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January 21, 2005

The Honorable Rep. Josefina M. Joson_

Chairman, Committee on Women

The House of Representatives

Constitution Hills, Quezon City 1126

Re: House Bill No. 2042 – “The Population Management Act of 2004” or,
An Act Promulgating A Comprehensive Policy On Birth Control And For This
Matter Creating A Bureau Of Population Management Under The Department Of
Health And Renaming The Department As The Department Of Health And
Population Management And Appropriating Funds Therefor

Dear Rep. Joson:

We understand that the Committee on Health of the House of Representatives will be conducting a hearing on January 25, 2005 to consider House Bill No. 2042, the Population Management Act of 2004.

We are enclosing our Position Paper in opposition of this Bill.

Very truly yours,

(original signed)

Rosie B. Luistro
President

(original signed)

Margarita V. Francisco
Vice President

Encl.

Encl.

**NB: This copy is computer generated.
The original signed copies were submitted
to the Committee on January 25, 2005**

BIRTH CONTROL PROGRAM WILL NOT SOLVE POVERTY
A Position Paper Against House Bill No. 2042 and its Substitute Bill/s:
“THE POPULATION MANAGEMENT ACT OF 2004” or,
AN ACT PROMULGATING A COMPREHENSIVE POLICY ON BIRTH CONTROL
AND FOR THIS MATTER CREATING A BUREAU OF POPULATION
MANAGEMENT UNDER THE DEPARTMENT OF HEALTH AND RENAMING
THE DEPARTMENT AS THE DEPARTMENT OF HEALTH AND POPULATION
MANAGEMENT AND APPROPRIATING FUNDS THEREFOR
(Introduced by Honorable **REP. FERJENEL G. BIRON**
for the THIRTEENTH CONGRESS)

Honorable Legislators, we come before you on behalf of the **ALLIANCE FOR THE FAMILY (ALFI)** in defense of **MARRIAGE and the FILIPINO FAMILY**. We oppose House Bill (HB) 2042 and any other Substitute Bill/s as being predicated on a fallacy of over-population, and as unconstitutional and anti-family.

1. We do not have “run-away population growth.” Fears of over-population are outdated theories; de-population is the new world demographic problem.

Our population growth rates have been declining since 1970. Furthermore, according to projections made and published by the National Statistics Office and the National Statistical Coordination Board, these growth rates will continue to decline:

Philippine Population Average Annual Growth Rate	
Period	(%)
1970 Actual	3.08
1975 Actual	2.78
1980 Actual	2.71
1990 Actual	2.35
1995 Actual	2.32
2000 Actual	2.36
2000-2005 Estimate*	2.05
2005-2010 Forecast	1.94
2010-2015 Forecast	1.81
2015-2020 Forecast	1.63
2020-2025 Forecast	1.44
2025-2030 Forecast	1.26
2030-2035 Forecast	1.09
2035-2040 Forecast	0.92

Source: National Statistical Information Center, Philippine Statistical Yearbook 2002, and National Statistical Coordination Board Population Projections,
http://www.nscb.gov.ph/secstat/d_popnProj.asp

*Estimate since there is no Census. Was previous forecast.

HB 2042's Author is also concerned that "rapid population growth impacts on the country's development;" that "the country's rapidly growing population is also one among the crucial factors that need to be addressed in the battle against intergenerational poverty;" and that "our unmanaged population growth negatively impacts on the environment's carrying capacity that puts increased pressure on various ecosystems." (Explanatory Note)

These fears echo outdated theories of Thomas Malthus (1766-1834) in his "Essay on the Principle of Population," written in 1798. Malthus said, "Population when unchecked increases in a geometrical ratio. Subsistence increases only in an arithmetical ratio," thus predicting a food shortage caused by uncontrolled population growth. Many 20th century economists, including Julian Simon (1932-1998), have since debunked Malthusian theories. Population growth did not result in such a catastrophe, largely due to technological advances of mankind leading to rapid growth in food supply.

