

Joker hits Supreme Court's judicial legislation in party-list ruling

by CHRISTINA MENDEZ
Philstar.com

MANILA—Sen. Joker Arroyo last April 27 slammed the Supreme Court (SC) over its ruling that the party-list representatives are entitled to 55 seats in the House of Representatives.

Arroyo said the High Court violated the principle of separation of powers and encroached on the role of Congress to legislate additional congressional seats.

The veteran lawmaker said it was not correct for the SC to provide a formula for filling up the entire 55 seats because it is the duty of Congress to pass and enact laws that would approve the creation of new seats at the lower house.

"The High Court has invaded the legislative domain of Congress. It substituted its formula instead of waiting for Congress to correct it. Look at the practical effects of the High Court's judicial legislation which was done without benefit of public hearings so essential to lawmaking," Arroyo said.

"Sad to say, the Supreme Court proclaimed what it rarely does. It ruled that its 'decision is immediately executory,' thereby peremptorily foreclosing any and all remedies that affected parties may pursue and thus negates the sporting chance of fair play," he said.

Arroyo assailed the "display of judicial activism" of the SC in Banat vs. Comelec, which he said "introduced a new dimension regarding the judiciary's involvement in legislation."

"Here, we see the Court overthrowing the time-honored principle of separation of powers and undermining the authority of legislature by encroaching upon the sphere reserved for it by the Constitution," he said.

The Constitution provides that the House "shall be composed of not more than 250 members, unless otherwise provided by law" and out of that membership the party-list representatives shall constitute 20 percent."

Sen. Miriam Defensor-Santiago also criticized the SC deci-

sion because, according to her, it caused more problems than it resolved regarding party-list representation.

"In reality, it's going to produce a big, big headache for the bureaucracy. I don't see why that decision has to say effective immediately. What could have been said is effective the 2010 elections. We are completely unprepared for this influx of new party-list representatives," she said.

Santiago said there is a need to address the concerns of office space and the appropriation for the new party-list groups and their staff.

However, the lack of office space at the Batasan complex seems to be the least of the incoming party-list representatives' problems.

Sources at the House told *The Star* that the new members of the chamber are eyeing private buildings along Commonwealth Avenue.

If the new lawmakers choose to hold office outside the Batasan complex, it will be the House—and taxpayers—that will foot the bill, in the same manner that it is the Senate that pays for the offices in private buildings of several senators.

To save on office space cost, Speaker Prospero Nograles, who said last April 23 that the House has no funds and space for its new members, has told secretariat officials to look for rooms at the Batasan.

The officials said they have suggested that leaders of the chamber who are presently occupying two rooms should give up one to accommodate the additional party-list representatives.

Among those with two rooms are Nograles, Majority Leader Arthur Defensor, the six deputy speakers—Amelita Villarosa, Pablo Garcia, Simeon Datumanong, Eric Singson, Raul del Mar, and Arnulfo Fuentesbella, Minority Leader Ronaldo Zamora, and the chairmen of various committees.

Nograles and his colleagues have offices as officers of the House and committee chairmen, and separate offices as congress-

men and congresswomen.

Secretariat officials have also suggested that the House eject the Philippine Legislators' Committee on Population Development (PLCPD), a private advocacy group that has a 6th-floor office at the Batasan main building.

Palparan hits back

In a related development, retired Major General Jovito Palparan defended himself yesterday from criticism that as a newly proclaimed party-list representative, he does not represent a marginal sector.

"I represent people involved in the conduct of security and peace and order, especially in the hinterlands. These are the barangay tanods, Cagfus (Citizens Armed Force Geographical Units), security guards, and retirement military personnel. I also represent peasants in these communities," said the lone representative of a group called Bantay.

He said he would work to uplift the "economic condition" of the people he claims to represent.

Palparan has come under fire from militant House members led by Satur Ocampo of Bayan Muna for not being a marginal sector representative.

Bayan Muna and other activist groups are blaming the retired general for the disappearance or killing of tens of their members, some of whom are still missing. They have labeled him "The Butcher."

He said he is not a cold-blooded killer and is ready to reach out to Ocampo and his other critics.

"I can in fact sit with them. I don't know about them," he said, noting that he would be seated not far from Ocampo if the seating arrangement were by alphabetical order.

