

A ~~STUDY~~ ON  
THE INCREASE IN THE NUMBER OF FEMALE PROSTITUTES  
ALONG QUEZON AVENUE  
IN RELATION TO  
THE CRACKDOWN ON ERMITA'S RED-LIGHT DISTRICT

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by:

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A P P R O V A L   S H E E T

This thesis entitled "A Study on the Increase in the Number of Female Prostitutes along Quezon Avenue in relation to the Crackdown on Ermita's Red-light District" in partial fulfillment of the requirements for the Degree of Bachelor of Arts in Development Studies, is hereby accepted.



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## CHAPTER I. RESEARCH PROPOSAL

### A. Background of the Study

When Alfredo Lim ran for Manila mayorship last elections, he vowed that he would double his efforts (as compared to what he has exerted as Director of the National Bureau of Investigation) in ridding the city of offending establishments particularly those in the Ermita area. His intentions was to change Manila's sleazy image into a wholesome and thriving capital. His actions left the brightly-lit city blocks of Manila closed for business, leaving thousands of women who worked as hostesses and hospitality girls out of work.

In Quezon City, the whole stretch of Quezon Avenue, from Delta cinema all the way to Epifanio De los Santos Avenue, is being taken over by a growing flesh trade. Prostitution in these parts has already been established some time ago but it has become more rampant after Ermita's nightclubs and other establishments were closed down.

The researcher chose this particular topic because of her strong interest regarding the plight of these women whom she perceives as two-time victims : victims of poverty and of a system that does not seem to consider their welfare and considers them as nuisances to society.

There have been several studies that have already pursued the subject of prostitution; covering almost all aspects of their lives, from being health risks to how much they earn as streetwalkers. This study's distinct feature will be that Ermita will not be used as the primary locale for research on the issue, but Quezon Avenue. Also, in this study, the issue on prostitution will be presented in the perspectives of both the prostitutes themselves and of the local governments involved, namely the local administrations of Manila and of Quezon City.

## B. Statement of the Problem

Did the crackdown of Ermita create more problems than it should have solved? What were the results of the closing down of Ermita's nightclubs and bars in 1992? How are the women who worked as prostitutes coping with this?

Is there any relation between the "death" of Ermita as a red-light district with the sudden influx of prostitutes along Quezon Avenue? In terms of better opportunities for income generation, is Quezon Avenue the best alternative? Considering their growing numbers, how is the local government of Quezon City responding? These are some of the questions which this study attempts to answer.

### C. Objectives of the Study

The following statements are the objectives of this research study :

To determine if the closing down of Ermita led to more impoverished living for the prostitutes working in the district.

To determine whether the closing down of Ermita led to the migration of prostitutes into Quezon City, particularly Quezon Avenue.

To determine if the prostitutes who transferred from Ermita to Quezon Avenue were able to generate more income or not.

To determine if the local government of Quezon City is aware of the growing number of prostitutes in its locale, and what are its intentions regarding this social issue.

#### D. Conceptual Framework

**Prostitution** is the act or practice of indulging in promiscuous sexual relationships for payment.

A **prostitute** is any person who engages in sexual activity with being paid for it as his or her primary goal.

A **red-light district** is an area in which houses of prostitution are frequent. It is so traditionally called because of the practice of employing red lights to indicate establishments of prostitution. During the time when Ermita was still city block after city block of bars and nightclubs, it was always referred to as a red-light district.

**Influx** is the continuous coming, particularly of individuals, in large numbers.

**Migration** is the act or the instance of moving from one area to another in search of work.

A **crackdown** is the act of taking action to enforce strict conformance with or increase the severity of restrictions or regulations.

## E. Hypothesis

Based on the background of this research study, the problem stated earlier and the objectives already mentioned, the following hypothesis were formulated in this research study :

The order of the City Mayor of Manila to close down the red-light district of Ermita led to harder means of living for the prostitutes (in terms of earnings generated) who used to work there, forcing them to relocate to another working site, particularly that of Quezon Avenue.

The prostitutes who used to walk the streets of Ermita transferred to Quezon Avenue instead of other areas such as Makati or Santa Cruz because it is relatively safer there and it is here where they are able to find a steady number of clients which consequently means a steady amount of income for them.

The increasing number of prostitutes in Quezon Avenue has yet to "alarm" its local government into significant and effective action.

Therefore, closing down Ermita was not a rational decision as it led to the prostitutes' migration into another locale where they are not regulated by either the local government or by any non-government organization based in Quezon City.

## F. Theoretical Framework

This study will be based on the theoretical framework of historical materialism.

This theory states that knowledge comes from experience/and or from what is deemed tangible and has material basis and it also states that all things, including man are interrelated. Knowledge or truth is acquired through the study of how contradiction results to change. Historical materialism also looks for the problems emerging from the social classes based on their relations with production and in relation with those with political power, as it led into class conflicts.

In this study, what will be explored are the prostitutes' current condition in relation to what the local government of either cities have done or are doing concerning them. This relationship, prostitutes and the government, is essentially a conflicting one as each regard the issue on prostitution differently : the local government of Manila were very much against its further proliferation and thus, engaged in their best efforts to eliminate the flesh trade within their

area of jurisdiction; leaving the prostitutes to find their own means and devices to cope with destitution.

This study intends to determine whether the change brought about by the two conflicting classes resulted to better or worse conditions for either parties.

## G. Methodology

### 1. Research Design

This research study will be using the case study as its research method. With this method, primary data will be based on actual observation of the respondents. With case study the researcher has very little control over the data that she will be able to gather. Since there are several prostitutes who work in the area of research (which is along Quezon Avenue), several case studies must be pursued in order to gather enough data to be able to prove the hypothesis.

This research study used several means of procuring data in order to prove the hypothesis mentioned in the research proposal.

Actual observation was the primary means used. The researcher went to Ermita (which she found very deserted and forlorn) and to Quezon Avenue several times in order to first, get an idea on the routines that have been set in both areas concerning when the respondents would be most available for questioning (particulars on this would be the most convenient time and to find out what

particular day of the week are the respondents more accommodating to interviewers rather than to finding clients); second, to find out where the respondents usually gather in numbers so that it would be easier to distribute

the questionnaires, particularly along Quezon Avenue which is a very long thoroughfare; and the third, is after determining the routine of the people to be interviewed, who were the prostitutes that seemed to be approachable enough to talk to.

Questionnaire interviews were also used to gather the most essential data needed for this research study. The researcher distributed copies of her questionnaires containing inquiries that were very much connected to the proving of the initial hypotheses of this research study. The researcher distributed the same copy of the questionnaires to both groups of respondents as some of her hypothesis needed data correlating the opinions from the first and second classification of respondents.

The researcher also held interviews with members of the Quezon City Council in

order to have their views on the issue that she is pursuing. Data from this interview would be able to prove another one of her primary hypotheses.

Last but not the least, the researcher acquired copies of public documents, such as a copy of Ordinance 7783 etc, that were very much related to the issue on prostitution. The researcher read these documents thoroughly in order to analyze them in a more in depth and in a more objective manner.

## 2. Sampling Scheme

This research study will be using a non-probability sampling scheme, particularly accidental sampling. Thirty (30) case studies will be pursued in the duration of the research. Taking into consideration the nature where the research will be conducted, ( which is a very long major thoroughfare), and the nature of the respondents, accidental sampling will indeed be the most practical to use as the possibility of being turned down for an interview is very big.

