

THE CONSTITUTIONAL CONVENTION AS A VEHICLE FOR SOCIAL CHANGE *

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On June 1, 1971, we shall convene a forum that is regarded by many as the last hope for peaceful change. Indeed, the idea of holding a constitutional convention at this stage of our national history seems to have been brought about by the deepening social crisis that now confronts us. The traditional institutions that our people used to look up to for change,—such as Congress, Malacañang and the Courts no longer seem to enjoy the confidence that befits a truly popular government.

But while the clamor for social change,—for a better life and a just society may be deafening, it is not clear to our people just how this could be effected through mere constitutional amendments.

Sadly enough, our contemporary Filipino society has a propensity to oversimplify complex social, political and economic differences. Ask any group of citizens what causes the ills of our present-day society and chances are there will be those who will blame only one person for it—President Marcos. There will be others who will also blame another—Mrs. Imelda Marcos. But the more politically-sophisticated citizens—and among them are many delegates-elect, would attribute the failing of our society to the political structure of our government. Many suggest that the powers of the president be clipped. Others propose the adoption of a parliamentary or semi-parliamentary form of government, still others recommend a more independent judiciary. And presto, the problems of the nation are solved.

In all modesty, I beg to disagree with such simplistic view of the problem now confronting us. I for one do not approve of President Marcos' performance in Malacañang. He has only served as chief agent of U.S. imperialism, chief bureaucrat and representative of landlord-comprador interests. But unlike most of our adult countrymen, I did not contribute a single vote to his two presidential bids. Frankly, I could not wait to see him step down the presidency. Yet I dare say that removing President Marcos from Malacañang, while it may mean the succession of a man with more scruples, will not result in genuine social change. More-

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over, have we forgotten so soon, that among the chief executives of our republic only President Marcos was reelected and with an overwhelming majority at that?

I too have my proposals designed to reform the political structure of our government. Yet I realize that these alone will not result in genuine social change. What of it if the term of office of the President is reduced to six years without reelection if the broad masses of our people will continue to exist in squalor and poverty? What of it if we adopt a parliamentary or semi-parliamentary form of government if the people who will sit in parliament will be the same vested interests who now sit in Congress?

It is my view that proposals to change the political structure are at best only peripheral to the central issue of social change. These are futile attempts to make the present political system viable. What is needed to effect genuine social change is not the reformation of the present set-up, but its total annihilation and the establishment in its stead of a just and humane order. And I do not mean the rejection of democracy as many have accused me of fomenting. I mean the rejection of the semi-feudal and semi-colonial order and the establishment in its stead of a genuine democracy.

We have for so long lived under the myth that ours is a sovereign republic and that our political system is a democracy. Indeed, it is expressly stated in Article II, Section 1 of the Philippine Constitution that "the Philippines is a republican state, sovereignty resides in the people and all government authority emanates from them." Pursuant to this declaration, suffrage is guaranteed to all citizens possessing the necessary qualifications and none of the disqualifications. It is to be noted that there are no property qualifications required for suffrage.

I ask two questions: first, is our country really sovereign? And second, is our political system a genuine democracy?

Philippine economy is caught in an American stranglehold. Despite the Declaration of Philippine Independence on July 4, 1946 (which also happens to be the independence day of the United States), the economic life of the Filipino people remains under the firm control of American big business. Statistics of the Bureau of Internal Revenue will show that the top individual and corporate income tax payers are mostly Americans. U.S. monopolies and their local subsidiaries own or control business firms dealing with petroleum, tire and rubber, drugs, fertilizers, chemicals, mining, heavy equipment, transport facilities, and others. On the other hand, Chinese businessmen control the retail trade of their products.

In 1965, the 108 U.S. firms in the Philippines owned \$806 million worth of assets. The book value of U.S. assets in the country then was at least \$1.15 billion.

