

# **Socio-Demographic Profile of the Members of the 1986 Constitutional Commission**

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*A survey of the 1986 Constitutional Commission's socio-demographic profile reveals that its membership does not reflect the composition of the entire Filipino nation. Socio-demographic variables such as age, political/organizational affiliation, income, profession, occupation, ethnicity, religion, educational background and ownership of properties were correlated with the commissioners' attitude, actual behavior and positions on certain vital policy issues such as the US bases, national patrimony, national language and land reform. The commissioners themselves admit that the constitution they framed is imperfect but it is the best they could produce given their limited time and resources.*

## **Introduction**

This survey research aims to describe the socio-economic profile of the 1986 Constitutional Commission (Concom) members and to determine whether and to what extent they represented the various segments of the Filipino people whose ideals and aspirations they were mandated to reflect in the draft Constitution.

Hence, the study seeks to answer the following questions:

1. Did the composition of the Constitutional Commission cut across social classes and sectors?
2. Did the Constitutional Commission's composition indicate more or less a fair numerical as well as interest distribution among its members?

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3. Was the Commission's categorization into different sectoral representatives based on a valid qualitative assumption that its composition represented the divergent interests and sentiments in Philippine society?

The competition to attain political decision-making posts, which in this case is applicable to Concom membership, is characterized by the effective use of the resources which they control. Political organizations are essentially elite-organized, -financed and -led. The lack of economic and other material resources on the part of mass organizations limits the possibility of political alternatives outside the elite system.

The high concentration of formal power in the hands of the power-holders, accentuated by the general lack of public opposition, gives public officials considerable license in the exercise of their powers.

In office, the elite politician seeks to maintain, not only his position but also to advance his interests or the interests of his class.<sup>1</sup> The above theory would serve as a guide in determining the political characteristics of President Corazon C. Aquino's appointees to the Constitutional Commission. It would also guide us in finding out whether the real nature of the composition of the Concom had caused the preclusion of access to that body by representatives of the masses.

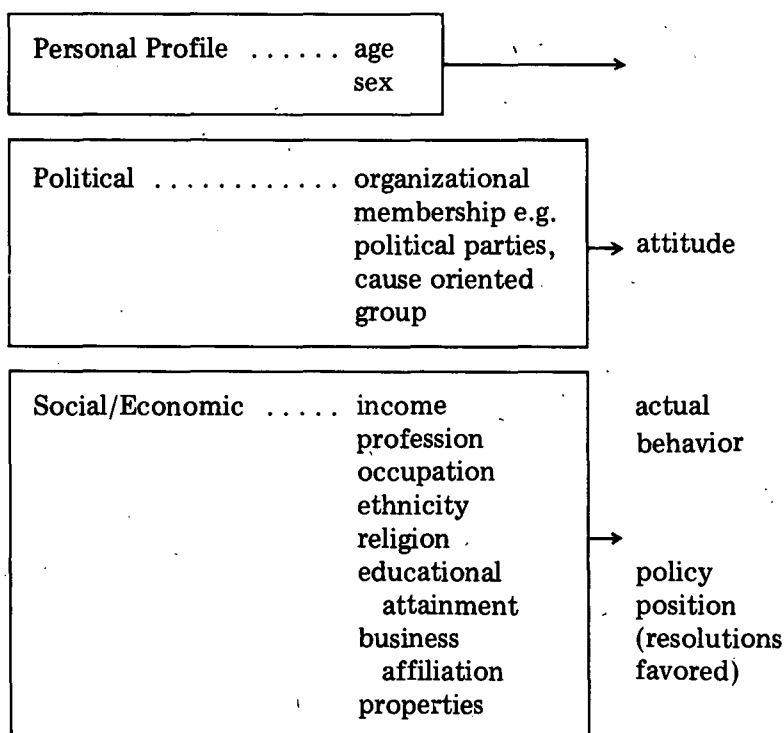
### Conceptual Framework

The following diagram shows the conceptual scheme by which we will try to interrelate the independent and dependent variables in this study. Those listed on the left side are the independent variables and those on the right are the dependent variables.

The personal profile of Concom members (e.g. age and sex) would indicate the representativeness of the Concom as far as representation of different age brackets and sex is concerned.

The political profile of the Concom members would be reflected in the nature of their political organizational membership since the various political organizations would indicate their political orientation, attitudes, values and beliefs.

The socio-economic profile as represented by the independent variables like income, profession, occupation, ethnicity, religion, educational attainment, business affiliation and properties influence the positions that would be taken by the respective Concom members on various policy issues deliberated by the Concom.



### Methodology

The design of this paper is primarily descriptive and explanatory in a statistical sense. It will seek to describe the socio-demographic character of the 1986 Concom members. It is explanatory because it will draw relationships between the socio-demographic variables of the Constitutional Commission members and their representativeness as shown in their composition, the policy issues they raised and the type of resolutions which they have signed.

#### *Techniques of Data Collection*

Universal sampling was used in the study, i.e., all the 48 members of the Constitutional Commission served as respondents. Separate questionnaires on socio-demographic profile of the Concom members, on the composition, procedures and proceedings of the Concom, and the individual Concom member's stand on the issues of US bases, national patrimony, national language and land reform were furnished to each respondent.

Secondary data collection was also used. The records of proceedings, resolutions, sponsorship papers, etc. which were made available to us by the Archives Section of the Batasan were likewise analyzed.

### *Data Analysis*

For the descriptive portion of this paper, the study team used univariate tables to present each of the socio-demographic variables. Percentage analysis and measures of relationship were resorted to whenever possible. For the explanatory portion of this study, the research applied correlations tests. A review of existing documents of the Concom was also undertaken.

### *Variables*

The relevant variables in our study are taken to mean the social and economic background of the Concom members which would enable the researchers to determine their socio-economic profile and the relation of their profile to (a) the characteristics of the rest of the population, on one hand, and to (b) the positions taken by the Concom members on issues raised in their deliberations, on the other.

The following are defined as independent variables in this study: socio-economic characteristics including profession, land owned and used, business engaged in, educational attainment, organizational affiliations, age, sex and ethnic origins.

The dependent variables are the resolutions signed or otherwise supported (i.e. voted for) by the Concom members pertaining to the controversial issues on US bases, national patrimony, national language and land reform.

*Educational Attainment.* This pertains to the highest educational attainment reached by the respondent. The fact that the vast majority of the Philippine political elite come from families which would give them distinct advantages is shown by the superior education level they have attained. We suppose that the members of political power groups like the commissioners are almost exclusively drawn from a small college-educated minority of the population.