But it's not only the militant lawmakers who are making a fuss about Palparan's inclusion in the House.

Members of the Catholic Bishops' Conference of the Philippines (CBCP) last April 27 voiced their objection to his inclusion, as well as the sister of First Gentleman Jose Miguel Arroyo. ■

'Cha-cha is all noise'

by PAOLO ROMERO
Philstar.com



Sen. Chiz Escudero

DAVAO CITY—Sen. Francis Escudero said last April 26 the debate on Charter change (Cha-cha) at the House of Representatives is "all noise" and that there is no chance it would ever be possible before next year's elections.

"Cha-cha is dead," he said. "*In-gay na lang iyang ginagawa nila Louie Villafuerte*. It is all noise that they (Camarines Sur Rep. Luis Villafuerte) are making."

He said when members of the House resume debates on Cha-cha today, they could face an impasse because of lack of time and lack of numbers.

Escudero said Congress must cope with the increase in the number of votes required to propose amendments to the Constitution, as well as lack of time to introduce those amendments.

"They were short of at least 21 votes before, and now that the number of congressmen has increased, it also means an increase in the required number for Cha-cha," he said.

Escudero said the Supreme Court decision increasing the number of party-list seats in Congress

has brought about the dilemma of lack of numbers.

"If before they failed to reach the three-fourths of all, the more that there is no reason for them to push Cha-cha because they would have a hard time getting the required number," he said.

Escudero said Cha-cha Escudero said the Supreme Court would consider two very basic limitations once the issue on Charter change is brought before it.

"The Supreme Court has to also adhere to the limitations—one of which is that there must be a real case of controversy and a real par-

ty in interest, one who must stand to lose something," he said.

Escudero said the Supreme Court is also bound by another limitation that there has to be due process in hearing cases.

It would require so much time for the proponents of Cha-cha, he added.

When debates resume today, sponsors of Resolution 737 led by La Union Rep. Victor Ortega, constitutional amendments committee chairman, are scheduled to answer questions from their peers about the proposed amendments contained in the measure.

The resolution seeks to amend Article XII Sections 2 and 3 of the Constitution to allow 100-percent foreign participation in the exploitation of natural resources and foreign ownership of land.

Speaker Prospero Nograles is the principal author of the resolution.

When the House started plenary consideration of the Nograles proposal April 20, the debates centered on whether they can tackle specific amendments without convening Congress into a constituent assembly. ■

DOLE offering 80,000 jobs in Labor Day fair

by MAYEN JAYMALIN
Philstar.com

AT least 80,000 jobs are up for grabs in the biggest job fair to be mounted on Labor Day on May 1, the Department of Labor and Employment (DOLE) reported.

Labor Undersecretary Reydeluz Conferido said over the weekend that more than 80,000 jobs would be offered to new graduates and other job seekers who will participate in the Labor Day job fair.

"About 300 employers have committed to provide employment opportunities for new graduates, displaced workers and other job seekers," Conferido said in an interview.

But with the prevailing economic crisis that has adversely affected over 100,000 workers nationwide, the number of employment opportunities is still expected to be fewer than the

job seekers.

Conferido said as much as 120,000 job seekers are expected to vie for the 80,000 available jobs.

He expressed confidence that many of the job applicants will find regular employment through the job fair.

DOLE, supported by various trade unions and private companies, launched a month-long job fair last March, which will culminate on May 1 at the SMX Convention Hall in Pasay City.

In the past jobs fair, only few workers were hired on the spot because of difficulty in completing the assessment of the qualifications of applicants and securing all the necessary requirements.

He added that DOLE would also undertake skills training during the month-long event to address

the problem of mismatch of the needed and the available skills.

He noted that employment opportunities would be the government's main gift for workers on Labor Day.

"The coming Labor Day is all about jobs and wage adjustment will not be the focus because of the economic crisis," Conferido said.

Seeking 'divine intervention'

Meanwhile, leaders of various labor groups will meet with Manila Archbishop Gaudencio Cardinal Rosales and other Metro Manila bishops today to come up with plans to help mitigate the effects of the global financial crisis on Filipino workers.

Arganoza said the labor groups have sought the support of Rosales and other bishops from Metro Manila to intervene on their cause. ■

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