



History of the Senate

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Introduction

The legislature in any society performs the important function of deliberating policies for the people and passing them in the form of statutes.

Although the Philippine Legislature was organized only in 1916, it had deep roots in the past. Long before the Spanish rulers came to the Philippines, the people in their barangays were already governed by a set of rules by their chief. Over the long span of Spanish and American rule, various forms of legislative structures were set up to perpetuate the colonial rulers' desire to rule the country.

The Filipinos, just like other colonized people, fought for independence from colonial rule. During this struggle, they also recognized the critical role that a legislature could play in the movement for independence. After the victory over Spain, they established the Malolos Congress, based on their Constitution. The Philippine Legislature, composed of the Philippine Senate and the House of Representatives, was created under the Philippine Autonomy Act, popularly known as the Jones Law, which was passed by the Congress of the United States and became law on August 29, 1916. It served as the legislative body of the Philippines from October 1916 to November 1935, until it was succeeded by the National Assembly upon the inauguration on November 15, 1935 of the Commonwealth provided in the Constitution of the Philippines.

With independence from America in 1946, the legislature was called the Philippine Congress which shared governmental powers with the executive and the judiciary.

In 1972, the President declared martial law and Congress was abolished. The bloodless coup of February 22-25, 1986, brought forth a new regime and restored the bicameral congress which is the present set-up of the Philippine Legislature.

The Spanish Period (1521-1898)

Under the Spanish rule, the legislative powers were shared by three entities: (1) the Governor-General who could promulgate executive decrees, edicts or ordinances with the force of the law; (2) the Royal Audencia, which passed laws in the form of autos acordados; and (3) the Crown of Spain acting through its councils.

Serving as chief legislator was a governor-general who was assisted by two advisory bodies where he stood as president. The other entity exercising legislative powers in the Philippines was the Royal Audencia which was the Spanish Supreme Court in the Philippines. The governor-general also stood as the president of this body.

Many historians observed, however, that the legislative function during the Spanish period was monopolized by a set of interlocking bodies, where the Chief Legislator, the governor-general, exercising unbounded powers, also stood as president and member of other bodies which were supposed to advise him. Filipino representation was also largely absent in the legislative bodies.

The Malolos Congress (1898-1900)

In the closing years of the Spanish regime, the revolutionary government of Emilio Aguinaldo inaugurated a Congress on September 15, 1898, at the Barasoain Church in Malolos, Bulacan. This Congress was later on referred to as the Malolos Congress.

The Malolos Congress, also known as the Assembly of Representatives, was the lawmaking body of the First Republic. It was a unicameral body composed of representatives, one-third of whom were chosen by the officials of the municipalities under the control of the Revolutionary Government, and the others appointed by Aguinaldo to represent the areas under the American Army which could not send delegates. The Malolos Congress is best remembered for framing the Malolos Constitution. The functions and powers of the legislative branch of the First Republic was defined and enumerated by the Malolos Charter as follows:



Barasoain Church

1. To watch over the interest of the Philippine people;
2. To carry out the revolutionary laws and discuss the vote upon said laws;
3. To discuss and approve treaties and loans; and
4. To examine and approve the accounts presented annually by the Secretary of Finance, as well as "extraordinary and other taxes which may be here-after imposed."

Several reasons prompted the creation and convening of the Malolos Congress. Primarily, it was established to attract the country's elite—the intellectuals and the wealthy—to join the revolution. Secondly, the creation of a representative government was given primarily to make good impression on foreign powers. A popular Assembly was deemed necessary in order to enhance the image of the new Republic.

The delegates to the Congress constituted the cream of the country's professionals and intellectuals. An official directory of the Malolos Assembly of Representatives listed a total of 201 members who had served the body at one time or another. Most historians, however, have placed the Assembly membership at only 130.

The Assembly, despite time constraints, turned out to be a prolific legislature. Its first official act was the ratification of the "Act of Declaration of Independence" on September 29, 1898. It also passed a number of important laws designed to protect the new Republic from incursions of foreigners and to protect the local business and labor.

With the outbreak of the Philippine-American War in February, 1899, the Assembly's activities were hampered by the emergency situation.

Philippine Commission (1900-1916)

When the U.S. assumed sovereignty over the Philippines after the Spanish-American War, a military government was set up, with the military governor exercising executive, legislative and judicial powers. In 1901, however, the legislative powers hitherto exercised by the military governor were transferred to the Philippine Commission. The legislative body was the Philippine Commission created by the President of the United States in his capacity as commander-in-chief of the Armed Forces, which act was later ratified by the U.S. Congress in the Philippine Bill of 1902. This body served as the sole legislative body of the Philippines until 1907 when the First Philippine Assembly was convened and created pursuant to the Philippine Bill of 1902. The members of the Philippine Commission were appointed by the U.S. President with the consent of the U.S. Senate, while those of the Philippine Assembly were elected by qualified electors in their respective representative districts into which the country was divided.