Malthus is not the only doomsayer who's been wrong. The dire predictions of biologist Paul Erlich (born 1932) in his 1968 work, "Population Bomb" have since been disproved. Erlich said, "The battle to feed all of humanity is over. In the 1970s, the world will undergo famines." These mass famines did not occur; food supply nearly tripled. He also predicted scarcity and depletion of key minerals by the mid-1980s; instead, commodity prices fell 50% between 1975 and 2000 showing that the world abounds in key minerals.

The new "population problem" is de-population. Michael Meyer, writing in Newsweek Magazine's "Birth Death" dated Sept. 27, 2004, quoted sociologist Ben Wattenberg's concerns about the "new demography" of dropping fertility rates and shrinking populations in so many places. Yet we are ignoring the alarm bells raised over world population implosion. The same article quotes Phillip Longman warning of what mainstream economists know: that a country cannot have a vibrant economy without a growing population. In other words, while we are worrying about economic growth being stifled by our population growth, the rest of the world is worrying about the opposite problem.

In fact, the International Monetary Fund's World Economic Outlook: The Global Demographic Transition reported, "The world is in the midst of a historically unprecedented demographic transition that is having—and will continue to have—profound effects on the size and age structure of its population." The IMF confirmed that "Per capita GDP growth is positively correlated with changes in the relative size of the working-age population, and negatively correlated with changes in the share of the elderly."¹

Since the world population is growing older, there is increasing concern about economic growth being dampened by higher spending on pensions, health care, and long-

¹International Monetary Fund Staff, *World Economic Outlook: The Global Demographic Transition*, in <http://www.imf.org/external/pubs/ft/weo/2004/02/>, September 2004

term residential care for the elderly and lower tax revenues from a smaller working-age population in the world. The report says, “In advanced countries, the projected increase in elderly dependency ratios and the projected decline in the share of the working-age population could result in slower per capita GDP growth, and lower saving and investment....Growth would be most severely affected in Japan... Relatively more youthful developing countries, in contrast, could enjoy a growth boost as working-age populations increase.”

The Philippines is ignoring this growth boost instead of taking advantage of the opportunities presented to us by our demographic profile.

2. There is no demonstrable connection between poverty and population.

Population, Population Density and GNP Per Capita, Selected Countries			
	Population <i>(In Millions)</i>	Population Density <i>(In Persons per Sq. Km.)</i>	GNP Per Capita <i>(In US\$)</i>
Switzerland	7	184	36,170
United States	288	31	35,400
Japan	127	349	34,010
United Kingdom	59	246	25,510
HK	7	6,278	24,690
Singapore	4	6,826	20,690
South Korea	48	483	9,930
Mexico	101	53	5,920
Malaysia	24	74	3,540
Thailand	62	121	2,000
Philippines	80	268	1,030
China	1,280	137	960
Indonesia	212	117	710

Source: Global/ World Income Per Capita/Head 2004 Report, in <http://www.finfofacts.com/biz10/globalworldincomepercapita.htm> using World Bank's 2004 World Development Indicators

There is no clear and irrefutable demonstrable relationship between population and poverty. Using the World Bank's data on population, population density and Gross National Product (GNP or income) per capita, we can see that the wealthiest countries, as measured by high GNP per capita, have varying population and population density levels. There is no clear and demonstrable relationship between population and poverty. Consider that heavily populated countries like the United States, Japan and Mexico are also countries with high GDP. Consider also that countries with extremely high population density levels like Hong Kong and Singapore are also very wealthy countries.

Several comprehensive studies on this lack of correlation have been made. We will cite two of them. World Bank economist William Easterly argued that population growth can have more positive than negative effects since it increases the number of ideas and initiatives among people. He said that population growth can also drive

technological innovation, because there is greater pressure to optimize available resources.²

Another economist who has studied the population and poverty situation is Geoffrey McNicoll of the Australian National University in Canberra. He said, “The relationship between population growth and poverty is neither obvious nor well established.” He says that the often-repeated claim -- that population growth results in poverty -- is a case when “common sense views about a particular consequence of demographic change rest on an inconclusive body of research.” He also says, “The prima facie empirical case for the unimportance of population to economic change has come from cross-country analysis. Scatter plots of countries on axes representing population growth rates versus per capita GNP or more refined indexes of income poverty are famously unpersuasive.”³