### 3. Respondents

The respondents needed for this research study are the prostitutes classified into those who are still trying to work the streets of Ermita and those who used to work in Ermita but are now in Quezon Avenue. The thirty case studies that were deemed as appropriate for this study will be divided into two : fifteen for the first classification of respondents and another fifteen for the second. The first classification of respondents will be the source of data to determine the current situation of the Ermita prostitutes as compared to their lives before the crackdown. The second classification will be the source of data for the current situation of the prostitutes who moved to Quezon Avenue as compared to their lives in Ermita and the reason behind choosing Quezon Avenue over other alternative places for working.

Other sources of data will be interviews with members of the local administration of both Manila and of Quezon City.

Through these interviews, data on how these local governments have handled or handling the issues can be gathered.

#### 4. Instruments

##### a. The Questionnaire

The questionnaire formulated for this research study was composed of fifteen (15) questions that were immediately geared towards the verification of the study's hypothesis. The research decided to do away with asking their names and other personal details about them because of the evasive nature the respondents seem to have during the initial familiarization trips she took to the research sites (both in Ermita and in Quezon Avenue)

The questionnaire's primary objectives were: 1) to compare the amount of earnings the commercial sex workers used to earn before Ermita was closed down with how much they earn now, 2) to be able to find out how much the commercial sex workers (on the average) working the streets of Quezon Avenue and 3) to be able to deduce the general opinion of the thirty (30) sex workers on

whether a) Ermita should be reopened as a red-light district and b) the commercial sex workers along Quezon Avenue would rather stay there or have Ermita reopened and go back there instead.

What the respondents needed for this research study are classified into two: 1) the commercial sex workers that are still able to find work in the Ermita-Malate area and 2) the commercial sex workers who decided to transfer to Quezon Avenue for want of better pay and perhaps a more assured number of clients.

Because of these two classifications, the questionnaire is technically divided into two, where the respondents from the first classification only have to answer up to the ninth (9th) question while the respondents belonging to the second classification are expected to answer all fifteen (15) questions.

b. Selection and Description of Respondents

As a major requisite got this study, the researcher had to interview thirty (30)

commercial sex workers, who were willing to answer the questionnaire prepared for the survey.

At first, the respondents seem to be evasive and very much ill at ease at seeing a new face standing around with them. The very nature of the respondents make them wary of strangers as anyone unfamiliar is always considered a threat to them in any way possible. During the course of their answering the questionnaire, the respondents were generally amiable (after making for sure that I was just a student and nothing more than that) and were willing to spend some of their time to answer the questionnaire.

During the data gathering along Quezon Avenue, the researcher had to ask first if the respondent used to work in the Ermita-Malate area. Should the inquirer answer to the negative, the researcher usually just thanked them and went on her way to look for the particular kind of respondent she needs. Some of the prostitutes were sometimes kind enough to lead the researcher to the places where former Ermita-Malate area workers roam.

Generally, the respondents prior to looking into the questionnaire ask what the survey is for. The researcher had to, on several occasions, assure the respondents that she was gathering for her thesis and she was not involved or affiliated even with any government agency with the intention of expelling them from the area.

#### c. The Chi-Square Test

A particular method of statistics will be applied in order to test the hypothesis that this research study presents and this is the Chi-Square test. Through the Chi-Square test, the researcher will be able to prove the preference of the prostitutes to transfer to Quezon City instead of staying in Ermita.

The instruments that will be used in this research study are questionnaires and taped interviews. Although distributing questionnaires to the thirty respondents will be the most practical, should it be deemed more effective, interviews will be used in order to extract data from the respondents.

## H. Review of Related Literature

Francoise, Joaquin, "Dirty Harry's Clean Sweep," *Asia Magazine* (Hong Kong : *Asia Magazines*, September 1992)., p. 32.

Mayor Alfredo S. Lim justifies his actions in line with his ardent opposition to the proliferation of Ermita as a red-light district. From this interview, Mayor Lim also relates his vision for changing Manila's image from being cheap and dirty into that of a wholesome and thriving place. He further stipulates that the once long line of brightly-lit bars and nightclubs will be reopened into a decent promenade park which the whole family will be able to enjoy.

In the same article, Ermita businessmen who were forced to close shop were also interviewed and were asked what were their views of the Mayor's actions. They had more complaints other than being that of being forced to close down; they argued that there was not even a formal dialogue or any other means of communication between the two parties which they deemed as important in relation to the event that took place.

Rex L. Aguado, "Quezon City's Flesh Avenue," *The Sunday Chronicle* Vol XXXIII. No. 573 (Metro Manila : n.p., August 28, 1993) p. 10.

This news article highlights prostitution, taken from several perspectives, in Quezon Avenue. It relates where exactly do the prostitutes gather every night, how much do they charge, what are the risks of working so openly along the streets, and even who are the distinct characters (pimps particularly) who are already fixtures there that would prove vital in the pursuit of this study no matter what angle is taken.

This article also details, aside from what happens along Quezon Avenue, what happens in the police stations that have Quezon Avenue under its jurisdiction regarding the arrest and detention of these women. There is also a bit on what the Quezon City council intends to do regarding this growing problem.

## I. Scope and Limitation

This research study intends to cover as much sources of data as possible which means that the researcher intends to be able to interview not just prostitutes but also people from the government councils.

This research study will gather data to describe the present situation of the prostitutes in Ermita who are still walking the streets. Also, a comparison between the plight of the prostitutes before and after Ermita's crackdown will be included. Such data will be able to be extracted from the questionnaire made for the interview.

Also included in this research study will be data that will be describing the predicament of the prostitutes who migrated to Quezon Avenue.

The basis for comparing (between the two classifications of respondents) if their lives were any way improved after their transfer to Quezon Avenue will be their generated income in the area.

Due to the admission of the Quezon City council that they do not have exact figures on how many prostitutes do walk along

Quezon Avenue, fifteen case studies for this research cannot be determine as enough to describe the general conditions of the prostitutes in both areas.

Another limitation is the class biases of the researcher. The researcher already has a very cynical attitude towards the local councils of the cities involved in this and she must be conscious of being able to maintain a level of objectivity during the course of the research so as not to further bungle the accurateness of the study in relation to the controversies of the issue being pursued.

## J. Significance of the Study

Prohibiting prostitution in an area where it has been practically a permanent fixture already will definitely have its consequences. One should always remember that expelling a problem is not the solution because the matter will only resurface elsewhere.

Through this study, one will be able to see the importance of limiting the problems of one locale and dealing with the problem within its premises instead of passing on the problem for it to be dealt with by someone else. It seems that in the case of prostitution between the two locales, prostitution as a social problem has become a victim of bureaucracy as well.

No matter how cynical the researcher is towards the Philippine bureaucracy, it is not her primary intention to further criticize the local governments of Manila and Quezon City for its reactionary efforts. The data that she will be gathering must be able to speak for itself.

## CHAPTER II. BACKGROUND

### **A. The Making of an Ordinance**

On the Senate hearing held last March 4, 1993, the Committee on Laws, the Committee on Police, Peace and Order, the Committee on Entertainment, and the Committee on Ways and Means passed a report regarding an " AN ORDINANCE PROHIBITING THE ESTABLISHMENT OR CREATION OF BUSINESS PROVIDING FOR CERTAIN FORMS OF AMUSEMENT AND/OR ENTERTAINMENT WITHIN CERTAIN PORTION OF ERMITA-MALATE AREA; PRESCRIBING PENALTIES FOR VIOLATION AND FOR OTHER PURPOSES." (see appendix B) The report's general topic was the prohibition of funhouses in certain areas of the City of Manila in relation to the technical zoning regulations mandatory to urban cities such as Manila. The objective of the edict read at the hearing was to ensure the protection of the social and the moral welfare of the community. (see Appendix B) Apparently the realization of this objective was through the prohibition of such forms of amusement or entertainment that in any way can be defined as immoral.