Statistics will show that American firms are able to bring home to the United States at least five dollars for every dollar that they invest in the Philippines in a matter only of a few years. Central Bank records show that in the period 1960-68, foreign investments into the country was \$111.08 million while capital withdrawal and profit remittances reached \$551.32 million. According to the *Economic Monitor*, however, U.S. firms holding \$500 million investments in the Philippines made outward remittances from 1962-1969 reaching \$2.2 billion or a yearly average of \$314 million. Indeed, this is sucking the blood of the economy at the expense of millions of Filipinos.

With effective American control of the Philippine economy, the pattern of the trade has remained colonial. The Philippines serve as a source of raw materials such as sugar, copra, lumber, copper, etc. and as a dumping ground for American finished products. There being no sustained effort to effect industrialization and genuine land reform, it is not surprising that we incurred an internal debt of ₱6.5 billion and a foreign debt of \$1.9 billion as of the middle of 1970. Constant begging for loans from American-controlled financial institutions caused the devaluation of the Philippine peso from ₱2 to one dollar to more than ₱6.40 to one dollar in a short period of seven years. Devaluation has tremendously increased the prices of commodities and worsened the economic life of the people.

The economic stranglehold is further reinforced by the Laurel-Langley Agreement and the Parity Amendment — that humiliating ordinance appended to our constitution that was dictated by the Americans at a time when we could not have said no.

It is also submitted that with the consummation of the RP-US Military Bases Agreement, RP-US Military Assistance Pact as well as other military agreements, the Philippines has become a virtual protectorate of the United States. American military bases in the Philippines today constitute the biggest concentration of overseas U.S. bases. These bases which occupy vast tracks of arable land are veritable foreign territories that have proven to be immune from Philippine municipal laws. The military assistance pact has succeeded in preventing us from developing an independent and viable armed force.

Indeed, the dominance of American imperialism in the Philippines is too obvious to be ignored. We cannot in honesty claim to be sovereign people.

On the other hand, we find that among Filipinos, wealth is concentrated in the hands of only a few. Most prominent among them are the compradors and hacenderos who directly benefit from the colonial character of the economy by exporting to the United States the raw materials that have already been mentioned.

In 1968, there were some 10,764 landlords each owning from fifty to one thousand and more hectares of agricultural lands. Their combined holdings total to some three million hectares, at least one half of the present agricultural lands in the country. These landlords charge excessively high land rent and impose virtual wage slavery on farm workers. Not satisfied with this, these landlords practice usury and price manipulation with impunity.

On the other hand, bureaucrat capitalists take advantage of political patronage to expand their business empires. Factory workers however seldom if ever, enjoy higher wages and better working conditions.

The distribution of the national income and the national wealth is shocking. In 1965, 10% of the population received 40% of the total income. The top 2.6% of families had an altogether much bigger share of the total family income than the lower 46%. Speaking now of assets, it can roughly be said that only 10% of our people owned 90% of the total assets.

It is clear that the vast majority of our people come from the so called underprivileged class — the broad masses of people composed of the workers and peasants. On the democratic principle of one man-one vote, the workers and peasants should logically have some members of their social class represent them in the high councils of state. Yet it is obvious that our president, our vice-president, our senators, our congressmen all come from the ruling elite. There is not a single peasant or worker in Congress. Congressional seats seem to be the exclusive preserves of vested interests. But there is a seat that is reserved for the masses — the electric chair in Muntinglupa. There are fine guarantees in the Bill of Rights but while they can be enjoyed by the bigwigs of the Liberal and Nacionalista Parties, they are not as easily enjoyed by the less subversive KM or MDP or *Dumaquete Times*.

Why do these happen in a “democratic” society such as ours? These happen because ours is not really a democracy. Political power resides not in the people but in the ruling class. And this has persisted because wealth or economic power has been concentrated in the hands of this ruling class. I submit that political power is a mere function of economic power. And because economic power is in the hands only of the members of the ruling class, only they wield genuine political power. And as long as this situation persists, exploitation and injustice will be with us and our democracy will remain a farce.