The presiding officer of the Philippine Commission was also the head of government himself—the American governor-general. Its membership, starting in 1901, consisted of five Americans and three Filipinos. Then in 1913, there were five locals to only four Americans. The Commission commenced its legislative work on September 1, 1900, or barely three months after the civil government was established in the Philippines. It started with only five members, all Americans. The original members appointed by the U.S. President were Judge William Taft, chairman; and Dr. Dean Worcester, Mr. Luke Wright, Mr. Henry Ide, and Prof. Bernard Moses, members.

It was only in 1913 when the Filipinos finally obtained numerical majority in what was now a nine-man legislative body. This was made possible after Woodrow Wilson was elected president of the United States. The new president, through his new appointed Governor-General Francis Burton Harrison, assured the Filipinos that his administration would take steps to assure them of a majority in the appointive Commission. Other well-known Filipinos who were later tapped to serve the body were Gregorio Araneta, Juan Sumulong and Rafael Palma. This was maintained up to 1916, when it was replaced by the Philippine Senate, as provided for by the Jones Law.

As a legislative body, the Philippine Commission wielded broad powers and discharged vital functions. These included the power to make rules and orders having the effect of law, for raising revenue by means of taxes, customs and import duties. It also appropriated and spent public funds. It also enacted pieces of legislation largely of general application such as those establishing the country's civil service system and judicial network, organizing the Philippine Constabulary and the police and creating the insular bureaus and offices, municipal and provincial governments.

Philippine Assembly (1907-1916)

The Philippine Assembly was convened at the old Manila Grand Opera House on October 16, 1907. Two dominant political groups—the Partido Nacionalista and Partido Nacional Progresista vied for positions in the Assembly. Minority parties also fielded their candidates as well as independent aspirants. The NP, the party that espoused “immediate and complete independence” headed by Sergio Osmeña, captured majority of the 80 – seat Assembly. However, a situation of conflict prevailed, for the legislative arm of government consisted of an elective Assembly composed of Filipinos and an appointive Commission (later to become the Senate), the majority of the members of which were Americans. Such conflicts, however, came to an end when the legislative powers were vested by the Jones Law in a bicameral legislature composed exclusively of Filipinos. From 1907 to 1916, the legislative power was vested in a legislature, with the Philippine Commission as the upper house and the Philippine Assembly as the lower house thereof.

Pursuant to the provisions of the Jones Law, the legislative set-up was changed. The Philippine Commission was abolished and the Philippine Legislature, inaugurated on October 16, 1916, consisting of the Senate and the House of Representatives was established. Thus, the history of Philippine Senate can be traced in relative term from the time the Americans colonized our country.

Philippine Legislature (1916-1935)

The Philippine Legislature, in whom legislative powers were vested, was a bicameral legislative body composed of a Senate and a House of Representatives. The Jones Law gave the Philippine Legislature general legislative powers, with limitations that all laws affecting immigration, currency, coinage or tariff and those pertaining to lands of public domain, timber, mining are subject to the approval of the President of the United States of America. It also gave the Filipinos greater participation in government through the power of confirmation over the appointments of officers in the Executive and Judicial branches of the government.

During its 19-year existence the country went through seven elections —from 1916 to 1934—to elect members of both chambers of the Legislature. In the first election, on the first Tuesday of October 1916, two senators were elected from each of the 12 senatorial districts—one for a term of six years; the other for three years. In the subsequent general elections, there was to be elected from each district one senator for six years. There were two appointive members for the Senate who were designated by the American governor-general to represent the non-Christian areas of the Archipelago. The elective Representatives served for three years, while the Senators, except half of the 22 who won in the first senatorial race in 1916, had a six-year tenure.

The 24-man Philippine Senate was represented by two Senators from each of the 12 senatorial districts into which the country was divided. Eleven of the districts were represented by Senators elected by qualified voters in their respective bailiwicks. The twelfth senatorial district, which was then generally inhabited by non-Christian Filipinos, was represented by two appointive Senators who had no fixed terms. The two appointive Senators were Joaquin A. Clarin and Jadji Butu representing the provinces in Mindanao, Mountain province and Baguio from 1916 to 1918, with the latter only being reappointed in 1926.



AYUNTAMIENTO' (Intramuros, Manila)
"A jewel of structure in Renaissance style, panelled and floored and pillared in lustrous marble with double stairways and embellished with chandeliers and statues" became the 'home' of the House of Representatives in 1916 until 1927.

