

SENATE

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P.S. Res. No. 327

RECEIVED BY: 

Introduced by SENATOR LEILA M. DE LIMA

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE ALLEGED REPORTS OF HISTORICAL REVISIONISM PROPAGATED USING THE OFFICIAL GAZETTE, AND INTO THE REPORTED DELETION AND INACCESSIBILITY OF DOCUMENTS AND VITAL INFORMATION THEREIN, TO ENSURE THAT THE RELIABILITY AND VERACITY OF MATTERS CONTAINED THEREIN ARE HELD SACRED AND PRESERVED WITH UTMOST DILIGENCE

1 WHEREAS, during the Spanish colonial period, the *Boletin Oficial de*
2 *Filipinas* and the *Gaceta de Manila* were created where official announcements,
3 military information, arrivals and departures of ships were published by the Spanish
4 Government in the Philippines;

5 WHEREAS, the Insular Government of the Philippine Island, under the
6 government of the United States, established our own Official Gazette in Act No. 453
7 entitled, "An Act providing for the publication by the Insular Government of an
8 Official Gazette, under the general direction of the Department of Public
9 Instruction". Under the supervision of the Department of Public Instruction, the
10 maiden issue of the Official Gazette came out on 10 September 1902. It was
11 published weekly in both English and Spanish;¹

12 WHEREAS, Act No. 453 was amended by Commonwealth Act No. 664,
13 enacted on 5 March 1903, entitled, "An Act to provide for the uniform publication

¹ Elliot, C. (1923) *The Philippines: To the End of the Commission Government, a Study in Tropical Democracy*. The Bobbs-Merrill Company; United States of America

1 and distribution of the Official Gazette”. The said law was approved by then
2 President Manuel L. Quezon on 10 June 1941;²

3 WHEREAS, contents to be published in the Official Gazette are stated in
4 Commonwealth Act No. 638, as follows: a) all important legislative acts and
5 resolutions of a public nature of the Congress of the Philippines; b) all executive and
6 administrative orders and proclamations, except such that have no general
7 applicability; c) decisions or abstracts of decisions of the Supreme Court and the
8 Court of Appeals as may be deemed by said courts of sufficient importance to be so
9 published; d) such documents or classes of documents as may be required so to be
10 published by law; and e) such documents or classes of documents as the President of
11 the Philippines shall determine from time to time to have general applicability and
12 legal effect, or which he may authorize so to be published;

13 WHEREAS, on 18 June 1987, Executive Order No. 200, s. 1987 was signed by
14 then President Corazon C. Aquino, requiring that “laws shall take effect after fifteen
15 days following the completion of their publication either in the Official Gazette or in
16 a newspaper of general circulation in the Philippines.” All statutes that thereafter
17 followed mandated the aforementioned clause;

18 WHEREAS, on 26 July 2010, E.O. No. 4, s. 2010 was signed by then President
19 Benigno S. Aquino III. It launched what the Office of the President deemed as the
20 cornerstone of what it hopes will be a comprehensive online presence for the
21 Philippine government – the digital version of the Official Gazette, a notable
22 development that brought the publication containing matters of public interest closer
23 to the public it seeks to inform;

24 WHEREAS, E.O. No. 4, s. 2010 charged the editorial responsibilities for the
25 Official Gazette under the Presidential Communications Development and Strategic
26 Planning Office;

27 WHEREAS, on 16 September 2016, the Official Gazette of the Philippines
28 posted an illustration commemorating the late dictator Ferdinand Marcos' 99th birth
29 anniversary which reads, “Celebrating his 99th birthdate, Ferdinand Marcos started
30 his political career in 1949 as a Representative of the Second District of Ilocos Norte.
31 10 years thereafter, Marcos was able to secure a seat as a member of the Philippine

² Government of the Philippines (NA) *History of the Official Gazette*. Retrieved from:
<https://www.officialgazette.gov.ph/history-of-the-official-gazette/>

1 Senate in 1959 and was elected Senate President in 1963. Ferdinand Marcos became
2 the 10th President of Philippines in 1965. He was the longest-serving President of the
3 country for almost 21 years. Marcos was the first post-independence president to be
4 re-elected in 1969. In 1972, he declared Martial Law to suppress a communist
5 insurgency and secessionism in Mindanao. In 1986, Marcos stepped down from the
6 presidency to avoid bloodshed during the uprising that came to be known as "People
7 Power";³