What then are the determinants of poverty, if not a large population? Since poverty is a problem of economics, then poor economic growth is a major determinant. The Asian Development Bank in its annual report on the Investment Outlook in Asia said, of both the Philippines and Indonesia, “It is estimated that economic growth in these two countries would need to accelerate by 1.5–2 percentage points above the average performance in 2002–2003 to ensure a decrease in unemployment and a significant reduction in poverty.”⁴

In addition, corruption in the Philippines is a serious hindrance to economic growth and a favorable investment climate. The headline of the Phil. Daily Inquirer of January 20, 2004 was “RP No. 2 on Corruption List.” The newspaper cited an Asian Development Bank’s report, “Improving the Investment Climate in the Philippines” showing that the Philippines ranked second to Bangladesh among 102 countries in terms of the magnitude of irregular payments, including bribery, in public contracts. Corruption, which is conducted through irregularities in public or government contracts, tax payments, business transactions, and so on, affects 34 percent of domestic enterprises, resulting in the retardation of revenues and labor productivity.⁵ Transparency International, in its “Global Corruption Report 2004” said that the Philippines scored 2.5, ranking 92nd out of 133 countries in its Corruption Perceptions Index 2003.⁶

² Easterly, William. 2001. *Elusive Quest for Growth: Economists' Adventures and Misadventures in the Tropics*. The MIT Press.

³ McNicoll, Geoffrey. “Population and Poverty: the Policy Issues, Part 1,” January 1999, in <http://www.fao.org/sd/WPdirect/WPre0087.htm> (underscoring ours)

⁴ Asian Development Bank, Economics and Research Department, *Asian Development Outlook 2004*, in http://www.adb.org/Documents/Books/ADO/2004/highlights/ADO2004_highlights.pdf

⁵ Philippine Daily Inquirer, January 20, 2005, “RP No. 2 on Corruption List.”

⁶ Transparency International, *Global Corruption Report 2004*, London, Pluto Press, and in http://www.globalcorruptionreport.org/download/gcr2004/11_Country_reports_L_Z.pdf

Corruption in the Philippines is so blatant that Philippine journalists have learned about investigating it. Journalists from the Philippine Center for Investigate Journalism (PCIJ) have run an entire training course for our Southeast Asian neighbors, called “Investigative Journalism Course for Southeast Asian Journalists.”⁷ PCIJ has also published a book, “Investigating Corruption, A Do-It-Yourself Guide” because of the on-the-job training acquired in the Philippines.

3. No contraceptive yet devised is at once simple, acceptable, safe, effective, and reversible.

HB 2042 proposes the creation of a Bureau of Population Management and to enlarge and rename the Department of Health “to ensure the policies and programs on birth control are efficiently implemented...” (Section 3) It also proposes to mandate the Department of Interior and Local Government to coordinate with the agencies of the Department of Health and Population Management in the provinces, cities, and municipalities “to ensure the widest dissemination to the public informative bulletins on birth control and/or seminars on responsible parenthood (Section 10).” It wishes to allow funds to be disbursed for a “massive and sustained information drive” on birth control, including the publication of a bulletin for nationwide circulation to all applicants for marriage license, government and private-sector employees, beneficiaries of non-government organizations, public and private universities, “tri-media,” health institutions, religious institutions, and libraries (Section 12).

However, HB 2042 poses a public danger to all the recipients of the proposed information bulletin, because there is no birth control method that has been proven to be “at once simple, acceptable, safe and effective.”⁸ There have been numerous studies proving this.

There is also an abundance of false information about the safety of birth control methods. The most recent published study that was found to be flawed was the largest women’s health study ever done and one of the largest on contraceptives, costing US\$625 million and involving 162,000 participants in the Women’s Health Initiative of the United States. This federally-funded study, which said that oral contraceptives lowered heart risks and did not increase the risk of breast cancer, was reported to be “flawed and not properly reviewed” on December 16, 2004, or two months after its findings were presented at an October 2004 meeting. The erroneous information went to 16 million American women currently take birth control pills.⁹ The Philippine public would be

⁷Philippine Center for Investigative Journalism, Training Desk, in <http://pcij.org/training/ijcourse.html>

⁸Columbia Encyclopedia, Sixth Edition, Copyright (c) 2005.
http://www.encyclopedia.com/html/section/birthcon_MethodsofBirthControl.asp

⁹ MSNBC News, for The Associated Press, “Studies on birth control pill’s benefits flawed,” December 16, 2004 in <http://www.msnbc.msn.com/id/6719700/>

misinformed if HB 2042's objectives are met, since these information bulletins would contain mistaken information.