*Occupation.* This pertains to the professional or non-professional activity or work engaged in by the respondent, usually his or her principal source of livelihood. The Commission's representativeness can be determined by the occupations and/or professions of its members. Its so-called "elitism" can be measured by the nature of the occupations or profes-

sions of its members, i.e., whether or not these activities are exclusively or mostly accessible to the elite in the society.

*Income.* This is defined as the amount of money declared by the respondent as his or her annual income from different sources. The various sources of income generally include salaries and allowances from private and/or public office, rents derived from property (agricultural lands, urban real estate, buildings and others), professional fees, business profits, dividends from shares of stocks, income from directorships in private corporations, and other sources. The higher the income, the greater the elitism of the Concom members. We tried to get data on the Commissioners' incomes, but many refused to supply such data; hence, no income data are presented and analyzed in this report.

*Age.* This attribute is significant politically because in practically all political systems, very young persons are usually not entrusted with the exercise of political authority and responsibilities. The mature individuals, instead, are the ones who are allowed to participate in public affairs, and seniority gives them an added advantage in terms of staying power. However, public opinion may favor "the idealism of youth" from time to time, and a periodic process of renewal in political leadership may take place in favor of younger people, particularly when the majority of the voting population happens to be in the younger age categories.

*Sex.* This attribute is also significant because males have, traditionally dominated political roles in practically all political systems, although some qualifications are required in stable democracies. In the United States and England women were not allowed to vote until after World War I. In the Philippines, women were allowed to exercise suffrage only in 1937. Even if they were allowed to vote in elections of public officials and to participate in many other political exercises, women still remain extremely underrepresented. However, this pattern has been changing during the last few decades, and in the Philippines, the shift has been dramatic since Corazon C. Aquino assumed the presidency.

*Class Origin.* A cursory look at the Concom members' family socio-economic base (landed or agricultural, business, professional, or industrial elite, peasant or working-class origins) indicates their elitism or modest status.

*Ethnic Origin.* This term refers to the regional group one belongs to and identifies whether one is an Ilocano, Tagalog, Bisaya, etc. This may show significant differences in the policy positions taken by commissioners, especially on issues that are likely to affect ethnic or regional interests.

*Religious Affiliation.* This defines whether one is a Catholic, Muslim, or Protestant. This variable has assumed importance due to the active participation of the Catholic Church in politics, the Mindanao "problem", and such issues as church-state relations and regional autonomy which were raised before the Concom.

### Review of Related Literature

So far, there has been no study on the socio-economic profile of the 1986 Constitutional Commission. This holds true also for the 1935 and the 1970 Constitutional Convention members.

One comparable study is "A Study of the Socio-Economic Elite in the Philippine Politics and Government 1946-1963" which was made by Simbulan.<sup>2</sup> A similar study conducted by Benson earlier (1971) is "A Socio-Economic Profile of Political leaders in a Philippine Province."<sup>3</sup> A third related study is "The Political Elite and the People" by Agpalo.<sup>4</sup>

In his study, Agpalo emphasized that in the Philippines, leadership was still in the hands of upper and middle class people who were residents of the Metropolitan Manila Area or who were engaged in business or professional practice in the country's urban center. Within Metropolitan Manila were over a hundred of the country's biggest corporations. The city of Manila was the country's main port, the hub of all transportation facilities. Metropolitan Manila was also of course the seat of the national government and the nerve-center of the country's political affairs.<sup>5</sup>

### Historical Background

In the development of Philippine political institutions since the end of Spanish domination, six constitutional documents had been of fundamental importance. Among these were: (a) the Charter and Code of Laws and Morals of the Katipunan by Emilio Jacinto; (b) the Provisional Constitution of Biak-na-Bato by Isabelo Artacho; (c) the Constitution of the Island of Luzon by General Makabulos; (d) the Constitutional Program of the Philippine Republic by Apolinario Mabini; (e) the Provisional Constitution by Mariano Ponce; and (f) the Autonomous Projects of Pedro A. Paterno.<sup>6</sup> Among these documents, however, the first to be enacted was the Malolos Constitution,<sup>7</sup> a charter of government drafted by the intellectual leaders of the revolution against Spain and the United States.

The Malolos Constitution was principally prepared by Felipe Calderon, and the draft was submitted by Cayetano Arellano and other Filipinos at the

beginning of the American regime. In it was reflected the Filipino reaction against Spanish tyranny. It rested upon the doctrine of popular sovereignty and contained broad and detailed provisions for the protection of the rights of the individual and the nation.

During the Commonwealth government a new charter was written. The men who drafted the Constitution of 1935 were thoroughly conversant with the politics and government of the American period in Philippine history. Indeed, collectively, the members of the 1934 Constitutional Convention and a small group of leaders who influenced its work from outside the Convention may be said to have made history during that period.

Two delegates to the 1934 Convention had been members of the Revolutionary Congress which drafted the Malolos Constitution and had actively participated in public affairs during the intervening thirty-five years. Seven of them had sat in the first Philippine Assembly established in 1907; nineteen delegates had served the Philippine Senate, more than fifty in the Philippine Assembly or the House of Representatives, one of them, Manuel Roxas became a Speaker of the latter body.<sup>8</sup>

Seated in the Convention too were men with experience in the courts of all grades, in the Governor-General's Cabinet, and as Resident Commissioners in the Congress of the United States. More than thirty members had served as provincial governors. The Convention in short was largely composed of practical politicians.<sup>9</sup> In this respect, the 1934 Convention stood in complete contrast with the Malolos Congress, hardly a member of which had previously held any public office of importance.

In 1971, President Ferdinand E. Marcos called for a Constitutional Convention to draft a new Constitution which he intended to be responsive to the needs of the Filipino people at the time. On September 21, 1972, Martial Law was proclaimed, as a result of which, the Congress of the Philippines was abolished, and — after a controversial ratification process — a new constitution went into effect on January 17, 1978.<sup>10</sup> Not much has been written about the authors of the 1973 Constitution, but this nonetheless provided some radical changes. For example, the 1973 Constitution replaced the presidential system with a parliamentary form of government which was introduced 73 years earlier. At the same time, this system was dominated by an even stronger president who had legislative as well as executive powers.