8 WHEREAS, the illustration and its caption quickly spread on social media
9 that earned the ire of netizens. Social media users condemned and deplored the
10 publication, and criticized the choice of words used by the Official Gazette, dubbing
11 the effort as a blatant exercise of "historical revisionism". Many commented that it, at
12 the very least, amounted to spitting on the sacrifices made during the Marcos era –
13 intending to mask the gruesome human rights violations perpetrated against those
14 who stood up against a dictatorship. Some have observed that it was a calculated
15 move to eradicate a part of history, and to retell it to benefit those who were part of
16 an oppressive and abusive regime;

17 WHEREAS, following the public outrage,⁴ the said post was revised with the
18 phrase "to avoid bloodshed" in the last paragraph of its caption being scrapped. But
19 the efforts were too nil as to warrant an overturn of public opinion, that the post was
20 altogether deleted thereafter – to be later replaced with a shorter version containing
21 details on the political career of President Marcos. "We also have lapses in a very big
22 way, the blunder that happened a few days ago, when the operators of the Official
23 Gazette omitted martial law... It's very unfortunate. I did express that I was very
24 upset during that night, and ordered our strategic communications office to place it
25 back," Presidential Communications Operations Office (PCOO) Secretary Martin
26 Andanar said on the matter.⁵ Admitting that it was a lapse on their part,⁶ PCOO

³ GMA News (11 September 2016) *Official Gazette draws flak for 'historical revisionism' on Marcos FB post*. Retrieved from: <https://www.gmanetwork.com/news/hashtag//content/581013/official-gazette-draws-flak-for-historical-revisionism-on-marcos-fb-post/story/>

⁴ CNN Philippines. (12 September 2016) *#SuperficialGazette? Netizens slam Official Gazette for 'historical revisionism'*

⁵ Cayabyab, M. (13 September 2016) *Andanar owns up to PCOO blunders, vows not to repeat mistakes*. Retrieved from: <https://newsinfo.inquirer.net/815014/andanar-owns-up-to-pcoos-blunders-vows-not-to-repeat-mistakes>

⁶ Gita, R. (12 September 2016) *Gazette owns up lapses on deleted pro-Marcos social media post*. Retrieved from: <https://www.sunstar.com.ph/article/97715>

1 Assistant Secretary Ramon Cualoping III apologized to the public for “perhaps not
2 being prudent enough in terms of writing the accompanying copy”;⁷

3 WHEREAS, “Historical Revisionism” can be defined as the process that
4 attempts to rewrite history by minimizing, denying or simply ignoring essential
5 facts;⁸

6 WHEREAS, on 31 October 2016, reported attempts to delete vital reports and
7 information in the Official Gazette circulated – to the dismay of the public. News
8 reports exposed that in the official government website
9 <https://www.officialgazette.gov.ph>, entries under the “Daang Matuwid” section
10 which laid down accounts of the achievements made during the term of President
11 Benigno Aquino III, were allegedly expunged from the website. Rappler reported
12 that, “using the Internet Archive's Wayback Machine, an internet tool which can
13 access the version of a website at certain points in time”, they found out that “data
14 under subsections that existed on May 5, 2016 cannot be found anymore as of
15 Monday, October 31”. To assuage public outcry for an explanation, the office
16 handling the Official Gazette instead denied the reported effacing. In trying to make
17 sense of the incident, it said that “the articles are not accessible because the entire
18 website remains down”;⁹

19 WHEREAS, on 3 July 2018, reported inaccessibility of the Official Gazette
20 website circulated; with 116 other government websites going down as well –
21 allegedly due to a hardware failure in one of the Government Web Hosting Service
22 storage systems.¹⁰ Intrigues, however, once again beleaguered the publication when
23 social media users claimed that following the interruption, entries about a speech of
24 the late President Corazon Aquino and articles about the dictatorship of Ferdinand
25 Marcos have been erased;

26 WHEREAS, during a protest rally in Iloilo City that marked the 46th
27 anniversary of Marcos’ martial law, James Peñas of the University of the Philippines
28 Visayas (UP Visayas) said that the peddlers of distorted events in history are “hiding

⁷ Mateo, J. (13 September 2016) *Official Gazette slammed over historical revisionism*. Retrieved from:
<https://www.philstar.com/headlines/2016/09/13/1623299/official-gazette-slammed-over-historical-revisionism>. Accessed
last 11 February 2016

⁸ Williamson, G. (NA) *HISTORICAL REVISIONISM*. Retrieved from: <https://reformed.org/misc/HistoricalRevisionism.pdf>

⁹ Gavilan, J. (31 October 2016) *Just a glitch or deleted? Official Gazette entries on Aquino admin missing*. Retrieved from:
<https://www.rappler.com/nation/150872-official-gazette-daang-matuwid-aquino-entries-missing>

