admission of Senator Gonzales — this is his best bill. I have no reasons to doubt the correctness and wisdom of his own evaluation.

BILL ON THIRD READING

Senate Bill No. 149 — Banning Mail-Order Brides

Senator Mercado. Mr. President, I move that we vote on Third Reading on Senate Bill No. 149. Copies of the bill were distributed to all Members of the Senate on June 2, 1989.

The President. Voting on Third Reading on Senate Bill No. 149 is now in order. The Secretary will please read only the title of the bill, if there is no objection? [*There was none.*]

The Secretary. Senate Bill No. 149, entitled

AN ACT TO DECLARE UNLAWFUL THE PRACTICE OF MATCHING FILIPINO WOMEN FOR MARRIAGE TO FOREIGN NATIONALS ON A MAIL-ORDER BASIS AND OTHER SIMILAR PRACTICES INCLUDING THE ADVERTISEMENT, PUBLICATION, FLIERS AND OTHER

PROPAGANDA MATERIALS, AND PROVIDING PENALTY THEREFOR.

The President. The Senate will now proceed to vote on the bill. The Secretary will please call the roll.

The Secretary called the roll and the result of the voting was as follows:

YES - 20

Senator Alvarez *	Senator Mercado *
Senator Angara *	Senator Osmeña
Senator Aquino *	Senator Paterno
Senator Enrile	Senator Pimentel
Senator Estrada	Senator Rasul *
Senator Gonzales *	Senator Romulo *
Senator Guingona *	Senator Saguisag *
Senator Herrera	Senator Salonga
Senator Lina *	Senator Tañada
Senator Maceda *	Senator Ziga

NO - None

ABSTENTION - None

RESULT OF THE VOTING

The President. With 20 affirmative votes, no negative vote, and no abstention, Senate Bill No. 149 is approved on Third Reading.

EXPLANATION OF VOTE OF SENATOR ALVAREZ

Senator Alvarez. Mr. President, I vote *Yes* for this very sensitive, very humanist-oriented legislation, sponsored by the debonair and very able Gentleman from Manila, Pagsanjan and of the Ilocos Regions.

I vote *Yes* to this bill that seeks to stop the degradation of Filipino women, who may be misled even unto undue sufferings. Yes, all of us recognize that the rootcause why some Filipino women are willing victims of the mail-order bride racket is their desire for economic upliftment. Until our country can provide better opportunities for our women, such practices will remain attractive even if done on the sly. This renders all the more urgent our work in Congress to lay down policies that will move the country further forward and improve our gains during these past years so ultimately our Filipino women will be indeed fully liberated.

* With explanation of vote

EXPLANATION OF VOTE OF SENATOR GONZALES

Senator Gonzales. Mr. President, ordinarily this mail-order bride business seems to be a legitimate activity, and therefore would be the subject of reasonable regulation on the part of the State, but because it is not intrinsically bad, it should not be criminalized. However, legislation is intended to meet existing conditions. And we believe that, under the evils and the abuses committed upon our womanhood by the mail-order bride, there is sufficient basis for Congress to penalize this act, more so if it is tainted as a commercial activity. I believe, this statute can withstand a constitutional test. And, I believe that it is a good policy, coming as it does from its Author, a Lothario of some sorts. Then I vote *Yes* to this bill.

EXPLANATION OF VOTE OF SENATOR GUINGONA

Senator Guingona. Mr. President, I vote *Yes*. This bill does not seek to restrict love; it seeks to limit the excesses and the abuses of what could task to be a legitimate, human relationship. This is allied to the need, Mr. President, for greater control in the exploitation of women through illegal recruitment, illegal inducement, illegal activities, not only here, but abroad.

We have heard testimonies, Mr. President, of women from the barrios and from the provinces who were lured by the recruiters to go to Japan, and there, be subjected to the most inhuman abuses, to be used not as barmaids, not as employees, not even as wives, but as prostitutes, misused and abused five or ten times a day, and given shabu as payment thereof. I think, the entire nation should concentrate its efforts towards curbing this kind of excess.

This Bill represents one way by which we can limit this abuse. Therefore, I vote *Yes*, Mr. President.