4. Birth control does not work.

We know for a fact that birth control does not work. Let's take the United States as an example. Even the proponents of birth control such as The Allan Guttmacher Institute, a research organization established by the former head of the pro-choice organization Planned Parenthood, report that "about half of all pregnancies are unintended." Yet more than 9 in 10 women who are "at risk of unintended pregnancy" (defined as "women who are sexually active, able to become pregnant, and neither pregnant nor trying to become pregnant") are using at least one contraceptive method.¹⁰ Even the birth control pill, said to be the most effective, has an 8% "failure rate" for typical use. (Creation of life is deemed a "failure" in pro-choice terminology.) Sometimes even women who use their contraceptive method "perfectly" become pregnant, according to the same study.

In France, another country with widespread use of medical contraception, two-thirds of unplanned pregnancies occurred in contraception users. These were among the findings of a research paper published on April 30, 2003 in a European reproductive medicine journal Human Reproduction. A fifth of the unplanned pregnancies happened among women using the birth control pill and a tenth among women using the intra-uterine device – both theoretically highly effective medical methods of contraception.¹¹

Furthermore, birth control advocates in the United States lament that the "burdens of unintended pregnancy" are still there, despite 40 years of contraceptive use. "More than 40 years after the contraceptive revolution began with the approval of the contraceptive pill, the United States lags far behind its social and economic counterparts when it comes to effectively reducing the burdens of unintended pregnancy and of sexually transmitted infections (STIs) and related fertility problems. Despite the surge of contraceptive products approved by the FDA in recent years, more can and should be done to help close the gap between Americans' reproductive health needs and the information, technology and services currently available to them."¹²

This is clear evidence that birth control does not work.

¹⁰ The Allan Guttmacher Institute, "Get 'In the Know': Questions About Pregnancy, Contraception and Abortion" in <http://www.guttmacher.org/in-the-know/prevention.html> (underscoring ours)

¹¹ Innovations Report, "Study finds two-thirds of unplanned pregnancies in women using contraception" in <http://www.innovations-report.de/html/berichte/studien/bericht-18034.html> (underscoring ours)

¹² Report from the meeting, The Unfinished Revolution in Contraception: Convenience, Consumer Access and Choice, convened on October 16, 2003, by the Reproductive Health Technologies Project and The Alan Guttmacher Institute, in <http://www.guttmacher.org/pubs/2004/09/20/UnfinRevInContra.pdf>

5. Artificial contraception consists of abortifacients.

According to HB 2042, “The State will countenance all forms of medically accepted birth control methods and devices which are not harmful to the life and health of women...”(Section 2) This is vague. Birth control methods and devices usually include the Birth Control Pill, Intra-Uterine Devices (IUD), and so-called “emergency contraceptives.” These are all abortifacients. They make the uterus less likely to accept implantation of the unborn child, whenever a child is created. In other words, they cause the killing of the unborn, often without the knowledge of the mother.

The reason that these devices are not illegal is that with the influence of the pro-choice movement in the United States, the medical definition of pregnancy was changed in 1972. According to the revised definition, pregnancy occurs only if implantation has already occurred; thus, the Pill and “emergency contraceptives” do not interfere with pregnancy.

Since pregnancy does occur upon conception, and before implantation, as attested to by international medical experts, our Constitution has enshrined this doctrine in Article II, Section 12, as follows: “The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception.”

Artificial contraception leads to many vicious offenses in society, as it facilitates the sexual revolution that eventually leads to unexpected pregnancies. As shown by the U.S. experience, unwanted pregnancies then lead to a lowering of morality, and inevitably, abortion becomes an option after contraceptive failure. Where there is contraception, abortion is not far behind, either as a surgical procedure, or in the form of so-called “emergency contraception.”

