

# House can't agree on Charter change mode

by JESS DIAZ  
Philstar.com

Malacañang, however, reiterated that it has no intention of meddling in the issue of Charter change (Cha-cha) since it is busy with other matters needed by the people at this time.

Camarines Sur Rep. Luis Villa-

fuerte, president of Mrs. Arroyo's Kabalikat ng Malayang Pilipino (Kampi) party, criticized Speaker Prospero Nograles for "putting the cart before the horse."

"We should have resolved first the issue on the mode for Charter change before proposing specific amendments," he told reporters.

He said Nograles did the opposite, filing Resolution 737, which seeks to amend certain economic provisions of the Constitution, before the House could choose the mode for Cha-cha.

Villafuerte is the principal author of the still-to-be-filed resolution that seeks to convene "members of Congress" into a constituent assembly (con-ass) to undertake Cha-cha.

Sought for comment on Villafuerte's criticisms, Nograles said in a text message, "That's the reason why lawyers always argue to the max because they always disagree."

As for the accusation of the Kampi boss that he put the cart before the horse, the Speaker asked, "Did he file his resolution already to establish the mode as to cart and the horse?"

Villafuerte has left the task of filing the con-ass resolution to Nograles.

The resolution has reportedly been signed by 175 House members, 22 short of Villafuerte's target of 197 signatures to bypass the Senate on Cha-cha.

And while the Kampi leader may be confused on Nograles' preferred Cha-cha mode, the Speaker made it clear that his resolution would take the legislative process route.

Villafuerte said he would oppose the Speaker's chosen mode and would eventually question it before the Supreme Court if the House approves Resolution 737.

Nograles said the legislative process route is the Cha-cha mode that Rule 140 of the Rules of the House offers, and though it is not among the three modes that the Constitution mentions, it is pursuant to the "constituent power," or the authority to propose Charter amendments, of Congress.

**Unconstitutional**

But senators thumbed down

the proposal of the House to pass Cha-cha measures like ordinary bills to be approved separately by the two chambers, saying it was unconstitutional and could only be a ploy to move forward constitutional amendments.

Senate President Juan Ponce Enrile, Sen. Miriam Defensor-Santiago and Senate Minority Leader Aquilino Pimentel Jr. said the Constitution had provided the means by which it could be amended and that the House could not impose its own rules.

Senators Joker Arroyo, Francis Escudero, Loren Legarda, Francis Pangilinan and Senate Majority Leader Juan Miguel Zubiri said there could be no shortcuts in amending the Constitution and that the House should better focus on passing important pieces of legislation and other pressing concerns of the country.

Enrile said the senators could take up the proposal to amend the economic provisions of the Constitution once the House brings it to them.

However, he expressed doubts whether it would get the support of the majority of senators.

He said they could discuss the proposal of treating a Cha-cha measure as an ordinary legislation but stressed that the three-fourths vote must be followed in matters involving constitutional amendments.

Santiago agreed with the Senate President.

The Constitution provides for Cha-cha under Article 17 entitled "Amendments of Revisions." The Constitution does not include Cha-cha under Article VI entitled "Legislative Department."

"This is textual proof that a Charter change resolution should not be treated like an ordinary bill," Santiago said.

Pimentel also made the same arguments and said the House must stop its "foolishness" by inventing another mode to change the Constitution, which would include a constituent assembly, constitutional convention and people's initiative.

Arroyo said even without talking about the constitutionality, the House must consider the propriety of pushing for Cha-cha at this time. ■

# Senate declares ceasefire in ethics probe

by AUREA CALICA  
Philstar.com

SENATORS agreed last April 21 to a "ceasefire" over the issues raised against Sen. Manuel Villar Jr. before the Senate ethics committee.

Senate President Juan Ponce Enrile said the ceasefire would allow the senators to resolve the questions surrounding the decision of the ethics committee chaired by Sen. Panfilo Lacson investigating the charges against Villar.

Instead of calling it a stalemate or a deadlock, Enrile, along with Senate Majority Leader Juan Miguel Zubiri and Senate Minority Leader Aquilino Pimentel Jr., said they would let cooler heads prevail during a caucus to avoid further showdown on the floor that could delay the approval of legislative measures.

Enrile said the majority has agreed to give their minority colleagues until Monday, April 27 to submit a memorandum of their grievances and concerns over Lacson's chairmanship of the ethics committee.

Pimentel earlier questioned the ethics committee decision ordering Villar to submit his answer to the complaint filed by Sen. Jambay Madrigal even before a committee hearing was held.

Madrigal's complaint stemmed from the allegations made by Lacson, who accused Villar of double insertion in the national budget to finance a road project in an apparent attempt to benefit the housing projects in Las Piñas and Parañaque City that he owns.

A copy of the committee report was leaked, ordering Villar to submit his reply on the allegations within five days.

Pimentel and Sen. Alan Peter Cayetano, also a member of the minority, said they would ask that presidential hopefuls be removed from the ethics panel since Villar had announced his plan to run for president in 2010.

Pimentel and Cayetano added they would make a suggestion on what should be done to the "postdated" order of the ethics committee and the changing of the rules of the committee so the charges against Villar could be investigated by Lacson and his members.

Senators clashed on Monday, April 20 as they debated whether Lacson and other presidential wannabes should investigate Villar.

Villar flared up as he maintained his innocence and declared that he would not submit himself to an ethics panel that he branded as a "kangaroo court."

Villar said the April 14 order asking him to answer the charges after finding the complaint sufficient in form and substance was proof that he would be convicted by the committee for political purposes.

He pointed out the April 14 order was actually dated April 15, the day of the committee's hearing on the charges against him.

Villar said the ethics committee should have come up with an order without a hearing, despite Lacson's explanation that it was just a draft and could not be enforced if not promulgated by the majority of senators.

Enrile said they have agreed to listen to the minority in the hope of finding a solution.

Malacañang, on the other hand, called for a "new civility in civic debates" in the Senate.

Press Secretary Cerge Remonde said "some senators are now embroiled in the most petty sort of partisan backstabbing and personal name calling."

"The Palace is the frequent victim of such oppositionist mudslinging, and now its perpetrators are finding that when you let loose the dogs of demagoguery, they are just as likely to turn on you," Remonde said.

Malacañang earlier said it would not interfere in the bickering of the senators but voiced concern that bills pending in the Senate would be sidelined by the issue. ■



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