EXPLANATION OF VOTE OF SENATOR LINA

Senator Lina. Mr. President, this measure that we are voting upon is one which, perhaps, a few decades ago, would have been unthinkable in our tradition and culture. I say this because we never contemplated a situation where our women, the treasurers of our culture and tradition, would be subject to or endangered of being subjected to the kind of exploitation, abuse, and, at times, violent behavior as "mail-order brides."

To have a situation where our women, due to economic difficulties we are facing, will resort to becoming brides by mail or personal introduction for a fee is one of the tragic consequences of our present economic crisis.

Not too long ago, marriages were "arranged" between parents; some of them without regard to the personal feelings of the bride or the groom. These were marriages of political or economic advantage to the families. These have now become archaic and no

longer done in the greater majority of cases - a victory indeed for the liberation of our women. In some tribes and groups, the dowry is still required or at least expected when a bride marries. But this practice is now fading away. However, both traditions of arranged marriages and the dowry never exploited women and reduced them to a state of indignity and degradation as this practice which we seek to prohibit under this measure — the mail-order bride.

The monitoring of this measure and the mechanism for bringing to the bar of justice those who are part of this syndicated practice of mail-order brides need clarification or at least close supervision. Will the women do this on their own? Why are they mail-order brides, to begin with? What can we do to overcome our present economic crisis so that our women need not resort to this kind of exploitation to improve their economic status and help support their family?

There are many unanswerable questions, Mr. President, all leading to one major issue: our Filipino women must be protected, loved, and cared for. In voting for this measure, Mr. President, I call to mind my mother who gave me life and whom I honor and respect; my grandmother who helped raise me and taught me the values of our people; my sisters for whom I have abiding affection; and my wife and daughters who give me inspiration to serve our people, and for whose well-being and protection I would offer my life.

I vote Yes, Mr. President.

EXPLANATION OF VOTE OF SENATOR MERCADO

Senator Mercado. Mr. President, I vote Yes, and I would like to make a reservation to submit a written explanation.

Mr. President, the Filipino women's decades of struggle against sexual discrimination finally paid off when the 1986 Constitution granted them what they so long deserved: special attention and sexual equality.

However, events have once again overtaken the spirit and intent of our fundamental law. Mail order brides have proliferated, borne clearly by economic depravity.

Mr. President, despite all these, the government must, in line with its constitutional mandate to promote the role of women in nation-building, protect not only the very life of our Filipinas, but also their image abroad.

Mr. President, our women are not chattels to be peddled in the international market. As the mothers of our children, the guiding light and foundation of every family, they deserve all the support and care the government can give.

Mr. President, I vote Yes.

EXPLANATION OF VOTE OF SENATOR RASUL

Senator Rasul. Mr. President, the stories that abound of Filipina mail-order brides trapped and brutalized in loveless and exploitative marriages with foreigners in foreign lands are rendered no less heart-wrenching by their seeming constancy.

For indeed, while the names and faces are different, the circumstances, the needs, and the dreams that continue to impel these women to risk life and honor are almost always sadly the same. And, the culmination of the journeys begun with so much hope hardly ever partakes of a fairy tale's conclusion.

Those engaged in the mail-order bride business undoubtedly bear a large responsibility for the tragic accounts, even as their activities compromise the honor and dignity of all Filipino women. For in the unrelenting search for profits, they craft and propagate a false image of our women as essentially nothing more than subservient, convenient home companions or hardworking automated machines, in much the same fashion and in the same category, I surmise, as pets and other merchandise for sale.

While the proposed legislation may not completely stem the tide of Filipino women, seeking greener pastures from going abroad as mail-order brides, and even as we expect protests not only from those who stand to lose financially, but from the very women whom the protective mantle of this law is sought to be made, I say, Mr. President, it is a welcome and determined first step against the devaluation and possible exploitation of our women, the greed-rooted trivialization of romance and consequent shattering of dreams.

I vote Yes, Mr. President.

EXPLANATION OF VOTE OF SENATOR ROMULO

Senator Romulo. Mr. President, may I be allowed to attach my remarks to the record, but I would like to make of record now that I would like to vote Yes to this major, important, and indispensable bill.

Thank you, Mr. President.

EXPLANATION OF VOTE OF SENATOR SAGUISAG

Senator Saguisag. I vote Yes, Mr. President. There is no question in my mind that on its face this bill is constitutional. As applied to certain cases, there may be questions raised whether it is overbroad. That is my concern, and I am glad that the champion of Filipino womanhood has accepted my proposed amendment.