According to the report, a public hearing was organized by members of all the abovementioned committees and the people who were part of the formed panel were " distinguished members of the society and the people most concerned about the proposed ordinance." (see Appendix B) There were four urgent topics that were thoroughly discussed regarding the given ordinance. These were the legality of the ordinance, its general effects on the city government and the City of Manila, its effects on the people concerned to be most affected by this ordinance, and the implementation of the planned ordinance by the police.

The legality of the ordinance was the most rigorously discussed as its lawfulness is very much connected to all of the other aspects of the said ordinance. Here, legality was established as concerning not only the authority of the Council to enact such ordinance, but the reasonableness of the basis for its enactment and/or the propriety of the law and consequently, whether the same is unduly oppressive to certain sectors of the population. (see Appendix B).

The report also justifies the actions towards calling on the general powers of the police as necessary to the enactment of the proposal. Citing numerous past cases similar to what was being tackled, police power in general was characterized as "the most essential, insistent, and the least limitable of powers, extending as it does to all the great public needs." (see Appendix B) Another way of referring to police power was it being "that inherent and plenary power in the State which enables it to prohibit all that is hurtful to the comfort, safety and welfare of society." (see Appendix B)

According to the report, police power largely relies on how urgent the public clamors for it. It also depends on the recognized rights of both the state and of the public to self-protection. For this reason, its amplitude extends and reduces with the changing needs.

In regards to public morals, police power has been used as a means for judicial approval of legislation punishing vagrancy and classifying a pimp as a vagrant, regulating the operation of public dance halls,

prohibiting gambling, licensing cockpits, prohibiting the operation of pinball machines, and regulating the operation of motel and hotels. (see Appendix B).

The City Council was granted the power not only to regulate but to prohibit by the 1991 Local Government Code, Section 458 (4) vii, Article 3 which provides as follows:

" Regulate the establishment, operation maintenance of any entertainment or amusement facilities, including theatrical performances, circuses, billiard pools, public dancing schools, public dance halls, sauna baths, massage parlors, and other places for entertainment or amusement, regulate such other events or activities for amusement or entertainment, particularly those which tends to disturb the community or annoy the inhabitants, or require the suspension or suppression of the same; or prohibit certain forms of amusement or entertainment in order to protect social and moral welfare of the community." (see Appendix B)

"Certain forms of amusement or entertainment" can be interpreted as general enough to encompass funhouses and the like.

Also, the said ordinance was a legitimate action with regards to the furtherance of health and safety throughout the community

as said in Section 16 of the 1992 Local Government Code. Section 16 provides that :

SEC. 16. General Welfare. Every local government unit shall exercise the powers expressly granted, those necessarily, implied, therefrom, as well as powers necessary, appropriate, or incidental for its efficient governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, maintain peace and order, and preserve the comfort and convenience of their inhabitants. (see Appendix B)

This section of the local government code further justifies the existence and the eventual implementation of the ordinance with the general well being of the community as its primary basis. It also provides additional justifications by making the ordinance appear as serving the common interests of the general public, and not serving the interests

of a particular class. And because of this urgent need to protect and uphold and safety and the wellbeing of the public, the proposed means of implementing the ordinance (i.e., police power) is reasonably necessary if deemed not oppressive upon individuals.

Any City Ordinance that takes in the upliftment of public morals is valid. As held in the Ermita-Malate Hotel Operators vs. City of Manila, (one of the cases cited in the report), a police measure intending to protect public morals is duly exempted from charges that it fatally goes against particular clauses in the Constitution, with nothing but mere assumptions to base these imputations. To believe other wise, it would be, on the other hand, restrictive of the scope of police power which has been regarded as the most essential, insistent, and the least limitable in powers, extending as it does to all the public needs.

Also included in the report were stipulations regarding the City of Manila having the power to divide its district into residential and industrial zones and to demand that offensive and unwholesome trade

be established outside the industrial zones. Also, as to the matter of zoning the area in jurisdiction, the report also recognized the authority of the City Council to properly fix the distance of cabarets; as this matter of distancing could be described as local in nature and that only the Council is in a better position and is in authority to know the warranted distances at which cabarets should be located from public buildings, schools, hospitals, and churches.

Further justification for the ordinance is also it being consistent with Presidential Decree No. 499 which indicates that converting certain district in the Ermita-Malate area into a commercial zone is only limited to equitable businesses such as curio stores, souvenir shops, handicraft display centers, and the like (see Appendix B). P. D. No.499 does not allow the presence of funhouses therefore, the evident conversion of the Ermita-Malate area into a red-light district has no basis for law.

The proposed ordinance seeks to regulate the operation of funhouses, which is an

activity that affects the public welfare (see Appendix B). In the view of the City Council, the mere existence of these fun-houses is already a means of promoting immorality and moral degradation, resulting in the occasional breakdown of the peace and order situation in the area and consequently, causing utter inconveniences to the city's residents in general.

Furthermore, regarding the peace and order situation of the area, according to the report, there are statistics (that were not provided in the report) that advocates that crime rates associated to prostitution, vagrancy, and similar offenses against morals and chastity are comparatively higher in Ermita-Malate than in any other part of Manila. And as mentioned in Section 16 of the 1992 Local Government Code, the city government has the power to act on these matters. Should the City Council not do anything about this growing issue on prostitution, vagrancy and moral degradation, it would also be not extending any form of help or effort in providing remedy to a social menace that

victimizes not only our women, but which also affects the moral fiber of our society and consequently the peace and order of the community. (see Appendix B)

An ordinance is said to have class legislation when it isolates some and favors others, even if both are involved in the same situation. Thus, class legislation accordingly violates the constitutional guarantee of "equal protection of the laws" which requires that " all persons subject to legislation should be treated alike, under like circumstances and conditions both in the privileges conferred and liabilities imposed." (see Appendix B) Equal protection is satisfied only if the law operates equally and uniformly on all persons under circumstances which are not different (see Appendix B).

The proposed ordinance does not uphold class legislation because ,as mentioned earlier, it does not violate the constitutional policy of equal protection of rights. This can only be violated if the classifying of the people that will be affected will not be based on " substantial distinctions which make real differences." (see Appendix B)

The operation of the ordinance is valid, based on a sound classification because of 1) The Ermita-Malate area is popularly, if not officially, known as the "Tourist Belt"; 2) The area is also known as the prostitution den of the city; 3) The area has the greatest concentration of funhouses compared to other area in the City of Manila; 4) The area is likewise familiarly called the "night capital" of the city where all known forms of vices can be found. (see Appendix B)

Even though the ordinance's primary purpose is to ban funhouses in the Ermita-Malate area, it does not necessarily prohibit the establishment and the operation of them in other districts of the city. Businessmen are not barred from putting-up these kinds of activity beyond the area that has been delineated and provided for in this particular ordinance. The Ermita-Malate district has been distinguished from the other areas of the city because of the prostitution, immorality and criminality that has become prevalent in the area. (see Appendix B)

Further grounds for the ordinance to be implemented was the inclusion of the provision that allows the conversion by the operators or the owners of the funhouses to have the option to convert to other "wholesome" establishments. Because of this, the proposed ordinance is not unreasonably oppressive because it allows the property owners and businessmen to remain in the area, with the maintenance of "wholesome" businesses as the paramount condition.