On May 26, 1986, President Corazon C. Aquino announced the appointment of most of the members of the 1986 Constitutional Commission. The formation of the body has been mandated by Proclamation No. 3 to

draft a new Constitution for the Filipino nation. The method of recruitment of the members of the 1986 Constitutional Commission (Concom) was by presidential appointment. However, it commenced with nominations as provided for under Section 3, Articles 1 to 5 Proclamation No. 9,<sup>11</sup> which served as the law governing the Constitutional Commission of 1986.

Nominations of the members of the 1986 Constitutional Commission were made by political parties, civic, religious, ethnic and other sectoral groups, and/or by individual citizens. Section 3, Article 4 of Proclamation No. 9<sup>12</sup> provided that the names of the nominees should be published in newspapers of general circulation for three consecutive days. The same proclamation provided that the Concom should be composed of not more than fifty (50) national, regional and sectoral representatives who should be appointed by the President.<sup>13</sup>

Regarding qualifications, the proclamation stated that no person would be appointed as member of the Commission unless he is a natural-born citizen of the Philippines, a qualified voter, and a person of recognized probity, independence, nationalism and patriotism.<sup>14</sup> In addition, the national representatives should be men and women of national standing, experienced in government or with recognized competence in their respective fields.<sup>15</sup> The regional representatives who had previously held elective offices were to be apportioned among thirteen (13) regions as nearly as may be feasible according to the number of their inhabitants on the basis of the latest census.<sup>16</sup> Article 5 of Proclamation 9 stated that the number of national, regional and sectoral representatives should be determined by the President,<sup>17</sup> however, each of the thirteen regions should have at least one representative.

In the inaugural session of the Constitutional Commission held on June 2, 1986, President Aquino in her speech was quoted as saying to the Concom members "bear in mind that you shall be pondering, debating and writing a constitution not only for our contemporaries with their present concerns but also for the succeeding generation of Filipinos whose first concerns we cannot presume to know beforehand. Future Filipinos must always be free to decide on how to address these concerns as they arise. Even the wisest cures for present maladies should not be imposed on succeeding generations that will have their own unique problems and priorities."

On the other hand, Vice-President Salvador Laurel in his inaugural address said that "while their probity, independence of mind and nationalism are yet to be reaffirmed, I believe that they have already demonstrated a glimpse of their patriotism by agreeing — I repeat by agreeing — not to run for any elective office in the first local and national elections to be held under the Constitution and by agreeing not to accept any appointment to



any government position while the Commission is still in session and for at least one year after the completion of their work."

June 2, 1986 thus marked the beginning of the work on the draft charter by the proclaimed forty-eight members of the Constitutional Commission.

#### The Commissioners' Votes on Certain Provisions

Based on the conceptual framework of this paper, it is safe to infer that age, sex, organizational membership (e.g. political parties, cause-oriented groups), profession, occupation, ethnicity, religion, educational attainment, business affiliation and properties affect the attitude, actual behavior and policy position of the members of the 1986 Constitutional Commission, most particularly on the issues of agrarian reform, national patrimony, national language and the US military bases.

While some "decisions" may be the product of chance, inadvertence, random selection or inaction that permits particular actions to prevail, most decisions involve conscious choice.<sup>18</sup> Of course, many factors appear to impinge upon political decision-makers such as social pressures, economic conditions, procedural requirements (e.g. due process), previous commitments, the pressure of time and so on.<sup>19</sup>

An account of these processes which is described below shows the votes, choices, preferences and "decisions" of the 1986 Constitutional body.

#### *Agrarian Reform*

On August 7, 1986, 36 of the 48 Concom members voted in favor of Section 4 of Article XIII (Social Justice and Human Rights) while none voted against and nobody abstained.<sup>20</sup> Section 4 of the said Article provides that "the State shall by law, undertake an agrarian reform program founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farm workers, to receive a just share of the fruits thereof."<sup>21</sup>

Also on the same date, Section 7 of the same Article which says that "the State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of the communal marine and fishing resources, both inland and offshore,"<sup>22</sup> was approved by 30 members of the constitutional body while none voted against it or abstained from voting.

Section 8, Article XIII was approved with 30 votes with nobody voting against it while one member abstained. The section provides that "the State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization, employment creation, and privatization of public sector enterprise."<sup>23</sup>

During the deliberation on the land reform issue, Commissioner Villegas asserted that there were certain policy issues that must also be subject to further determination of the Legislature, to which the body unanimously agreed.<sup>24</sup> It may be noted that at present the policy of agrarian reform has occupied the attention of the present administration; it is also likely to attract the attention of the new legislative body which will convene in July 1987.

### *Nuclear Weapons Issue*

The issue on nuclear weapons was one of the most controversial topics that invited the attention not only of the members of the 1986 Constitutional body but of every Filipino and even non-Filipinos inasmuch as the issue involved economic, political, social and security concerns. Indeed the issue of the US military bases is a very sensitive and vital matter to both local and foreign interests.

After months of discussion and public consultation, Section 7, Article II (Declaration of Principle and State Policies), was voted for by 33 of the 48 members of the Concom; one voted against it while three abstained. This section says that "the State shall pursue an independent foreign policy. In its relations with other states the paramount consideration shall be national sovereignty, territorial integrity, national interest, and the right to self-determination."<sup>25</sup> On the other hand, Section 8 of the same Article, which provides that "the Philippines, consistent with the national interest, adopts and pursues a policy of freedom from nuclear weapons in its territory,"<sup>26</sup> was voted by 26 of the members, while none voted against it or abstained.

During the deliberation on these two Sections of Article II (Declaration of Principles and State Policies), when the US military bases were often cited, there were of course members of the constitutional body who expressed their opinions about why they seemed to favor the retention of the said bases. One of these was the fact that about 42,205 employees were employed in the bases, while 500,000 were indirectly employed.<sup>17</sup> If the bases will be removed, there will certainly be an unemployment problem.

The second argument was that we need the bases as a deterrent against communism as well as to maintain balance between the two superpowers in

the Pacific. It was noted that while the US had 250 military installations, 86 of them major bases in the Pacific operation, the Soviet Union had 24 military bases including Cam Rahn Bay naval and air stations and Da Nang Airbase in Najin which were originally American Bases. The withdrawal of US troops and facilities from the Philippines would create a vacuum favorable to a communist take-over. One important question raised then was "are the Soviets willing to remove their nuclear weapons in the area also if there is a corresponding action on the part of the Americans?" Actually, what was implicit in this question was that the non-presence of the US military bases in the Philippines did not necessarily mean that there will be no Soviet interference in the country.