It has been asked whether not knowing about the abortifacient effect of contraceptives may mean that no wrong has been committed. However, if we know that an action might kill a person, and we still do it, we declare our willingness to kill that person. This is the same situation as the taking, or the prescribing and legislating the availability, of these abortifacients. We beg our legislators not to remain ignorant of these personal risks.

6. Please don't touch our children.

HB 2042 proposes to mandate the Department of Education “to integrate in the Social Studies curriculum in all public and private high schools education of the students on responsible parenthood on family planning including the teaching of the medically accepted method [*sic*] or devices to prevent pregnancy.” (Section 9 and Section 3. d.)

We want to protect our children from sexually transmitted diseases, which can maim and kill, and yes, from unintended pregnancies. However, we want to do all that is possible to increase all the chances of our youth to remain abstinent until marriage. This

is not unrealistic. It is more unrealistic and dangerous to make our children “sex-perts” by throwing birth control information at them in school. We do not wish to see our children and youth abused and exploited with “value free” sex education and programs.

Furthermore, we do not want our parental rights, authority and responsibility to be usurped. We wish to raise and educate our children in accordance with our cultural, moral and religious beliefs and convictions. Teaching our teen-agers sex education, and thereby removing from us the chance to do that, alienates them from us, their parents. The schools could undo the moral and intellectual formation so carefully nurtured in the loving atmosphere of the home. The focus may not be on “formation,” which is what our children need, but on “information”; and on “preventing pregnancy” as opposed to “living in chastity.”

7. Abortion seems to be legal in HB 2042.

In its Policy Statement (Section 2), HB 2042 states that, “...the State will never countenance abortion as a means of birth control, except in extreme cases when the health of the mother is in danger (underscoring ours).

Abortion is unconstitutional and illegal in the Philippines. There are no exceptions. This is because our country values human life. The Philippine Constitution affirms this in Article II, Section 12, as follows: “The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception.”

There is never a reason in law or in the ethical practice of medicine to advocate for abortion an exception, supposedly for the life or health of the mother. We base this statement not only on constitutional law, but on testimony of many pro-life physicians over the years, including John F. Hillabrand, M.D., Herbert Ratner, M.D., and Bernard N. Nathanson, M.D. In fact, a Physician’s Statement against the “Life of Mother” exception was signed in 1999 saying, “A physician must do everything possible to save the lives of both of his patients, mother and child. He must never intend the death of either. Thus, for example, to save the life of the mother is a most noble end, but the direct killing of the child as a means to this end is not licit.” An unborn child’s life should not be intentionally destroyed by procured abortion for the purpose of saving the life of the mother. A physician must do everything possible to save the lives of both of his patients, mother and child. He must never intend the death of either.¹³

Thus, unwittingly or not, HB 2042 has introduced the idea of abortion-for-a-reason, which eventually can be expanded to abortion-on-demand, in the guise of birth control and family planning. We reject HB 2042’s policy statement under Section 2.

8. Committee Referral

¹³ American Life League, “Protecting the mother’s life: abortion is never necessary” in <http://www.all.org/news/>

Position Paper against House Bill 2042
ALLiance for the FAMILY Foundation Philippines, Inc. (ALFI)

HB 2042 is of interest not only to the Committee on Women, since it would greatly affect various national concerns. We respectfully recommend therefore that the Bill be referred to the following Committees for their review: 1) Committee on Government Reorganization; 2) Ethics; 3) Health; 4) Population and Family Relations, 5) Youth and Sports Development; 6) Revision of Laws; and 7) Appropriations.

We thank you for the opportunity to express our views against HB 2042 and its Substitute Bill(s), since we value the Constitutional right under Article XV, Section 3, as a family association, “to participate in the planning and implementation of policies and programs that affect” us. We hope that you will review our objections carefully and come to realize that BIRTH CONTROL and BIRTH CONTROL PROGRAMS will not only fail to solve poverty, they will also fail the institution of the family and the Constitution itself.

For the **ALLIANCE FOR THE FAMILY:**

Rosie B. Luistro
President

Margarita V. Francisco
Vice President