For instance, Mr. President, in the March 21, 1988 issue of *Time*, there was an article entitled "Fighting Off Hanayomebosoku" or "Bride Shortage". There we see that Filipinas seem to be able to cope with it. In that item or story, Dolores Kajimoto confesses that she has small arguments with her husband about the sin — when he refuses to eat her Filipino cooking, which she finds hard to believe is not a snub. Then, there is the mother-in-law problem. But then, these are really permanent problems of the mating game. There, Dolores declared herself happy that she came to Japan. Says she: "In the Philippines there are many poor families. I am safe and comfortable."

As long as it is not safe and comfortable in our country, there would be problems in hampering the constitutional right to the pursuit of happiness and the happiness of pursuit.

Finally, Mr. President, apart from the merits of this bill, which I really deeply believe in, I also vote *Yes*, in hopes that the distinguished Sponsor of this bill may yet abstain from abstaining when my Senate Bill No. 446 comes up for a vote later. Anyway, his ideal of every Member of Congress being a full-time public servant is adequately met in Senate Bill No. 1154.

Seriously, mag-aabut-abot din ito sa Conference Committee or wherever. Kaya naman ako ay bumoboto ng *Oo* sa panukalang batas na ito.

Marami pong salamat.

EXPLANATION OF VOTE OF SENATOR ANGARA

Senator Angara. Mr. President, I vote *Yes* to this bill. I have a prepared explanation for my vote. Just for the sake of saving time, may I be allowed to put it on record.

Mr. President, it is one of the tragic consequences of our sorry economic plight that the image of the Filipino abroad has gone down dramatically in recent years.

The most hurting image is that of the fairer members of our nation — the Filipinas. In the last decade, much unfair criticisms and observations were heaped on them, always in a patronizing manner and often in contempt. They have been generalized as domestic helpers, cheap laborers, even prostitutes.

One of the most contemptible instrument of this undeserved image is the mail-order bride practice wherein Filipinas are matched with foreigners whom they barely know.

Cases of Filipinas entering into mail-order marriages, which have little chances to succeed in the first place, are too numerous to be ignored. We have heard of Filipinas married in this fashion

being beaten up, harrassed, terrorized, neglected, discriminated, or treated unfairly by their mail-order husbands.

There had been cases where our Filipinas end up marrying foreigners who are handicapped, sadistic, grossly immature or even mentally deficient.

Section 14, Article II of the 1987 Constitution begins with the positive declaration "The State recognizes the role of women in nation-building....." Being committed to the recognition, protection and advocacy of Filipino women and their dynamic participation in society, we are called upon to uphold all their rights, including their welfare, and image in the international community of nations.

Our women, through the mail-order bride scheme, are being victimized by greedy businessmen, who exploit the poverty and ignorance of some Filipinas by dangling marriage to foreigners as an illusory solution. Filipino customs and traditions call for long courtship before marriage. In contrast, mail-order marriage encourages a mendicant mentality where the foreigner is viewed as the expedient economic savior.

Senate Bill No. 149, Mr. President, should eliminate this demeaning Mail-Order Bride scheme which merely enriched a few unscrupulous businessmen at the expense of our Filipino women.

For these reasons, Mr. President, I vote for the approval of Senate Bill No. 149.

EXPLANATION OF VOTE OF SENATOR AQUINO

Senator Aquino. I have only a one-paragraph explanation, Mr. President.

The Constitution clearly recognizes the role of women in nation-building. This bill provides safeguards for the abuse of Filipino women with the aim of protecting the interest and welfare of our fellow Filipinos, in particular, those abroad.

I congratulate the principal Sponsors of this bill — Senators Maceda, Rasul, Tamano, Mercado, Herrera and Romulo — for their efforts in protecting the interests of Filipinas from all over.

With this affirmative vote, I identify myself with the struggle of the Filipino women towards equality, dignity, and social justice.

EXPLANATION OF VOTE OF SENATOR MACEDA

Senator Maceda. Mr. President, I would like to thank the Chairman of the Committee on Women, Senator Rasul, as well as my cosponsors of this bill.