On the contrary, other members of the constitutional body said that they did not want to be part of the nuclear madness. They condemned the arms race as one of the greatest curses on the human race and that "the whole world must summon the moral courage and the technical means to say no to nuclear conflict; no to weapons of destruction; no to an arms race which robs the poor and the vulnerable; and no to the moral danger of a nuclear age which places before humankind indefensible choices of constant terror or surrender peace-making."<sup>28</sup>

Likewise, they also argued that if the treaty of Latecolco could declare Latin America a nuclear free zone; if Africa, New Zealand, Australia and Palau could ban the use, testing, storage and dispersal of weapons; if the nuclear-free zone could also be embodied in Article XXXIII of the final document of the United Nations First Special Session on Disarmament in June 1979; then the Concom too might well advocate a nuclear-free Philippines. The Filipino people's rejection of nuclear war and nuclear weapons will also be a step towards the demilitarization of Southeast Asia and the Pacific. In addition, they believe may also be a major contribution towards a global nuclear disarmament and finally reduce the threat to security and survival of the Filipino people and the world.

Somehow, there were also members of the body who were persuaded to compromise with the will of the majority (the masses), that is, that the retention of the US military bases will only be up to 1991, thereafter all options are left open.

### *Filipino Language*

Filipino as the national language was supported by 44 members of the 1986 Constitutional Commission.<sup>29</sup> It is anchored on the stand of linguists that there is indeed, a living *lingua franca* which they call Filipino.

According to the linguists, Filipino is not based on Tagalog or Pilipino alone but one which has incorporated the contribution of other Philippine languages and dialects as well as Spanish and English. Furthermore, they assert that all Philippine languages without exception have the same etymological roots, grammar and syntactical structures. Likewise, it is much easier for any Filipino to learn another Philippine language than it is to learn English or another foreign language.

Commissioner Bennagen, one of the supporters of Filipino as a national language and as a medium of instruction, drew his arguments from the provisions that had already been approved in the draft constitution which embody the mandate that the state shall foster nationalism, and therefore, it needs to have a national language in the same manner that it needs to have a national flag and some other things that Filipinos can associate themselves with in their pursuit of national identity and national unity. Thus, Sections 6 to 9, Article XIV, provide for Filipino as the national language of the Philippines.<sup>30</sup>

#### *National Economy and Patrimony*

For Section 1, Article XII, 33 voted in favor, none against, and none abstained; 24 voted in favor of Section 3, 13 are against while 1 abstained; 31 voted in favor of Section 5, 1 was against while nobody abstained; 22 voted in favor of Section 11, 4 against and none abstained; 31 voted in favor of Section 13, 2 against while 2 abstained; 38 voted for Section 17 while nobody voted against or abstained; and for Section 18, 35 voted in favor while nobody voted against or abstained from voting.<sup>31</sup>

Section 2, Article XII, proved to be very crucial. The Concom members had to vote nominally and explain their own votes. However, the 60-40 share of which at least 60% of the capital will be owned by Filipino citizens whenever the state enters into co-production, joint venture, or product sharing agreements, was carried.<sup>32</sup>

### **Presentation and Analysis of Data**

#### *Representativeness of the Concom*

Age. Table 1 below shows that the observed mean of the representatives' ages was 58.1 years old. From the table, we find that younger people, those below twenty years of age particularly, are not represented at all in the 1986 Constitutional Commission despite the fact that they comprise more than half of the total population.<sup>33</sup>

Table 1. Age Distribution of Concom Members

<i>Age</i>	<i>Age Group of Concom Representatives</i>	<i>Percentage</i>	<i>Age Group Population</i>
20-29	1	2.08	8,442,388
30-39	2	4.16	5,417,752
40-49	10	20.83	3,737,992
50-59	12	25.00	2,481,303
60-69	9	18.75	1,613,832
70-over	14	29.16	918,005
below 20	0	0	25,477,188
<b>TOTAL</b>	<b>48</b>	<b>100%</b>	

The fact that the mean age of the Concom representatives is 58.1 years old proves to us that young people are not yet entrusted with political authority. In the various mass movements however, young people have been the most active participants, as we have generally observed. We can consider these groups of younger people as dynamic when it comes to protests but ineffective in gaining access to policy-making.

*Sex.* There is a growing awareness among women about their role in society. There is no question about this because of historical proof that women's roles in most social activities in both private and public sector were minimal or were considered insignificant. It must be realized that women make up almost half of the population of the Philippines. In the census of population for 1980, it was reported that women numbered 23,969,705 while men numbered 24,128,755.

The Constitutional Commission of 1986 was composed of 42 men and 6 women. It is obvious that men outnumbered women in the Concom. (See Table 2 below.)

Table 2. Sex Distribution of Concom Members

	<i>Male</i>	<i>Percentage</i>	<i>Female</i>	<i>Percentage</i>	<i>Total</i>
Concom Members	42	87.5	6	12.5	48
Phil. Pop.	24,128,755	50.17	23,969,705	49.83	48,098,460

Though there is no claim that there is equal representation by sex, we put to test whether women were fairly represented by number.

$$\begin{aligned}
 1. H_0 & : p = 49.83 \\
 2. H_a & : p = 49.83 \\
 3. \alpha & : .05 \\
 4. C & : 1.684 \\
 5. t & : \frac{.125-.875}{\frac{\sqrt{(.4983)(.5017)}}{48}} \quad df = 47 \\
 & = \frac{.75}{.072} \\
 & = 13.888
 \end{aligned}$$

The computed value is very much larger than the tabular value. The result shows that the six women Commissioners are not representative of the population as regards to sex.

*Geographic Representation.* Traditionally, each of the thirteen regions were represented in a political aggrupation. In forming the basic law of the land, regional differences or similarities were considered so that there would be equal geographic representation. It is however found in the survey that there are regions not represented at all. Table 3 below shows that Regions 10 and 11, both in the South, have no representatives in the Constitutional Commission. On the other hand, there are regions which are over-represented.