On its third reading, Ordinance 7783 was passed into law on March 30, 1993. It comprised of five (5) sections detailing the primary intentions and conditions of the ordinance that would prove its urgency.

Section 1 provides no person, partnership, corporation or entity is permitted to contract and engage in any business highlighting certain forms of amusement, entertainment, services and facilities where women are used as tools in entertainment which tend to disturb the community, annoy the inhabitants, and adversely affect the social and moral welfare of the community.(see Appendix

C) These banned establishments are sauna parlors, massage parlors, karaoke bars, beerhouses, night clubs, day clubs, super-clubs, discotheques, cabarets, dance halls, motels, and inns. (see Appendix C)

Section 2 dictates that neither the City Mayor nor the City Treasurer, or even anyone representing these said officials are allowed to issue permits, or from according licenses and accepting payments for the continued operation of the businesses enumerated in Section 1. (see Appendix C)

Section 3 stipulates the owners and/or operators of establishments mentioned in Section 1 to be given three (3) months from the date of approval of this ordinance to conclude business operations, or to transfer to any other area outside of Ermita-Malate. Another condition would be to convert the said businesses to other kinds allowable within the area. These "wholesome" businesses are (although not limited to) : curio or antique shops, souvenir shops, handicrafts display centers, art galleries, records and music shops, restaurants, coffee shops,

flower shops, music lounge and sing-along restaurants, with well-defined activities for wholesome family entertainment that cater to both local and foreign clientele, theaters engaged in the exhibition - not only of motion pictures - but also of cultural shows, stage and theatrical plays, art exhibitions, concerts and the like and businesses allowable within the law and medium intensity districts as provided for in the zoning ordinances for Metropolitan Manila, except new warehouse or open-storage depot, dock or yard motor repair shop, gasoline service station, light industry with any machinery or funeral establishment.(see Appendix C)

Section 4 dictates that any person violating any of the provisions of this ordinance shall upon conviction, be punished by imprisonment of one (1) year or a fine of five thousand pesos (P5,000) or both at the discretion of the Court. (see Appendix C) In case of subsequent violation and conviction (that is, the President, the General Manager or simply the person-in-charge shall be the one liable for the charges) the premises of

the erring establishment shall be closed and padlocked permanently. (see Appendix C) Section 5 accredits the ordinance and authorizes it to take effect upon its approval.

## B. The Quezon City Council Perspective

One of the hypotheses of this research study requires that the researcher find a means of acquiring information on what the City Council of Quezon City is doing regarding the matter on the growing number of prostitutes along Quezon Avenue.

The researcher decided to seek a personal interview with any city official who was actively involved in finding solutions on the issue at hand. The researcher's request for a personal interview with the Vice-Mayor of Quezon City, Charito Planas, was approved for the twelfth (12th) of March 1994.

The researcher opened her interview session with a short explanation on what her research study was all about and why she chose the Honorable Vice-Mayor as her resource person. The Vice-Mayor cut her off and explained that it was the Mayor who had (has) the power to close, to order what is to be done, and she did all that she could do when she was acting Mayor (see Appendix E). Miss Planas then gave the raid of Maalikaya, a sauna bath and massage parlor located along

Quezon Avenue near the corner of Timog Avenue, as one example of her accomplishments.

The Vice-Mayor then mentioned the streetwalkers along Quezon Avenue and said that, it has been fine enough that there has been much media coverage on her activities regarding the shutdown of establishments such as Maalikaya, but a solution still remained necessary.

Vice-Mayor Planas then mentioned that one of her planned activities for Women's Week, which was to be held on the fourteenth (14th) up to the eighteenth (18th) of March this year, was a roundtable dialogue on prostitution (see Appendix E). She claimed that the city administration wanted to look at the issue realistically (see Appendix E). She readily acknowledged the truth that prostitution cannot be stopped and because of it being a perpetual matter, measures for regulation and for protection must be sought. The Vice-Mayor mentioned decriminalizing prostitution and establishing a red-light

district in order to protect the commercial sex workers as possible resolves (see Appendix E).

The researcher then inquired on the plans of the council regarding the matter and Vice-Mayor Planas reiterated the occasion of the roundtable dialogue, inviting the researcher to join the even as the Vice-Mayor was open to all possible ideas as she was also looking for a solution.

According to the Vice-Mayor, the roundtable dialogue was open to all who wanted to participate. Representatives from women's organizations were the ones that she was expecting to grace the occasion. Vice-Mayor Planas then continued on with a snide remark on the women's organizations not being able to come up with concrete resolutions except for one on a Women's Desk which she started in Queen City (see Appendix E).

The researcher then asked if they have even an approximate number on how many prostitutes were indeed working the Avenue. The Vice-Mayor cut her question off by saying that they did not have an approximation

because no prostitute would care to register (see Appendix E).

Vice-Mayor Planas then mentioned that there was this project which she called Belen that the city government was able to put up in cooperation with a certain Sister Sol. Belen was a place, their facility is located at the corner of Quezon Avenue and Edsa, where the women who have decided to do away with the flesh trade can go to and seek help (see Appendix E).

The researcher intended to pursue the subject of Belen and the other possible plans of the city council on the women of Quezon Avenue but the Vice-Mayor made it evident that the interview was over and even remarked that everything that she has mentioned was what there was to talk about. She invited the researcher once more to attend the dialogue.

Before thanking the Vice-Mayor for her time, the researcher graciously asked when the roundtable dialogue was to be held (see Appendix E).

## CHAPTER III. PRESENTATION OF DATA

### A. The Questionnaire

The questionnaire formulated for this research study was composed of fifteen (15) questions that were immediately geared towards the verification of the study's hypothesis. The researcher decided to do away with asking their names and other personal details about them because of the evasive nature the respondents seem to have had during the initial familiarizing trip she took to the research sites (both in Ermita and in Quezon Avenue).

The questionnaire's primary objectives are: 1) to compare the amount of earnings the commercial sex workers use to earn before Ermita was closed down with how much they earn now, 2) to be able to find out how much the commercial sex workers earn ( on the average ) working the streets of Quezon Avenue and 3) to be able to deduce the general opinion of the thirty (30) sex workers on whether: a) Ermita should be reopened as a red-light district and b) the commercial sex workers along Quezon Avenue would rather stay

there or have Ermita reopened and go back there instead.

The respondents needed for this research study are classified into two : 1) the commercial sex workers that are still able to find work in the Ermita-Malate area and 2) the commercial sex workers who decided to transfer to Quezon Avenue for want of better pay and perhaps a more assured number of clients.

Because of these two classifications, the questionnaire is divided into two, where the respondents from the first classification only have to answer up to the ninth (9th) question while the respondents belonging to the second classification are expected to answer all fifteen (15) questions.

#### **B. Answers from the First Set of Respondents**

For the first set/classification of respondents, fifteen (15) commercial sex workers were able to answer the questionnaire. They answered up to the ninth (9th) question, except for one particular respondent who was currently working in the Ermita-Malate area but also spent a few months in

Quezon Avenue but decided to go back.

Data from the first set of questionnaire are as follows:

Five (5) respondents answered that they have been working as commercial sex workers for 4-6 years, while another five answered that they have been working for 7-9 years. Three (3) respondents answered 10-12 years, while the remaining two (2) responded that they have been working the streets for more than twelve years already.