On behalf of Leovigilda "Leovy" Bonggay, a 28-year old lass from Batangas and thousands like her, Leovy who left her family and a good job as a switchboard operator in Manila, only to be abandoned with a child and without a job by her British fiance, for within weeks after her arrival in London as a mail-order bride, Leovy's fairy-tale world was shattered when her fiance confessed that he was not ready for marriage. At that time, she was already pregnant.

This story is covered in yesterday's issue of *Starweek*, Mr. President. But worst, according to Leovy, the husband or the ex-fiance is now on the lookout for another Filipino wife in the mail-order bride catalogues. And what about the introduction bureau that influenced and stirred the imagination of Leovy, and which made her believe that she was doing herself a favor by getting married to Kruger? It is nowhere to be found.

According to this article, Mr. President, and I will just read five short paragraphs out of the whole article:

Leovy's case is just the tip of the iceberg. There are dozens of Filipinas suffering modern type of slavery perpetrated by these Introduction Bureaus is very depressing, not to mention degrading, to learn that some of our women who are highly regarded in our country are being exploited and treated with disregard in foreign lands because of the mail-order bride business. There are now more than 28 marriage bureaus in London that cater to Filipinas and British men. Filipino women are simply being exploited by these marriage bureaus which make profits at the expense of these Filipinas. In this business, Filipino women are largely treated as commodities. Most of these bureaus rake in profit at the expense of the Filipinas. They try to project Filipinas as naive, sexually exotic, submissive and anxious to please their husbands. They also emphasize the fact that Filipinas are English-speaking and Christians. Filipinas are potentially exploitable because the British immigration law requires that as a visitor or fiance, she must have a sponsor who is prepared to support her and the most likely candidate will be her future husband, thus, making her even more dependent on him. Another is that it will take two years after they get married before a Filipina can achieve legal status, and until then, she cannot work, cannot be included in the government health program, and so on, and for all her needs, she has to depend on her husband.

CMFW Sister Margaret Hilly cited several cases of Filipinas coming to them asking for help because they have been treated unfairly by their British husbands. There have been instances when they were forced to take only tea and bread, suffering the cold weather because their husbands refuse to turn on the heater, locking them inside the house, and telling them that they are not supposed to complain and just be grateful for what they can get in the land of opportunity, not to mention physical beatings in some cases.

Sister Margaret stressed that Filipinas should learn that as a consequence of such a marriage, they are transplanted

into a completely new society which is very different from the one they know and from what they have been led to expect by the marriage bureaus and they are completely dependent on their husbands. This is true in Australia, in Japan, in Germany, in Norway and other Scandinavian countries.

Mr. President. In closing, the article states:

The prevailing public mood towards such practices is that they denigrate Filipino women. And with this kind of sentiment, the government should act on this matter as soon as possible before many more Filipinas fall victim to this dreaded business. It is very hard to ignore the sufferings and the pain that these exploiters have inflicted on Leovy and many more like her by buoying their false hopes, by making profits out of export-quality Filipinas that they are projecting, and by staining the image of our women. This should not be forgotten. Their cry for justice must be heard. They simply cannot continue doing this to our women and get away with this.

Sister Margaret Hilly, Leovy and all the thousands like you, the Senate today is answering your plea for justice. And I thank the Senate President, the leadership, and the Members of the Body for supporting this bill, Mr. President.

The President. I am voting Yes but may I also point to the possibility of a minor typographical error in the last line of this bill, as printed. It says here, "providing penalty therefor". But in the text of the bill, I noticed four penalties: imprisonment, fine, deportation, and exclusion. So, probably, the Secretariat can do something about this minor typographical error.

BILL ON THIRD READING

Senate Bill No. 748 — Return of PC-INP Criminal Cases to Civil Courts

Senator Mercado. Mr. President, I move that we vote on Third Reading on Senate Bill No. 748. Printed copies of the bill were distributed to all Members of the Senate on the 2nd of June, 1988.

The President. Voting on Third Reading on Senate Bill No. 748 is now in order. The Secretary will please read the title of the bill only, if there is no objection. [*There was none.*]

The Secretary. Senate Bill No. 748, entitled

AN ACT PROVIDING FOR THE RETURN TO THE CIVIL COURTS OF JURISDICTION OVER CERTAIN CRIMINAL CASES INVOLVING MEMBERS OF THE ARMED FORCES OF THE PHILIPPINES AND THE INTEGRATED NATIONAL POLICE, AND FOR OTHER PURPOSES.