**Table 3. Regional Representation Based on Birthplace**

<i>Island</i>	<i>Region</i>	<i>No. of Commissioners</i>	<i>Population/Region</i>
Luzon	NCR	13	5,925,664
Luzon	I	3	3,540,893
Luzon	II	1	2,215,522
Luzon	III	7	4,802,793
Luzon	IV	10	6,118,620
Luzon	V	2	3,476,982
Visayas	VI	3	4,525,615
Visayas	VII	4	3,787,374
Visayas	VIII	1	2,799,534
Mindanao	IX	2	2,528,506
Mindanao	X	0	2,758,985
Mindanao	XI	0	3,346,803
Mindanao	XII	2	2,270,949
<b>TOTAL</b>		<b>48</b>	

Table 3.1 Ratio of Population per Concom Members

<i>Region</i>	<i>Ratio</i>
1	1:1,180,297.6
2	1:2,215,522
3	1:686,113,28
4	1:611,862
5	1:1,738,491
6	1:1,508,538.3
7	1:946,843.5
8	1:2,799,534
9	1:1,264,253
10	0:2,758,985
11	0:3,346,803
12	1:1,135,474.5

Table 3 also shows that the National Capital Region is the region which has the greatest number of representatives both in number and in ratio versus the number of people they represent.

From the representativeness by regions table, we find that the regions in Luzon have the greatest number of representatives in the Constitutional Commission. (See Table 4.)

Table 4. Broad Geographic Distribution and Ratios

<i>Geographic Division</i>	<i>No. of Commissioners</i>	<i>Total Population</i>	<i>Ratio</i>
Luzon	36	26,080,694	1:724,463.72
Visayas	8	11,112,523	1:1,399,065.3
Mindanao	4	18,905,243	1:1,527,263

The ratios shown above signify that the delegates do not represent the entire population. It is unrepresentative since those who are residing in Luzon are better represented than those in the other geographic regions of the country.

*Representation by Province.* As shown in Table 5, the 48 Constitutional Commissioners came from only 23 provinces. The representation averages approximately two commissioners per province represented. The total number of provinces in the Philippines is 74. This implies that only a third of the total number of provinces were represented in the Constitutional Commission.

The provinces which have representatives are listed below:

**Table 5. Provincial Distribution of Concom Members**

<i>Province</i>	<i>Total No. of Representatives</i>
NCR	13
Bulacan	5
Batangas	3
Cebu	3
Iloilo	3
Laguna	2
Pangasinan	2
Quezon	2
Rizal	2
Camarines Sur	1
Catanduanes	1
Cavite	1
Ilocos Sur	1
Maguindanao	1
Negros Oriental	1
Nueva Viscaya	1
Lanao del Sur	1
Pampanga	1
Palawan	1
Samar	1
Sulu	1
Zamboanga del Norte	1
<b>TOTAL</b>	<b>48</b>

Forty-six of the Constitutional Commissioners were residents of Metro Manila while only two were residents outside it. (See Table 6.) Surprisingly, although many Concom members said that they represented other regions, it was only by birth or through business affiliation that they were connected with their avowed region. This observation strengthens Agpalo's thesis that the political elites that dominate our country are residents of the Metropolitan Manila Area.<sup>34</sup>

From this observation, we find that even though they were born in places outside Metro Manila, their representativeness was limited by their residence and this is concentrated in the metropolis rather than in the regions they supposedly represented. Furthermore, all of the Commissioners were residents of Luzon and to be specific, they were mostly residents of the Metropolitan Manila Area and two nearby provinces.



Table 6. Geographic Representation by Residence

<i>Residence</i>	<i>No. of Commissioners</i>
Mandaluyong	3
Manila	8
Pásay	1
Quezon City	19
Makati	10
Muntinlupa	2
Marikina	1
Parañaque	1
Las Piñas	1
Bulacan	1
Cavite	1

*Educational Attainment.* The importance of education to any country hardly needs emphasis. An educated citizenry is indispensable in any society so that the people can participate intelligently in the discussion of vital issues and in the moulding of public opinion so necessary to the very existence of any society. An educated citizenry is also important so that the people can perform their assigned roles as agents of production in the crucial effort towards economic and social development. Progress can come only from ideas and ideas can emanate only from an educated citizenry. Education, therefore, is both an end in itself and a means to an end. It is an end because the acquisition of knowledge enhances a person's skills, thus equipping him as a more efficient agent of production in the economy and enabling him to contribute more fully and more efficiently to the expansion of the national output, to earn higher income and thus attain higher level of living, and to participate more fully in the country's overall development efforts.<sup>35</sup>

In this study, however, it was found that all the Concom members were able to reach the tertiary level of education. Table 7 below shows the members' educational background:

Table 7. Educational Background of Concom Members

<i>Course</i>	<i>No. of Commissioners</i>	<i>Percentage</i>
Law	33	68.75
Social Sciences	9	18.75
Humanistic	2	4.16
Theology	2	4.16
Agriculture	1	2.08
Medicine/Nursing	2	2.08

Lawyers made up 68.75% of the membership of the Constitutional Commission. This is more than two-thirds of the Concom membership. From the data we can say that lawyers are always entrusted with the confidence to make laws.

The findings above do not however hold true for the entire country. Although we have a relatively high literacy rate, the proportion of people who finished college degree is not very high. It is therefore conclusive that as far as education is concerned, the membership of the Constitutional Commission is "elitist" since all have reached college. (See Table 8.)

**Table 8. Highest Educational Attainment of Concom Members**

<i>Degree</i>	<i>No. of Commissioners</i>	<i>Percentage</i>
Undergraduates	24	50
Masteral	10	20.83
Doctoral	14	29.16
<b>TOTAL</b>	<b>48</b>	<b>100</b>

One need hardly emphasize that higher education in the Philippines as elsewhere has generally been closely associated since colonial times with those possessing economic means. Moreover, elite representation is indicated by the fact that those belonging to the elite did not go to just any college or university. Those belonging to the socio-economic elites usually enrol in private (and expensive) "prestige" schools run by foreign religious orders.

*Occupation.* Occupation is another variable to be discussed regarding the membership of the Constitutional Commission. The Constitutional Commission members listed a total of 29 various occupations or business activities. This is quite far from the finding of the National Census and Statistics Office that only 2.9 percent of the employed labor force are considered professional, technical and related workers. Eighty-four (84) percent of the political elite were professionals and the rest are either land owners, businessmen or business executives.<sup>36</sup>

The preponderance of Concom members with "high status" occupations over those with "low status" occupations bespeaks the elitism of its composition. Furthermore, it should be noted that one of the important features of the "occupations" of the Philippine political elites is their multiple character. Owing perhaps to the semi-fused nature of the social and economic institutions and the concentration of values (wealth, skill, education, power) in elite hands, power groups tend to perform multiple roles and engage in various profitable activities at the same time. Although this interesting aspect is hard to quantify, illustrations of these "multiple" occu-

pations, particularly the lawyers, can be gleaned from the personal profiles of the Concom members.