Twelve (12) of the respondents stated that they started working as streetwalkers in the Ermita-Malate area while the remaining three (3) did not start in the said area. (The questionnaire did not provide a follow-up inquiry should the respondent answer that she did not start working in the Ermita-Malate area as this proved to be irrelevant to the objectives of the research study being pursued.)

In relation to the second question, twelve (12) women stated that they have been working in the area for the last twelve years already, while two (2) women stated that they have been working there for 4-6 years now,

and only one (1) respondent said that she has been working there for 7-9 years.

The fourth question dealt with how much the respondents used to earn ( on the average ) for one night as commercial sex workers in the notorious red-light district before it was closed down: Seven (7) respondents answered that they used to earn five hundred to seven hundred fifty pesos (P500-P750) a night, another seven said that they used to earn eight hundred to one thousand pesos (P800-P1,000) nightly, and one (1) respondent stated that she used to earn more than one thousand pesos (P1,000) nightly.

The fifth question asked about if the respondents were in any way aware of alternative means of livelihood that the City Council of Manila offered to the displaced sex workers in Ermita after the crackdown. Six (6) answered that they were aware of the new job offers, while nine (9) said that they did not hear of any alternative livelihood programs.

The sixth question was actually a set of inquiries on the alternative livelihood programs supposedly set up by the City Coun

cil of Manila for the displaced workers in the area. According to the six respondents who said that they were aware of the said livelihood programs, the job offers ranged from handicrafts ( three out of the six wrote this down ), to putting-up a small-scale business, to even becoming Metro Aides. Three of the respondents said that, from what they heard, they would be able to earn about one thousand five hundred pesos (P1,500) a month while two of them said that monthly earnings from the work can reach up to two thousand pesos (P2,000). One of the respondents did not answer this part of the questionnaire. Not one of the six respondents decided to accept to take on any of these work programs.

The seventh question dealt with how much these commercial sex workers earn now (on the average) for one night after the closing-down of the red-light district. Two (2) of the respondents said that they currently earn more than five hundred fifty pesos (P550), four (4) of them said that they earn something between four hundred and one to five hundred pesos (P401-P500), five (5) said that they presently earn an amount

are now currently working the streets of Quezon Avenue.

These respondents were required to answer the questionnaire through as they would be the basis for preference between the two areas for work and also because these are the commercial sex workers from the pool of thirty that have had more experiences to tell compared to the first fifteen respondents.

Two (2) respondents answered that they have been working as commercial sex workers for 4-6 years now, eight (8) answered 7-9 years, and the remaining five (5) said that they have been involved in this kind of work for the past 10-12 years already.

Eleven (11) stated that they started working as prostitutes in the Ermita-Malate area while the remaining four (4) stated otherwise.

In relation to the second question, the eleven respondents consistently said that they started in Ermita and have been in Ermita ever since. One (1) said that she has been in Ermita for 1-3 years, two (2) stated 4-6 years, while the last one (1) stated 7-9 years.

Before the crackdown of the red-light district, three (3) of the respondents said that on the average, they used to earn an amount between five hundred to seven hundred fifty pesos (P500-P750) nightly, eight (8) answered that their former nightly earnings amounted to eight hundred to one thousand pesos (P800-P1,000) for one night, while the remaining four (4) said that they used to earn more than one thousand pesos (P1,00) nightly.

Ten (10) out of the fifteen respondents said that they were not aware of any alternative livelihood programs that were offered by the City Council of Manila, while the remaining five (5) respondents said that they knew about these livelihood programs.

Out of the five who were aware of these livelihood programs, three (3) of them did not know what particular means of living were offered, while two (2) said that it was handicrafts.

Out of the same five respondents, two (2) stated that they did not know how much one can earn from these livelihood programs, another two said that they can supposedly

earn about one thousand two hundred pesos (P1,200) monthly, while one respondent answered that they could have earned as much as three thousand pesos (P3,000) in a month. Not one of them accepted these livelihood programs.

After Ermita was forcedly closed down, only four (4) of the respondents said that they started earning more than five hundred fifty pesos (P550) for one night, eight (8) said that they earned an amount between four hundred to five hundred pesos (P400-P500) for one night, while the remaining three (3) said that they earned an amount between one hundred to two hundred fifty pesos nightly.

Out of the pool of fifteen, eleven (11) would want the Ermita-Malate area to be reopened as a red-light district while four (4) chose otherwise.

Obviously, all fifteen (15) of the respondents decided to transfer to Quezon Avenue, which was where this survey was conducted.

Eight (8) of the respondents working along Quezon Avenue said that they have been working along the thoroughfare for the past

Seven to eight (7-8) months already, six (6) stated that they have been there for the past five to six (5-6) months, while one (1) answered one to four (1-4) months.

Now that these commercial sex workers are in Quezon Avenue, their average nightly earnings are as follows : six (6) said that they earn something between five hundred to seven hundred fifty pesos (P500-P750) in one night, four (4) claim to earn eight hundred to one thousand pesos (P800-P1,000), while five (5) said that they earn more than one thousand pesos (P1,000).

The twelfth question dealt with which working site runs a riskier business for the prostitutes. Three (3) said that Ermita was riskier, while twelve (12) claimed Quezon Avenue to be a bigger risk. Their reason for saying that about Quezon Avenue ranged from the place being too far from where they reside, there are no health centers found in the immediate area where they can get free condoms , free AIDS tests and even counseling and also, Quezon Avenue is infested with police patrols that undoubtedly hamper their attracting any clients.

From the fifteen respondents in the second classification, fourteen (14) stated that they have not heard about anything on the City Council of Quezon City establishing any alternative livelihood programs purposely meant for women like them. Only one (1) of the respondents said that she has heard something about livelihood programs in Quezon City.

Finally, eleven (11) of the respondents said that they would rather work in the Ermita-Malate area, while the remaining four (4) preferred working along Quezon Avenue.

CHAPTER IV. ANALYSIS AND INTERPRETATION  
OF DATA

A. Ordinance 7783

Ordinance 7783, which was the City Ordinance that prohibited the continuation of the operation of funhouses and the like in the Ermita-Malate area, was a prescript that was easily passed into law. Its primary objective was to ensure the protection of the social and moral welfare of the community through the prohibition of such forms of amusement that were defined as immoral.

At first glance, an ordinance headlined by such an ideal and virtuous vision would seem an imperative in maintaining peace and security within the community. Without considering the conditions wherein this ordinance was to be applied, its concept was good, and satisfactorily justified.

Taking into account an ordinance that was to affect the lives of thousands who were about to find themselves unemployed and displaced, it is necessary to evince who were those involved in pioneering the idea for such an edict. According to the minutes of the senate hearing, a public hearing was held

regarding the legality of the ordinance. The effects on the city government and on the City and its constituents, as well as the utilization of police power in enacting the ordinance were discussed. The panel was composed of "distinguished members of the society and the people most concerned about the proposed ordinance." With this, there was no mention of the presence of any representative from the employees of the establishments that they were intending to close down and particularly, there was no mention about any representative from the commercial sex workers that were about to run out of means of living. Add to this that when the researcher interviewed the commercial sex workers who were still in the Ermita area, they claim not to have heard anything about a public hearing on the issue. "Distinguished members of society" do not exactly sound like a group of people who were socially conscious enough or sensitive enough even to consider the plight of all those about to be affected by Ordinance 7783. This group of people were evidently only concerned with "ensuring the

protection of the social and moral welfare of the community..."