It is obvious then that in order to establish a free and democratic social order, we must, first of all, expel American imperialism from our shores and secondly, effect a just redistribution of economic power among our people so that political power may likewise be dispersed.

How can the 1971 Constitutional Convention respond to this basic challenge? The convention can of course propose the prohibition of foreign military bases in the Philippines in time of peace. It can propose the immediate abrogation of the parity amendment or at least indicate in the new charter that we shall not recognize the so-called "vested rights" of the Americans after the termination of parity in 1974. The convention can even propose neutralism as a public policy. All these are possibilities. But I am not too optimistic about their chances of being adopted by the convention. Several prominent delegates who exert tremendous influence within the convention are known supporters of American policies here. In fact, they benefit from the present colonial order either by producing the raw materials that are given tariff privileges in the American market or by being legal retailers of American interests and their local allies.

But even assuming that such proposals will be adopted by the convention and ratified by the people, one wonders if the American imperialists will not react as they did in Guatemala in 1954. We will recall that when Guatemala attempted to expropriate the vast landholdings of the United Fruit Company, a full scale invasion of the country ensued.

In like manner, one wonders how many of the delegates are willing to effect a just redistribution of economic power through nationalization of strategic industries, establishment of cooperatives to take over the haciendas, legal recognition of basic human rights such as the right to work, right to education, right to housing and right to medical care which will all necessitate a more progressive rate of taxation, the recognition of the right of all workers to strike, limitation of landholdings, limitation on inheritance, the rejection of the present concept of just compensation, etc.

Looking at the list of delegates and their reported income for the years 1968 and 1969, one will readily see that just like our congressmen, practically all our delegates come from the top 2.6% of the economic bracket (i.e., those earning ₱10,000.00 or more per annum). The few who earned less than ₱10,000.00 per year are either priests, nuns, students or those who had just graduated from college.

Several of the delegates are hacenderos, big businessmen, bureaucrat capitalists who lost their reelection bids, bankers, owners of public utilities, logging concessionaires, legal counsel of big corporations, etc. A study is now underway to determine the economic interests of each and every delegate. I had talked to many of these delegates about substantive economic proposals and many of them expressed their disagreement with the same. A few would go only as far as a little profit-sharing for the workers which will not however alter the exploitative character of our type of "democracy."

This is a natural reaction because these delegates, being themselves members of the ruling elite, stand to be adversely affected by these changes.

Assuming, however, that by a sudden streak of conscience, or by some divine intercession, or because of coercion by student activists, our delegates would vote for radical changes, genuine social change will not necessarily follow.

For just as I had asked how American imperialists would react to a patriotic charter, I now ask how the ruling class of our society would implement radical changes that would surely boot them out of their present positions of power and privilege. For while it is true that the objective of these changes is the transfer of political power from the ruling elite to the broad masses of our people, the same cannot immediately be realized. Political power will not automatically be enjoyed by the people upon the ratification of the new charter. There will have to be a transitional period — a period of nationalization and expropriation, of revision of the tax structure, of national planning. During this critical period, it will still be the ruling elite that will be at the helm of affairs.

We must always bear in mind that the new charter that our delegates are about to fashion is a mere *law*. It has no life of its own. It is only as good as its implementation. Generally, laws serve the interests of whoever is in power. Congress passes a number of private bills each year giving franchises to a chosen few or tax exemptions for others. These are easily implemented. Every now and then however we hear of laws which on their face appear to be directed against the interests of the ruling class itself. There is the anti-graft law. There is the provision against overspending in political campaigns. But who has heard of any high public official being convicted of graft? Has anybody gone to jail or been disqualified from public office for overspending in a campaign? For that matter, has any member of the ruling class sat in the electric chair?

In closing, permit me to say that the 1971 Constitutional Convention can be a vehicle for social change only if the American imperialists and the local ruling elite will agree to surrender to the Filipino people their present powers and privileges. Failing in this, we shall have to look for other methods of social change.