Percentage-wise, lawyer/educators constituted the highest proportion of the Commissioners' occupations, and the next were those involved in lawyering only. (Refer to Table 9.) It is interesting to note that although there are a great number of farmers in the country, there was only one farmer representative in the Concom. We could not find anyone who said he or she was involved in industrial activities. It seems that the lawmakers of our country were more actively involved as "bigtimers" in the business sector since only a few reported that they were a part of the working class.

Many other occupations were not represented. In particular, the industrial sector was not represented since only one respondent stated that he was an industrialist. Almost all were involved in white-collar jobs mainly because of their academic achievement and orientation. In addition to this, there were church leaders in various capacities (e.g. priests, nuns or ministers). This is ample proof that the church directly participated in the framing of our basic law.

**Table 9. Occupational Distribution of Concom Members**

<i>Occupation</i>	<i>No. of Concom Members</i>	<i>Percentage</i>
Educator/Writer	1	2.08
Bishop/Theologian	3	6.25
Nurse/Educator	1	2.08
Film Director	1	2.08
Lawyer/Educator	9	18.75
Student Leader	1	2.08
Journalist/Laywer	3	6.25
Lawyer	8	16.67
Lawyer/Diplomat	1	2.08
Lawyer/Businessman	3	6.25
Economist	1	2.08
Civic Leader	1	2.08
Anthropologist	1	2.08
Lawyer/Economist	1	2.08
Laywer/Writer	2	4.17
Farmer	1	2.08
Journalist	1	2.08
Lawyer/Labor Leader	1	2.08
Journalist/Educator	1	2.08
Educator	1	2.08
Laywer/Brig. General	1	2.08
Jurist/Educator	2	4.17
Nun/Civic Leader	1	2.08
Lawyer/Criminologist	1	2.08
Lawyer/Politician	1	2.08

*Representativeness by Religion.* Based on religion, representation was quite fair. There was however one factor that somewhat affected representation. The *Iglesia ni Cristo* was not able to choose a representative to the Constitutional Commission. Without testing and using only the raw data, it would seem that there is no significant variation in religious representation.

**Table 10. Distribution of Concom Members by Religion**

<i>Religion</i>	<i>No. of Commissioners</i>	<i>Percentage in Concom</i>	<i>Percentage in National Population</i>
Catholic	40	83.3	83
Protestant	2	4.17	3.6
Muslim	3	6.25	4
Aglipay	1	2.08	4
Others*	42	4.17	4.8
<b>TOTAL</b>	<b>48</b>	<b>100</b>	

\*Includes Buddhist, animist, atheist, etc.

#### *Positions Taken by Concom Members on Policy Issues*

*Participation in Mass Actions.* Participation in mass action is split almost at the middle with 23 or 47.92% saying they participated while 25 or 52.08% did not participate. Violation of human rights scored the highest in participation while conflicts in labor scored lowest.

As seen in Table 11, some Commissioners participated in almost all mass actions. One specific respondent was Christine Tan who participated in mass actions involving all issues enumerated above. This observation tells us that commissioners present a relatively fair representation of the people when it comes to protests.

**Table 11. Participation in Mass Actions**

<i>Issues</i>	<i>Number of Commissioners Who Participated</i>
Human Rights	20
Military Bases	11
Marcos Dictatorship	14
Land Reform	6
Women Issue	6
Urban Poor	5
Tribal Problems	4
Labor Conflicts	3
Press Freedom	4

*Foreign Investors' Share in Philippine Business.* Table 12 shows that 45.83% or 22 of the Commissioners prefer that foreign investors may own 40% of business they invest in. Forty-one point sixty-seven percent did not comment on the foreign share of investors, while two respondents said that foreigners should not be allowed to own even a small part of our firms. The 22 respondents who opted for 40% investment share for foreigners in business simply upheld our previous Constitution's provision. The non-respondents, or those who did not give answers to this question most of the time, were not sure how much investments foreigners should be allowed. The remainder said that no foreign ownership should be allowed, or those who want foreign investments to be reduced simply stated that we must be self-reliant and as much as possible eliminate foreign meddling.

**Table 12. Foreign Investors' Share in Philippine Business**

<i>Share</i>	<i>No. of respondents</i>	<i>Percentage*</i>
25%	4	8.33
40%	22	45.83
none	2	4.17
no answer	20	41.17
<b>TOTAL</b>	<b>48</b>	<b>100.00</b>

\*This percentage is computed against the total number of commissioners.

*Bases.* The issue on the US military bases provides us different reactions from the Commissioners. Asked whether the bases are for mutual defense, 27 answered yes, 8 answered no, while 13 did not give any response. These responses give us a partial indication that many are unsure of the bases. The 27 who answered no and who constitute the simple majority of the Commissioners are for the bases while the eight who answered no clearly represent the anti-bases stance. (Refer to Table 13 below.)

**Table 13. Commissioners' Response Whether the Bases are Here for Mutual Defense**

<i>Choice</i>	<i>No. of Responses</i>
Yes	27
No	8
No Answer	13

When it comes to the question whether the bases constitute an invitation for attack from the nuclear powers, 37 responded no while 5 said yes and the remaining did not give any response. A number of Commissioners responded that the bases are here to protect US interests and not to provide a deterrent to nuclear attack. (Refer to Table 14.)

**Table 14. Commissioners' Response Whether the Bases Constitute an Invitation for a Nuclear Attack**

<i>Choice</i>	<i>No. of Responses</i>	<i>Percentage</i>
Yes	5	10.42
No	37	77.08
No Answer	6	12.5

Lastly, regarding the bases, 40 respondents said that the bases may continue its stay here but with improved agreement on payments. Eight respondents said that the bases should not be maintained here. (See Table 15.)

**Table 15. Commissioners' Response Whether the Bases Should Be Maintained after Expiry of Agreement**

<i>Choice</i>	<i>No. of Response</i>	<i>Percentage</i>
Yes	40	83.33
No	8	16.67
No Answer	0	0

*Language.* The Constitutional Commissioners responded that both English and Filipino should be used as our official language. Five commissioners said that official language should be regionally based. The commissioners agreed that Filipino shall be developed as our national language.

The tabular response given below shows that although all preferred Filipino to be our national language, many believe that English should be used as a national language as well. (See Table 16 below.)

**Table 16. National Language Preference**

<i>Language</i>	<i>No. of Responses</i>
English Only	0
English and Filipino	15
Filipino	48
Pilipino	0
Others	5

Other commissioners wanted to preserve regional or ethnic language stating that regional language is the auxiliary official language in their respective regions.