During the course of the public hearing, upon discussing the consequences of Ordinance 7783 in relation with the people who would be most affected by it, there was no clear mention of all the workers that would all of a sudden find themselves with no employment, and particularly, there was no mention about what effect the edict would have on the thousands of commercial sex workers in the area. An estimated 14, 000 women are employed by hundreds of bars in the area as dancers and so-called hostesses and hospitality girls<sup>1</sup>. The word "women" was only mentioned but once in the whole text concerning the justification of the ordinance and this was in the context of human degradation and immorality again. If the instigators of this ordinance were indeed concerned with social welfare, fourteen thousand (14,000) displaced women should not just be shoved to one side and shunned as if their

1. Francoise Joaquin, "Daddy Harry's Clean Sweep," Asia Magazine, September 1992, p.33.

number will not wholly affect the social conditions of the community, this time not as a immoral eye sore, but thousands of lives to be further engulfed into the city's numerous poor.

Class legislation was also an issue in relation to the justifications for passing Ordinance 7783 into law. Class legislation was defined as isolating some and favoring others who are all under the same conditions. The creators of the ordinance insisted that classifying the people that will be affected will not be based on "substantial distinctions which make real differences" (see Appendix B) because of vice concentration in the area. The creators of the ordinance seemed to have overlooked the circumstance that although one can generally say that almost all of the employees in the area did work for lewd establishments, upon shutdown, not all of these workers will suffer in the same degree. In fact, a handful of these workers would have been fortunate enough to be retained by their employers upon their conversion to more wholesome means of busi-

ness. Upon conversion of the clubs into more decent entertainment houses, employers are forced to reduce the number of workers that are in their payroll. An example of such is the Swiss-owned nightclub The Horseman where the owners fired eighty (80) out of an original ninety-five (95) women when they converted their business into a club without dancers in apprehension of a shutdown.<sup>1</sup> The Horseman was ordered shut down nevertheless.<sup>2</sup> Twenty-two (22) businesses were initially closed down by the mayor out of the forty-nine (49) establishments that were recommended for closure by city health authorities.<sup>3</sup>

With this kind of conditions, it is apparent that the argument on the ordinance not having class legislation based on vice concentration is negated. This is because despite the view that to categorize the people within the Ermita-Malate area is not

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1. Ibid.

2. Ibid.

3. Ibid.

based on substantial conditions, the consequences of the ordinance to these people are not the same. Others can be retained while the rest are indeed forcedly displaced, particularly the commercial sex workers whether they used to work for a nightclub or a sauna parlor or whether they belong to the additional hundreds of "freelancers" who do not work for the clubs but hang out around the streets offering themselves to customers prowling the bars.<sup>1</sup> Majority of the fourteen thousand (14,00) women that were mentioned earlier fall under this category.

Ordinance 7783 does not necessarily prohibit funhouses in the areas outside of Ermita-Malate. The Ermita-Malate area is distinguished from the other areas of the city because of the prostitution, immorality and criminality that have become prevalent in the area. The precedent of the seemingly controversial ordinance is Presidential Decree 499 which stipulates the conversion of

1. "Fun Joints, Now Banned in Manila," Philippine Daily Inquirer, March 31, 1973, p. 1

the Ermita-Malate area into a wholesome commercial district from its former image as a red-light district. (see Appendix B) P.D. 499 also further explains that legitimate businesses are only to be permitted in the area and these are curio stores, souvenir shops, handicraft display centers and the like. (see Appendix B) Ordinance 7783 is only in accord with the intent and purpose of the abovementioned decree.

The Ermita-Malate area has been recognized as a red-light district for years already. Prostitution and other means of worldly amusement have made the area infamous for providing venues for these vices. It has become so concentrated on this particular area that "Ermita" is easily associated with the general idea of rampant prostitution. Hundreds of women have joined in the flesh trade and in other related activities and more often than not, the conditions for resorting to these means are passed on to the next generation ( the researcher was able to interview two prostitutes in the area who were related; they were mother and daughter and both were struggling to make a living).

Women's organizations and other non-government organizations who are involved in the issues regarding abused women, AIDS and other sexually-transmitted diseases and even streetchildren, have established their institutions within the area in order for those who need their assistance to have immediate access to their services.

Ordinance 7783 disrupted this arrangement. Closing down the Ermita-Malate area did not assure the alleviation of prostitution in the city because the nightclubs and funhouses which it forcedly shutdown can very well relocate to other areas in the city. In relation to this, displacement and destitution will only lead the once streetwalkers of Ermita to seek these establishments out and hang around there offering their services. Mayor Alfredo Lim claims that "the best way to stop the spread of diseases such as AIDS is to completely stop prostitution."<sup>1</sup> There is no effective way of stopping the spread of these diseases, but there are means of controlling and regulating it and one step to

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1. "Dirty Harry's Clean People"...

this is isolating those in the high-risk level of contamination in one area. Instead, Ordinance 7783 initiated a crackdown on the one place of "vice concentration" leaving no provisions for further assuring the health and safety of the general public and particularly, did not include an article regarding the thousands of women that were displaced.

Ordinance 7783 was a law that needed further deliberation prior to its implementation. It called on morality as its backbone ignoring the notion that morality is always based on choices and that there are always alternatives to what must be done. First, the ordinance intended to prohibit the proliferation of prostitution and other lewd acts in the Ermita Malate area for the welfare of the general public. Upholding public morals would take more than closing down the city's red-light district, but still allow these establishments to relocate to other areas of the city. It also intended to do away with the immoral acts without considering what would happen to the thousands upon thousands that will be unemployed and displaced. Ordinance

7783 did not even mention in any of its articles anything about alternative means of livelihood that the city will provide for those displaced by the crackdown. It seems that the ordinance only wanted the district to be shut down and have nothing to do with the displaced women. Because of this, it is apparent that the morality the ordinance wanted to uphold was trampled upon by the very people who conceptualized this plan.

B. Data Gathered in the Streets

1. Category I -- prostitutes who remained in the Ermita-Malate area after the crackdown.

Table 1.1 (see next page for the series of tables) shows how many years the female prostitutes have been working as such.

Table 1.2 shows how many of the prostitutes started working in the Ermita-Malate area. With these two tables, one can see that Ermita-Malate area has been established as a red light district even more than twelve years ago.

Table 1.4 presents how much the sex workers used to earn before the crackdown. Compare that with the earnings that they have been earning after the crackdown, in Table 1.6, and one can easily imagine the effects of the relatively large decrease in earnings to the lives of these women.

Table 1.7 shows how many prostitutes, from the first fifteen (15) were aware of any alternative jobs that were offered to them. These numbers makes it apparent that those who did offer any alternative livelihood (given that the City Council of Manila did not have a contingency plan) programs were not able to reach all those in need.

2. Category II- Prostitutes who transferred from Ermita to Quezon Avenue

Tables 2.1 shows how many years that prostitutes have spent working as such and Table 2.2 shows how many of them started working in Ermita. Those who did not start in Ermita claimed to have started in Olongapo or even as far as Cebu.

Comparing the data in Table 2.4 with those on Table 2.6, one can depict the plummeting of its earnings of the prostitutes after the crackdown of Ermita. More than half of them used to earn eight hundred to one thousand pesos a night and that was relatively a large sum. The same number of sex workers started earning almost half of that amount after the crackdown. One can assume that their means of getting by were also cut in half, based on the figures.