¹⁰ *117 government websites down due to system failure*. (03 July 2018) Retrieved from:
[http://webcache.googleusercontent.com/search?q=cache:caSt3rmJoP8J:cnnphilippines.com/news/2018/07/03/governme
nt-websites-system-failure-dict.html+&cd=1&hl=en&ct=clnk&gl=ph&client=firefox-b-d](http://webcache.googleusercontent.com/search?q=cache:caSt3rmJoP8J:cnnphilippines.com/news/2018/07/03/governme nt-websites-system-failure-dict.html+&cd=1&hl=en&ct=clnk&gl=ph&client=firefox-b-d)

1 lies”, “instead of telling what happened.” In the same breath, he urged his fellow
2 youth “not to subscribe to the negative brand of historical revisionism”;¹¹

3 WHEREAS, in *Heirs of Ochoa v. G & S Transport*,¹² the Supreme Court held
4 that, it must be remembered that the requirement of authentication “does not apply
5 to public documents, these being admissible without further proof of their due
6 execution or genuineness. Two reasons may be advanced in support of this rule,
7 namely: said documents have been executed in the proper registry and are presumed
8 to be valid and genuine until the contrary is shown by clear and convincing proof;
9 and, second, because public documents are authenticated by the official signature
10 and seals which they bear and of which seals, courts may take judicial notice.” It thus
11 bears stressing that since the Rules of Court excludes public documents from the
12 requirement of authentication, it should all the more exact absolute resistance
13 against acts which aim to contribute to the erosion of the trust and confidence
14 reposed in public documents at a time when historical revisionism is creeping
15 through the pages of the official journal of the Government;

16 WHEREAS, in the digital age where it has become “too easy to run a fake news
17 machinery to advance a political agenda”, the dangerous precedent set by the
18 aforementioned events led Mariejo S. Ramos of the Philippine Daily Inquirer to ask,
19 “if disinformation can be spread through a state-run website, what more in largely
20 unpoliced portals?”;¹³

21 WHEREAS, the role of the Official Gazette, the State’s official chronicler of
22 history, in a democracy cannot be overemphasized. As the official record-keeper of
23 the government, its authenticity and accuracy must thus always be ensured so that
24 no cloud of doubt will ever hang above the dissemination of official acts and
25 issuances to the public in whose favor these acts are made and to whom they will
26 ultimately apply;

27 WHEREAS, safeguarding the preservation of decrees, laws, and historical
28 accounts of our country published in the official journal of the Philippine
29 government is essential. As the repository of state documents, the Official Gazette
30 having an indispensable character in a democracy and vast power to inform the

¹¹ Yap, T. (21 September 2018) *Youth urged to resist historical revisionism*, Retrieved from:
<https://news.mb.com.ph/2018/09/21/youth-urged-to-resist-historical-revisionism/>

¹² G.R. No. 170071. (July 16, 2012)

¹³ Santos, M. (31 December 2018) *Troll armies wage ‘history war’ to push Marcos comeback*. Retrieved from:
<https://newsinfo.inquirer.net/1068051/troll-armies-wage-history-war-to-push-marcos-comeback>

1 public, must always be under the watchful eyes of the office and officers tasked to
2 maintain it, both in print and online. These offices and officers must therefore be the
3 sentinels of truth especially at a time when the reliability of official records is
4 undermined due to historical revisionism;

5 WHEREAS, to ensure the veracity of the contents of the official journal of the
6 government, offices and officers who are mandated to be ever-vigilant of the efforts
7 to corrode the pages thereof, must be held accountable in accordance with and to the
8 full extent of the law in instances amounting to abuse of the authority and power
9 entrusted to them. To ward off deliberate attempts of historical revisionism or
10 deletion of state information and documents in the repository of the Official Gazette,
11 meaningful legislation must be crafted which shall impose proper penalties upon
12 those who, while tasked with its security and maintenance, allow the distortion of
13 history by reason of their misfeasance, malfeasance or nonfeasance;

14 WHEREAS, the State, through Congress, must ensure that mechanisms and
15 protocols are in place to secure our state records and issuances, to avert impending
16 attacks against their genuineness that threaten the integrity of the information stored
17 in the Official Gazette, and to protect the Official Gazette from being grossly and
18 deliberately misused to revise our history and propagate misinformation and
19 disinformation especially in this digital age;

20 **NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY**
21 **RESOLVED**, to direct the appropriate Senate Committee to conduct an inquiry, in
22 aid of legislation, into the alleged reports of Historical Revisionism propagated using
23 the Official Gazette, and into the reported deletion and inaccessibility of documents
24 and vital information therein, to ensure that the reliability and veracity of matters
25 contained therein are held sacred and preserved with utmost diligence.

Adopted,


LEILA M. DE LIMA