*Land Reform.* The problem of land ownership had been hounding many of our farmers since many decades ago. In asking our commissioners what magnitude of land reform they prefer, forty-four responded selective land reform while four opted for total land reform.

All commissioners responded that there is a need for land reform. The 4 commissioners who opted for total land reform are unanimous in saying that land reform has been a perennial problem and providing for it in the constitution hasten its implementation. They believe this is so because in selective land reform, many interest groups would try to manipulate the Constitution and prevent people from giving up their land for total land reform. (See Table 17.)

Table 17. Type of Land Reform Commissioners Prefer

<i>Type of Land Reform</i>	<i>No. of Responses</i>	<i>Percentage</i>
Total Land Reform	4	8.33
Selective Land Reform	44	91.67

*Embodiment of our Countrymen's Aspiration and Interest in our Constitution.* Forty-four commissioners believe that our countrymen's aspirations and interests are embodied in our Constitution while 4 believe it is not. Some Commissioners even say that the Constitution is imperfect but it is good enough as the country needs one for reasons of stability.

One of the four who dissented however said that although he does not think the Constitution is right for the people. He feels it can be amended later. However, to provide stability to the country it is better to frame a constitution. The rest though blamed the handiwork of the Americans for the deficiencies in our constitution and felt that this American meddling further protects foreign interests rather than that of the Filipinos.

When asked if the ratified Constitution embodies our countrymen's aspirations and interests, 44 or 91.67% answered yes while 4 or 8.33% answered no.

*Representation.* Nine members of the Constitutional Commission do not believe that collectively they represented the entire nation. Three of

the nine who do not believe that the Constitutional Commission does not stand for the whole country state that most of the members are traditional politicians and not really representative of the majority but rather of a specific class. Four maintained that some of their colleagues in the Concom are American puppets and were there only to see to it that American interests are well protected. The last two respondents said that many of those in the Constitutional Commission are rich and elitist and were never around to help the poor. They added that these rich people are protectors of the multinationals, thus their allegiance to national interests is doubtful.

Thirty-nine respondents replied that the Commission is not perfect as to representativeness but it is democratic in the sense that all voices are heard. Furthermore, some of them maintain that had the commissioners been chosen by election there could have been a greater chance that not a single poor man could have won a seat in the Commission. (See Table 18.)

The nine respondents who said that the Commission is not representative hinted that all sectors were trying to get heard but no one listened.

Table 18. Representativeness of the Commission

	<i>No. of Responses</i>	<i>Percentage</i>
Representative	39	81.25%
Not Representative	9	18.75%

*Constitution for Filipinos.* The Commissioners were further asked whether the Constitution protects Philippine interest from foreign domination. Forty-five Commissioners answered it does, while some said it does not give full protection. Three responded that it was just a rehash of the 1973 Constitution. The three who answered in the negative were very particular on foreign meddling in the constitution and the Western orientation of some of the members with regard to the economy. They emphasized that although there are new provisions like those concerning human rights and freedom of association they were very keen on the proposition that we cannot be completely liberated if we are not economically free. (See Table 19.)

Those who answered on the affirmative stressed however that considering the time allotted to the framing of the Constitution, this Constitution was the best they can come out with. Some also said its imperfections may be corrected through amendments and with the help of Congress and people in power.



**Table 19. Response Regarding Protection of Philippine Interest from Foreign Domination**

	<i>No. of Responses</i>	<i>Percentage</i>
Affirmative	45	93.75%
Negative	3	6.25%

*Confidence on the Ratification of the Constitution.* All 48 respondents said that they are confident that the constitution will be ratified. Three however qualified their answers. They said that although the Constitution will be ratified, it is necessary to inform the public of its demerits.

*Campaigning for the Ratification.* Forty-five respondents said they campaigned for the Constitution's ratification. All of the 45 respondents said that they conducted educational campaigns and Constitution ratification rallies. Three dissenters said they campaigned against the Constitution through rallies, TV programs, and educational campaigns.

### Conclusion

The socio-demographic profile of the Commissioners was studied with regard to the Commission's representativeness. Against the backdrop of the national scenario, except for religion, all variables taken suggest that the socio-demographic profile of the commissioners indicate that the Concom's composition is not representative of the Filipino people.

With a great number of unemployed, the poor, the youth and minorities, there was agreement in the findings that the commissioners were not representative of the people's choice. The people's revolution against the previous administration made them think that the commissioners represent a lesser evil.

Religion played a dominant role in the toppling of the previous regime. The representatives' religious affiliation is the only factor that seems representative and very close to the national proportion. This proportion may by accident or design be very proximate to the national proportion, so that many romanticized that the Constitution is God's gift.

The general national condition experiences a plethora of crisis involving economic, moral, political and social dimensions. The process of rebuilding the society requires great sacrifice. The Constitution that was framed and ratified is a first step in achieving stability that many have been hoping for.

The selection of commissioners bypassed the dictum that power emanates from the people. Many willingly surrendered their belief in this not because of insecurity or fear for safety, but out of a sense of duty to God and country that a Constitution must be framed. Not one of the Commissioners equated their office with power or authority. Everyone considered their office their duty.

In the other variables taken, there was a clearcut indication that the Constitution was not meant for the new Administration alone. The Commissioners wanted to prevent a new dictator from surfacing. This act was taken to prevent the recurrence of the past regime without necessarily curtailing the present.

The Commissioners were not only chosen from "heroes of EDSA." Many of the Commissioners chosen were not participants of mass actions. These Commissioners were chosen because of their talents in their own fields of endeavor, like lawyering, economics, and education.

The element that substantiate opposition to the ratification of the national patrimony Article is the belief that this provision regarding the economy was not debated upon exhaustively. Hotheads abounded when the deliberations were made. Still, in the spirit that a new Constitution was urgently needed, even protagonists reconciled.

The issue on the bases was a bitter pill for the national democrats. They are of the view that the bases must go at all cost since it is the root of foreign meddling saying they constitute both a cause and effect of American domination. There was unanimity that nuclear arms must go and this desire was embodied in the Constitution. However, the bases agreement is still open for negotiations.

The case about the national language is still open. A language uniquely our own is still to be developed. It was mentioned that regional languages were made into an official auxiliary language and English as an official national language. Filipino, still to be developed, is our national language, as the Constitution says.