Table 2.5 shows how many of the prostitutes, prior to transferring to Quezon Avenue, were aware of alternative livelihood programs started for the displaced women of Ermita. The numbers show that more than half of the respondents were not aware of such programs. Insufficient dissemination of information was again the limitation.

Table 2.7 presents the opinions of the prostitutes from the second category whether Ermita should be reopened despite the fact that they are already earning satisfactory amounts compared to what they used to earn after the crackdown in Quezon Avenue. (see Table 2.10). A Chi-Square test was used in order to determine whether there is a relationship between their preference to open Ermita again and where they currently work now (see succeeding pages for Chi-Square test).

Table 2.8 depicts the unanimous decision of all the prostitutes to transfer to Quezon Avenue and not some other work site.

Table 2.9 shows how many months the prostitutes have been working along Quezon Avenue. One can see that none of them have been there for more than a year making the influx of prostitutes a relatively recent issue for the Quezon City council to reckon with, despite it being an urgent issue.

Table 2.10 shows how much the prostitutes are earning in Quezon Avenue. One can see that they are not as big as what they used to earn prior to the crackdown but it has its differences compared to what they

were earning after the crackdown.

Table 2.11 shows where the prostitutes prefer working because of its relative safety. The numbers show that Quezon Avenue is a riskier place for business because of the incidence of arrest, no health clinics and its distance from where they reside ( since most of them started working in Ermita, it is only natural that they reside near there. Quezon Avenue is a far way off.).

Table 2.12 shows how many prostitutes were aware of any alternative livelihood programs that the Quezon City Council were offering their kind of women. Again the numbers show that insufficient means of disseminating information was the primary limitation of such programs as they do not seem to reach the people these programs are meant for.

Finally, Table 2.13 shows the general preference of prostitutes from the second category of whether they would stay in Quezon Avenue or rather that Ermita be reopened as a red-light district. A Chi-Square test was used in order to determine the significance of the preference posed by the data.

I. ERMITA - ERMITA

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TABLE 1.1

1-3	0
4-6	5
7-9	5
10-12	3
12 up	2

TABLE 1.3

1-3	0
4-6	5
7-9	5
10-12	3
12 up	2

TABLE 1.4

below P200	0
P200 - P450	0
P500 - P750	7
P800 - P1,000	7
P1,000 up	1

TABLE 1.2

started in Ermita	12
did not start in Ermita	3

TABLE 1.5

YES	6
NO	9

TABLE 1.6

P100 - P250	4
P251 - P400	5
P401 - P500	4
P500 up	2

TABLE 1.7

YES	6
NO	9

II. ERMITA - QUEZON AVE.

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TABLE 2.1

1-3	0
4-6	2
7-9	8
10-12	5
12 up	0

TABLE 2.3

1-3	
4-6	
7-9	
10-12	
12 up	

TABLE 2.4

below P200	0
P200 - P450	0
P500 - P750	3
P800 - P1,000	8
P1,000 up	4

TABLE 2.2

started in Ermita	11
did not start in Ermita	4

TABLE 2.5

YES	5
NO	10

TABLE 2.6

P100 - P250	0
P251 - P400	3
P401 - P500	8
P500 up	4

TABLE 2.7

YES	11
NO	4

TABLE 2.8

YES	15
NO	0

TABLE 2.9

1-4	1
5-6	6
7-8	8
9-12	0
12 up	0

TABLE 2.10

below P200	0
P200 - P450	0
P500 - P750	6
P800 - P1,000	4
P1,000 up	5

Table 2.11

Ermita	3
Quezon Ave.	12

TABLE 2.12

YES	1
NO	14

Table 2.13

Quezon Ave.	4
Ermita	11

SAMPLE GROUP WORK AREA	Preference to Reopening Ermita		
	YES	NO	TOTAL
ERMITA - QUEZON AVE.	11 (a)	4 (b)	15 (k)
ERMITA - ERMITA	11 (c)	4 (d)	15 (l)
T O T A L	22 (m)	8 (n)	30 (N)

The table above shows the distribution of responses to Item # 8 in the questionnaire ("Kung ikaw ang masusunod, gusto mo bang buksan muli ang Ermita bilang red-light district?")

STATISTIC TEST: To show preference, a "Chi Square Statistic" will be solved in the 2 independent samples.

$$\chi^2 = \frac{N(ad-bc)^2}{kln}$$

Ho = There is no significant difference between those who said Ermita should be opened again and those who do not say no.

H1 = The Ermita - Ermita group prefers to reopen the district while the Ermita - Quezon Avenue does not.

$$\alpha = .02$$

Critical value is at 5.41  
Reject Ho if  $\chi^2 > 5.41$ ,  
otherwise accept it.

$$df = (c-1)(r-1)$$

$$= (2-1)(2-1)$$

$$= 1$$

$$\chi^2 = \frac{N(ad-bc)^2}{kln}$$

CONCLUSION: There is homogeneity opinion whether to open Ermita or not in both groups.

$$= \frac{30(44-44)^2}{15(15)(22)(8)}$$

$$= 0$$

$$= 0$$

$$= 0$$

Preferred Place to Work		Percentage
Quezon Avenue	4	27%
Ermita	11	73%
T O T A L	15	100%

The table above shows the distribution of responses to Item # 14 by the group that worked in both places ("Kung ikaw ang masusunod, mas gugustuhin mo ba dito sa Q. Ave. o sa Ermita?")

STATISTIC TEST: Chi Square

$$\chi^2 = \frac{(O - E)^2}{E}$$

O = observed cell frequency  
E = expected cell frequency

CRITICAL VALUE WAS SET AT 5.41 (1=.02)

$$\begin{aligned} df &= (Rw-1)(Column-1) \\ &= (2-1)(\cancel{2}-1) \\ &= 1 \end{aligned}$$

Ho = There is no difference in preference among the respondents who worked in Ermita or in Quezon Avenue by those who worked in both.

H1 = There are more sex workers who worked in Quezon Ave. who prefer working in Ermita.

DECISION RULE: Reject  $H_0$  if  $\chi^2_{\text{obs}} \geq 5.41$  and accept  $H_1$ .

$$\begin{aligned}\chi^2 &= \frac{(O-E)^2}{E} \\ &= \frac{(4-15)^2}{15} + \frac{(11-15)^2}{15} \\ &= \frac{(11)^2}{15} + \frac{(4)^2}{15} \\ &= \frac{121}{15} + \frac{16}{15} \\ &= \frac{137}{15}\end{aligned}$$

$$\chi^2_{\text{obs}} = 9.13$$

CONCLUSION: Sex workers who have worked in both places prefer working in Ermita than in Quezon Avenue.

### C. The Quezon City Council Perspective

The short and abrupt interview with the Vice-Mayor Charito Planas was an eye-opener indeed for the researcher. It proved to be quite informative despite the numerous times it was rudely interrupted by members of Vice-Mayor Planas' staff. The researcher went to City Hall brimming with expectations, excited to finally being able to interview a lady city executive who has the welfare of the streetwalkers in mind. Expectations were high, hoping to be able to brainstorm about how to help them, to explore their psyche, to discover why they think of themselves as unfit for any other trade except to sell their bodies, and above all to be able to present a better alternative - to train them, to arm them with other skills. The researcher was also interested in their psychological and emotional condition, because it was certain that they are under tremendous psychological and emotional stress every time they go with a customer.

Expecting to be introduced to a panel of psychologists and therapists or even social workers who have a well-studied pro-

gram for the rehabilitation of these women, it was a complete let down to meet the Vice Mayor who had a reputation of being a complete feminist who, to put it bluntly, had nothing to say.

