

Philippines: Edcel Lagman and the Reproductive Rights Struggle

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In the space of five weeks, the country has lost two institutions, who also happened to be friends, Dr Francisco "Dodong" Nemenzo, a revered figure on the left, and Rep Edcel Lagman, the champion of human rights in Congress. Dodong passed away on December 19. Edcel departed on January 30 owing to cardiac arrest that stemmed from four bouts with pneumonia that had ravaged his immune system. I have written about Dodong's legacy elsewhere. Here I will focus on Edcel's.

This essay is not a eulogy but a fond recollection of a time I found myself fighting under a skilled legislative commander. I was privileged to work closely with Edcel as he led the fight to enact three laws: CARPER or the law to extend agrarian reform in the 14th Congress; the Responsible Parenthood and Reproductive Health Act in the 15th Congress; and the Compensation of Martial Law Victims Act during the 16th Congress. All three were landmark pieces of legislation, but the most significant and hard-fought of the three battles was that over the Reproductive Health ((RH) Bill in 2011 and 2012.

The Battle of the Century

It was probably the one time in Congress's history that an ideological or cultural struggle took precedence over legislation having to do with economic interests, political interests, personal interests, or national security. The protagonists were the people of the Philippines and the powerful 2,000-plus-year-old Catholic Church. And the people prevailed.

The RH Bill was first introduced in the House in 1999, but for nearly twelve years, the Church lobby kept it bottled up in the Committee on Population. The indefatigable and patient Edcel led the effort to reintroduce it at the beginning of each Congress. Then the unexpected happened: the bill made it past the committee in early 2011. Legislators and civil society organizations supporting RH were ecstatic, as the RH Bill under the leadership of Edcel and its floor tactician, Rep Janet Garin of Iloilo, blasted its way to the plenary and appeared to have the momentum.

What had made the difference was the women's movement. The original thrust of advocacy for state-supported family planning emphasized fertility control or population management for development, which had top-down, technocratic connotations. Over the years, family planning was reoriented as an issue of women's control over their bodies, as a health issue, and as a question of individual freedom and choice, and Edcel played a central role in this reorientation.

It would, however, take another year and a half before the bill was turned into law. During this period, the most exciting and dramatic struggle in the country's parliamentary history unfolded, with

both sides deploying all the arguments and tactics they could muster to outmaneuver the other.

The provisional vote count in both the Senate and the House favored the bill, but, instructed by the bishops, the anti-RH legislators resorted to delaying tactics, including repeated, long interpellations or the threat of a quorum call to prevent the bill from coming to a vote or, if that should fail, to push the vote as closely as possible to the 2013 elections in order to make pro-RH legislators waver in the face of the Church hierarchy's threat to turn voters against them at the polls.

Losing Arguments

Indeed, the Roman Catholic hierarchy waged a massive campaign against the bill. This included the mobilization of parish priests to inveigh against the bill in their weekend sermons and the spread of disinformation about RH. Meanwhile priests and nuns that usually took progressive stands when it came to social justice issues, muzzled themselves out of fear of the Vatican, even when some of them assured us privately that they favored the bill. This struck me as similar to bowing to the disciplinary methods of Stalinism.

The main thrust of the Church's propaganda was to paint contraception as a vital step on the slippery slope toward abortion—indeed to make contraception indistinguishable from abortion. With no supporting evidence at all, contraceptive pills were rhetorically denounced as “abortifacients.”

Another debating strategy was to deny that a high fertility rate and a high population growth rate in a low-growth economy, like the Philippines, constituted obstacles to development.

The fast and loose use of statistics marked the arguments of anti-RH advocates, along with really outrageous claims, like the assertion that condom use in Thailand caused the spread of AIDS. Or that the RH Bill was part of a US plot “to keep down the population of developing countries”—the so-called Kissinger doctrine. Or that it was all part of a conspiracy of the big foreign pharmaceutical companies to expand the local market for artificial contraceptives.

When it was pointed out that most other religions and religious denominations in the country either favored or did not oppose the bill, the argument was simply brushed aside with the claim that 80 percent of the population owed fealty to Rome.

Edcel's Winning Arguments

That these arguments did not cut any ice in both chambers is due to the fact that the pro-RH forces did a good job shooting them down and mustering strong arguments in support of the bill.

Particularly effective in the floor debates were the following arguments:

- The RH bill was built on the basic democratic principle of freedom of choice.
- Access to family planning was essential to maternal and child health.
- Survey after survey had shown a significant majority of respondents favoring family planning, including artificial contraception.
- Poor respondents, by a large majority, favored access to government-provided or -facilitated family planning methods, including condoms, pills, and other methods of contraception.
- The 450,000 abortions that took place yearly could be significantly cut down by access to contraceptives.
- Income level was negatively correlated with family size, meaning the bigger the family, the poorer it was.
- Effective family planning was a central element in any strategy to promote development and reduce poverty.

Several pro-RH legislators participated in presenting these arguments on the floor, but it was Edcel that led the charge, punching holes in the defenses of anti-RH hardliners like Rep Pabling Garcia of Cebu. I stood in awe of his debating skills, as he smashed fake news and disinformation with scientific evidence.

Show of Force

Outclassed on the parliamentary floor the opposition turned to less savory tactics. In the lead-up to the vote, the all-male Catholic hierarchy, dressed in scarlet robes and sporting zucchetto skull caps, made a show of force in the House, hoping to intimidate us infidels into submission. Our forces in the gallery and outside the gates of the Batasan, countered them, clad in purple or wearing purple ribbons.

On 12 December 2012, the decisive vote on the RH Bill took place.

The House passed the RH Bill by a vote of 113 to 104. There would be a third reading, but we knew we had won.

Ingredients of Victory

While the media was focused on the partisans of the RH Bill in Congress, the force that brought victory was the women's movement, with leaders like Risa Hontiveros, Junice Demeterio Melgar, Princess Nemenzo, Esperanza Cabral, Sylvia Estrada Claudio, Mary Racelis, Elizabeth Angsioco, and Jean Enriquez, and organizations like Likhaan and WomanHealth Philippines playing a decisive role. Still I think that the women's movement would be the first to claim that the determination, patience, and parliamentary skills of Edcel were an indispensable ingredient in the formula for victory.

The RH battle was one over values, the kind that over the centuries spilled blood in other societies. Fortunately, in our country, democratic rule prevailed. The RH victory in 2012 was historic. But it was not complete and the Church hierarchy would continue to fight a rearguard battle, bringing the RH Act to the Supreme Court, instigating local executives to disobey it, and getting its allies in the Senate to gut the budget for its implementation. The biggest of these obstacles was removed when the Supreme Court declared the law constitutional in 2014.

But the Struggle Continues

Still, the Church hierarchy has not given up. Recently, owing to their fears of being punished at the polls by the propaganda of religious fanatics that sexual hell will break loose if young adults were educated on sexual matters, seven senators who originally co-sponsored Senator Risa Hontiveros' bill providing for comprehensive sex education, a measure mandated by the RH Act, decided to withdraw their support.

If only he could rise from the dead, I have no doubt that Edcel, would relish taking on this latest challenge to his crusade to protect and expand the reach of basic human rights. The bishops will undoubtedly be happy that this great advocate of family planning, divorce, and human rights is gone, but let them be put on notice that, inspired by his example, there are others who will step into the breach.

Walden Bello

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