The issue on land reform was addressed in a manner that suggests that further deliberation by Congress is needed. We should be reminded that land reform is an issue that cannot be rushed. There are landowners who would not simply surrender their land. There is urgency in the land reform issue but this is not met in the Constitution. An executive order or a Congressional bill is the tool needed for the land reform program.

There was a general belief that the Constitution is imperfect. The Commissioners simply stated that the framed Constitution was the best for their limited time and resources. There is also a belief that the Constitution's

consequences are still forthcoming but considering the interests of the Filipinos it was the best that they could possibly frame.

Among the Commissioners themselves, there are those who believe that not all of them fully and proportionately represent their countrymen. Some said that there are sectors overrepresented while some underrepresented. In a country with 70% of the people in the rural area, there is only one farmer representative. This, they said, is underrepresentation. Many Commissioners were members of multinational corporations and some view this fact as instances of misrepresentation of our countrymen.

Foreign domination was not completely dismissed from the Constitution. The article on national patrimony was the main target of the nationalist group. The rehash of the 1973 provision was not better. It still gave the same avenue given to the foreigners under the old Constitution. The main point of agreement here is that people's vigilance is necessary to ensure freedom from domination.

Lastly, even with the Constitution's imperfections, the Commissioners believed that this Constitution would be ratified even before the referendum. Opponents were only after teaching or informing the public of the demerits of the Constitution.

As a parting note in this research, income was not included as a factor since some Commissioners did not report their income while others did not receive any salary at all because of the nature of their vocation.

The goals and objectives of the research have been met but still other aspects of the subjects might still have to be discussed. The lack of resources and manpower and the limited time the Commissioners afforded to the study made it impossible to get and give the full information readers would want.

#### Endnotes

<sup>1</sup>Dante Simbulan, *A Study of the Socio-Economic Elite in the Philippine Politics and Government 1946-1963*. Unpublished Ph.D. Thesis, Australian National University, 1965.

<sup>2</sup>*Ibid.*

<sup>3</sup>See Louis P. Benson, "A Socio-Economic Profile of Political Leaders in the Philippine Province," *Philippine Journal of Public Administration*, Vol. XV, No. 1 (January 1971).

<sup>4</sup>Remigio E. Agpalo, *The Political Elite and the People: A Study of Politics in Occidental Mindoro* (Manda: University of the Philippines College of Public Administration, 1972).

<sup>5</sup>*Ibid.*, p. 3.

<sup>6</sup>Joseph Ralston Hayden, *The Philippines: A Study in National Development* (New York: The Macmillan Company, 1955), p. 866.

<sup>7</sup>The Malolos Constitution is the organic law of the Philippine Republic which was established in 1899.

<sup>8</sup>Hayden, *op. cit.*, p. 35.

<sup>9</sup>*Ibid.*

<sup>10</sup>Irene R. Cortes, *Emerging Trends in Law* (Quezon City: U.P. College of Law Alumni Foundation, 1983).

<sup>11</sup>Section 3, Articles III to V. Proclamation No. 9, "Law Governing the Constitutional Commission of 1986," April 23, 1986.

<sup>12</sup>Section 3, Article IV, *ibid.*

<sup>13</sup>Section 2, Article I, *ibid.*

<sup>14</sup>Section 4, *ibid.*

<sup>15</sup>Article 2, *ibid.*

<sup>16</sup>Article 3, *ibid.*

<sup>17</sup>Article 5, *ibid.*

<sup>18</sup>James E. Anderson, "The Study of Public Policy," *Public Policy Making* (New York: Praeger Publishers, 1975).

<sup>19</sup>*Ibid.*

<sup>20</sup>Section 4, Article XIII, Proclamation No. 9, *op. cit.*

<sup>21</sup>*Ibid.*

<sup>22</sup>Section 7, *ibid.*

<sup>23</sup>Section 8, *ibid.*

<sup>24</sup>*Ibid.*, p. 19.

<sup>25</sup>Section 7, Article II, *ibid.*

<sup>26</sup>Section 8, *ibid.*

<sup>27</sup>*Ibid.*, p. 16.

<sup>28</sup>*Ibid.*, p. 22.

<sup>29</sup>*Ibid.*, p. 3.

<sup>30</sup>Sections 6 to 7, Article XIV, *ibid.*

<sup>31</sup>Sections 1, 3, 5, 11, 13, 17 and 18, Article XII, *ibid.*, pp. 65-166.

<sup>32</sup>Section 2, Article XII, *ibid.*

<sup>33</sup>National Census and Statistics Office (NCSO), *Census of Population 1980*.

<sup>34</sup>Agpalo, *op. cit.*

<sup>35</sup>*Philippine Statistical Yearbook 1985*, National Economic and Development Authority.

<sup>36</sup>NCSO, *op. cit.*

*Appendix A*

**Officers and Members of the  
1986 Constitutional Commission**

**Cecilia Muñoz Palma**  
*President*

**Ambrosio B. Padilla**  
*Vice-President*

**Napoleon G. Rama**  
*Floor Leader*

**Ahmad Domocao Alonto**  
*Assistant Floor Leader*

**Jose D. Calderon**  
*Assistant Floor Leader*

Yusuf R. Abubakar  
Adolfo S. Azcuna  
Jose F.S. Bengzon, Jr.  
Joaquin G. Bernas  
Crispino M. de Castro  
Roberto R. Concepcion  
Vicente B. Foz  
Jose Luis Martin C. Gascon  
Alberto M. K. Jamir  
Eulogio R. Lerum  
Christian S. Monsod  
Ma. Teresa F. Nieva  
Blas F. Ople  
Florenz D. Regalado  
Cirilo A. Rigos  
Ricardo J. Romulo  
Rene V. Sarmiento  
Lorenzo M. Sumulong  
Christine O. Tan  
Efrain B. Treñas  
Wilfrido V. Villacorta

Felicitas S. Aquino  
Teodoro C. Bacani  
Ponciano L. Bennagen  
Florangel Rosario Braïd  
Jose C. Colayco  
Hilario G. Davide, Jr.  
Edmundo G. Garcia  
Serafin V.C. Guingona  
Jose B. Laurel, Jr.  
Regalado E. Maambong  
Teodulo C. Natividad  
Jose N. Nolleddo  
Minda Luz M. Quesada  
Rustico F. de los Reyes, Jr.  
Francisco A. Rodrigo  
Decoroso R. Rosales  
Jose E. Suarez  
Jaime S.L. Tadeo  
Gregorio J. Tingson  
Lugum L. Uka  
Bernardo M. Villegas

**Flerida Ruth P. Romero**  
*Secretary-General*