Altogether, there were 67 Senators who served in the Philippine Senate at one time or another from 1916 to 1935. Over half of these senior solons were reelected at least once. A number of them were elected several times, as in the case of Manuel L. Quezon who repeatedly served as Senator from 1916 to 1935, when he assumed the Presidency of the Philippine Commonwealth. Senate President Pro Tempore Sergio Osmeña who was first elected Senator in 1922 was also a multi-term Senator who later emerged as Vice-President.

Leadership at the top of the Senate hierarchy was quite firm during its existence through the strong stewardship of Senate President Quezon. Reelected three times in a row, he lorded it over the Senate since its founding and relinquished it only when he became President of the Commonwealth.

During its existence, the Philippine Legislature enacted altogether 1,619 laws, covering all subjects of legislation, except foreign affairs.

The Philippine Legislature closed its career in the service of our people to pave the way for the final preparations for the framing and adoption of the Philippine Constitution and the establishment of the Commonwealth of the Philippines, which were conditions precedent for the attainment of our political independence.

On May 1, 1934, it accepted the Tydings-McDuffie Law, which authorized the framing of the Philippine Constitution.

Commonwealth Congress (1935-1946)

The birth of the Commonwealth of the Philippines ushered another change in the legislative system when a uni-cameral National Assembly was convened as provided in the 1935 Constitution. But the return to unicameralism was short-lived. By virtue of a constitutional amendment in 1940, a two-chamber Congress was restored.

In accordance with the constitutional amendment of 1940, the Legislature returned to its pre-Commonwealth structure with the restoration of the Senate. Thus in the November, 1941 polls, more aspirants figured in what could be considered as the first synchronized balloting of the country.



A GENERAL VIEW OF THE GRANDSTAND DURING THE COMMONWEALTH INAUGURAL CEREMONIES

Elected together with re-electionist President Quezon and Vice-President Sergio Osmeña, the Nacionalista Senate bets swamped the opposition. The NP candidates garnered not only the 24 senatorial seats at stake but also 70 of the 89 Lower House slots.

Of the 24 senators-elect, the first eight placers were to serve for 6 years, the next eight for 4 years and the last eight for 2 years. After the war, though, a number of those who were to serve for fewer years went on to assume their posts when Congress convened in June 1945. A number of top placers were not able to report for duty partly because some of them were charged or had died.

When the two chambers finally got organized in June 1945, the election of officers was given top priority. Senator Manuel A. Roxas, who had ranked second in the 1941 senatorial elections, was elected Senate President, while Senator Elpidio Quirino was chosen President Pro Tempore.

On January 4, 1946, the Congress met again in a special session to discuss the first postwar general elections. Three months later—on April 23, 1946—that law-making body gave way to the First Congress of the Third Republic.

Congress of the Philippines (1946-1972)

The post-Independence Congress became the first legislature of the Republic of the Philippines. That Congress' first members were elected during the dying days of the Commonwealth in 1946, and the last barely a year before it gave way to martial law that ushered in the dictatorship in 1973. All told, that legislature consisted of seven Congresses of four years each except the final one, which lasted for only two years.

Like its immediate predecessor that emerged following the first amendments of the 1935 Constitution, the Congress of the Philippines had a Senate and a House of Representatives. The members of the Senate were elected at large or nationwide, unlike their predecessors who were elected by regions for a term of 6 years. The Senate was composed of 24 members elected by qualified voters of the country. Certain qualifications were required for an individual to become a senator: he had to be a natural-born citizen, 35 years of age upon election to the Senate, a qualified voter and a resident of the Philippines for at least 2 years prior to his election.



OLD CONGRESS BUILDING
now houses the National Museum (P. Burgos St., Manila)
Upon its completion in 1926, the Philippine Legislature
composed of the Senate of the Philippines and the
House of Representatives transferred to this building,
the Senate occupying the upper floors and
the House the lower portion.

The election of the First Congress—16 for the Senate and 104 for the House—took place on April 23, 1946. The Liberal Party captured nine of the 16 senatorial seats. The rest went to the Nacionalista candidates and their allies. Senator Jose Avelino of Samar was elected as Senate President at that time.

In the 1947 polls, six LP bets—Lorenzo Tañada, Vicente Madrigal, Geronima Pecson, Emiliano Tirona, Fernando Lopez and Pablo David—were elected. Only two NPs were elected, namely, Camilo Osias and Eulogio Rodriguez.

However, a bitter rivalry ensued between newly installed President Elpidio Quirino and LP Senate President Avelino over party presidential nomination for the 1949 national elections. Although the Senate was dominated by the “Avelino Wing,” with 11 members including himself, the “Quirino LPs” joined forces with the NPs to oust Avelino as Senate President in early 1949. Senator Mariano Jesus Cuenco replaced Avelino.

Altogether, from 1949 to 1971, the last polls before the exit of that Congress, the political leadership shifted from one major political party to the other in both chambers.

The Congress of the Philippines followed a certain schedule for the session of both houses. They commenced their regular sessions every fourth Monday of January, although this could be changed as Congress saw fit. Every Congress had four regular sessions lasting for 100 days, excluding Sundays. Special sessions could also be called by the President to tackle major bills left unfinished during regular sessions.

Among the powers exercised by the Senate were:

1. Ratification of treaties entered into by the Executive; and
2. Confirmation of appointments made by the President.

The shifting of leadership in the Senate was quite active during this period. The power struggle started during the First Congress where Senate President Avelino, together with Melecio Arranz as President Pro Tempore, was ousted from the Senate helm four years later. In the Second Congress (1950-1953), Avelino tried to bounce back but Senator Mariano Cuenco replaced him for good following the former's expulsion from the top.

When the Nacionalistas returned to power with Ramon Magsaysay's overwhelming victory in the 1953 presidential elections, Eulogio Rodriguez of Rizal assumed the Senate presidency for the first time and remained as its President for nearly a decade. In the Fifth Congress, LP President Ferdinand E. Marcos, who had been elected Senator a few years earlier, toppled Rodriguez from the Senate presidency. Senator Arturo Tolentino of Manila took over from Marcos in 1966. In the 7th Congress, fellow NP Senator Gil J. Puyat of Pampanga and Manila assumed the Senate helm until it was abolished in early 1973.

Present Congress of the Philippines

The 1972 Constitution abolished the bicameral legislature and in its stead established a unicameral body under a parliamentary government. The legislative bodies created during the martial law were the Batasang Bayan, the Interim Batasang Bayan and the Batasang Pambansa. When the popular "people power" or EDSA revolution broke out in February, 1986, Corazon Aquino was installed as the new President. She issued a proclamation creating a Constitutional Commission to draft a new Constitution for the Philippines.



The GSIS BUILDING
where the Senate is presently housed.

The said commission convened on June 1, 1986, and finished its work on October 15, 1986. A plebiscite, held on February 7, 1987, overwhelmingly ratified the present 1987 Constitution. The 1987 Constitution restored the presidential system of government together with the bicameral congress of the Philippines. Section 1, Article VI of the 1987 Constitution provides as follows:

The legislative power shall be vested in the Congress of the Philippines, which shall consist of the Senate and the House of Representatives, except to the extent reserved to the people by the provision on initiative and referendum.

The present Congress is actually a reincarnation of the Senate of the Philippines under the 1940 amendment to the 1935 Constitution. As mandated by the new constitution, the upper chamber is composed of 24 members elected at large, who serve a term of six years. Senators cannot serve beyond two consecutive terms.

The Senate of the 15th Congress is currently headed by Senate President Juan Ponce Enrile, Pro Tempore Jinggoy Ejercito Estrada, Majority Leader Vicente C. Sotto III and Minority Leader Allan Peter "Compañero" S. Cayetano. It has thirty-six (36) permanent committees and five (5) Oversight committees to fuel the wheels of the legislative mill. The Senate or any of its committees may conduct formal inquiries or investigations in aid of legislation. The committees are classified into: (1) standing or permanent; (2) special or ad hoc; (3) joint; and (4) sub. Subcommittees are created to parcel the work of standing or special committees. The "special" committees are created for a particular purpose and dissolved after accomplishing such purpose. Joint committees are those that include members of both houses.

The following Senators have, at one time or another assumed the Senate helm: Manuel L. Quezon, 1916-1935; Manuel A. Roxas, 1945-1946; Jose Avelino, 1946-1949; Mariano Jesus Cuenco, 1949-1951; Eulogio Rodriguez, 1952-1963; Ferdinand Marcos, 1963-1965; Arturo Tolentino, 1966-1967; Gil J. Puyat, 1967-1973; Jovito Salonga, 1987-1992; Edgardo J. Angara, January 1993 - August 1995; Ernesto M. Maceda, October 1996 - January 1998; Neptali A. Gonzales, January 1992 - 1993; August 1995 - October 1996 and January 1998 to June 1998; Marcelo B. Fernan, July 1998 to July 1999; Blas F. Ople, July 1999 to April 2000; Franklin M. Drilon, April to November 2000; Aquilino Q. Pimentel Jr., November 2000 to July 2001; Franklin M. Drilon, July 2001 to July 2006; Manny Villar, July 2006 to November 2008; and Juan Ponce Enrile, November 2008 to presesnt.

Ref.: <http://www.senate.gov.ph/about/history.asp>