From the start of the interview she tried hard to give the researcher the impression that she had more important things in mind. People kept barging in talking about inane things, indulging in small talk and it was quite scandalizing to see what goes on in the corridors of power in the Quezon City Hall. It became evident that for all the media mileage, the welfare of the prostituted woman along Quezon Avenue was in the low priority slot. What added more to the disappointment was that it being the start of Women's Week, it was quite evident that the issue of prostitution will probably not be addressed or even thoroughly discussed.

The only concrete achievement they have lined up towards this issue of prostitution in the city was scheduling a dialogue with interested women's groups to discuss women's issues in general. And since nowa-

days the more popular issue is rape, the problems which all the street-walkers of Quezon Avenue would probably not be discussed.

All efforts of the researcher to inquire about a rehabilitation program for them were cut short. But the Vice Mayor did mention something about a place, a house along Quezon Avenue and Edsa where "iyong mga gustong magbagong-buhay ay tutulungan." (see Appendix E) But the question still remains: How will they realize that there is a better alternative, that they are not at a dead end, if they are not presented the possibility of a better life? Who will help them uplift their self-concept and self-esteem? Who will make them realize that prostitution not only destroys themselves but also the community? Who will provide this bridge which can link their situation of prostitution and their desire to "magbagong-buhay"?

An ocular inspection conducted by this researcher on the premises of Belen on March 11, 1994 at 3:00 in the afternoon proved futile. The place was closed, and there was nobody there.

In relation to Belen, it is fairly a rehabilitation program for the women of Quezon Avenue, but rehabilitation is a choice that majority of the women do not choose.

The Vice Mayor said in a previous interview which was printed in one of the dailies that her office is proposing a counseling and skills-training center that will cater to the pick-up girls of Quezon Avenue. Ms. Vina Japa, the information officer of Mayor Ismael Mathay said the city government already has such a program, including a counseling seminar handled by the city social welfare office.<sup>1</sup> However, Mr. Teddy Rey, head of the city government's Task Force Smile Q.C. or the Social Mobilization for the Improvement of Life and the Environment in Quezon City admitted that this program is focused more on mothers and women in the community.

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1. Rex L. Aguado, "Quezon City - Flesh Avenue," The Sunday Chronicle, August 29, 1993, p. 10.

"Right now, there is no such thing as a program that will help them (pick-up girls.) And it is a pity because these women have no alternatives. Perhaps what we should explore now is how to offer them options like dignified jobs," Rey said.<sup>1</sup>

Given the incapacity of the city government to offer any form of program for the rehabilitation of these prostituted women, this researcher now will attempt to analyze the second option suggested by Vice Mayor Planas - Regulation of Prostitution.

Regulation is an entirely different matter and has little to do with rehabilitation. Regulation of prostitution in the area can come in the form of health clinics where the women can avail of medical services (like the Remedios Center in Malate) or even safe-houses where the women can spend a night or two, seek counseling, without compelling them to improve on their stature.

The problem with regulation is the need for a massive information campaign to

disseminate to these women the services offered towards regulating them. This approach gained a small amount of success in the Malate area where there are clinics which give the bar girls certificates of health, regular check-ups and counseling. But in this situation, the initiative must come from the women.

Another suggestion brought up by the Vice Mayor is Decriminalization. This means to totally make the trade flesh legal in Quezon City.

It is shocking to see how the pimps and their wards parade along Quezon Avenue with daring insouciance. Some pimps even block passing vehicles, dragging the women along and showing them like some merchandise.

On any night, one can see prostitutes parading through the city's premiere avenue. Some of the women raise their skirts, thrust their tongues and show their buns to motorists. Those sitting on the curb smoke cigarettes and rinse their tired mouths with coffee or soft drinks. No wonder Quezon City

has been tagged the "official bedroom of the metropolis."<sup>1</sup>

The scenario just described starts from around seven in the evening and goes on till the early hours of the next day. They come out of the dark, these women with their limp-wristed pimps and position themselves behind bushes and electric posts, mingling with families with children going for a night out at McDonald's, Jollibee, Wendy's or Pizza Hut. Teenagers out for a night of clean fun at Sam's Diner or D.C. Diner or at Angelino's are boldly propositioned by the pimps. The Quezon Avenue's flesh trade operates boldly every night, with young children, teenager and young adults their target.

One wonders if the Vice Mayor had witnessed this scenario which unfolds every night like a sleazy bad dream. One look at how moral decay is being boldly displayed by those involved in the flesh trade make the researcher wonder how the Vice Mayor, a woman who is a self-proclaimed feminist and who went to a convent school can even think of

legalizing them just because the city government is not equipped to deal with them.

"Most of these girls are recidivists. They get arrested again and again. Ang sabi naman nila sa amin, they're not even high school graduates so nobody would hire them. What happens is a merry-go-round. To be honest, we are still searching for a solution to this problem. The reality is there: You cannot just give them jobs na kung anu-ano na lang. Nasanay na kasi silang kumita ng malaki," says Planas.<sup>1</sup>

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1. Ibid.

## CHAPTER V. CONCLUSION AND RECOMMENDATIONS

On the basis of its hypotheses and objectives, this research study intended to delineate the current state of conditions regarding the commercial sex workers who remain in the Ermita-Malate area and those along Quezon Avenue. Not only did this study intend to present the view of the prostitutes from both sites, but also put these side by side with the perspectives of the City Councils from both Manila and Quezon City.

According to the report submitted by the Committees who instigated the Ordinance, a public hearing was held on the conversion of the red-light district into a wholesome and legitimate commercial zone. But based on the magazine article on the crackdown, bar owners were complaining that there was no formal dialogues or consultation held regarding the matter. From this, one can deduct that given that a public hearing was indeed held, the panel which composed it definitely did not include anyone that was to be directly affected by the Ordinance's implementation.

The researcher refuses to insist that Ordinance 7783 was entirely fraudulent. Proper representation was just not practiced and in such crucial matters, like the incidence of a possible crackdown, this was a vital element.

The Ordinance which prohibited the proliferation of funhouses in the Ermita-Malate area was seen in a different perspective as points of contentions were raised. Through the analysis, Ordinance 7783 was deemed as an edict that did not cover all aspects that were affected by a major crackdown of more than twenty businesses. Based from the data that the researcher was able to gather, nineteen (19) out of the thirty (30) respondents were not aware of any alternative jobs that were offered by the City Council of Manila. One can only deduce that it was cause-oriented organizations or even concerned individuals who spearheaded this move because Ordinance 7783 did not provide any clause regarding contingency plans for the thousands of people, most of them women, that were to be displaced and out of work.

As for the City Administration of Quezon City where the influx of prostitutes along Quezon Avenue continues, it was appalling to find out how seemingly apathetic the City officials are regarding the matter. Vice-Mayor Planas need not elucidate on the rehabilitation tagged as Belen because the data that the researcher was able to gather spoke for itself out of the fifteen (15) respondents from the second category, only one (1) was aware of an alternative livelihood program set up by the Quezon City Council. If the city government of Quezon City was really aware of the urgency of the problem, and was sincerely concerned with the plight of the prostituted woman, the need for sufficient means of disseminating information to the prostitutes was immediately determined.

The researcher also recognizes the inconsistencies of the actions taken and the comments given by the Quezon City Council. Vice-Mayor Planas has been very visible in the drive towards suppressing the spread of prostitution in the city, but in the personal

interview conducted, she remarked, " Mahi-hinto mo ba ang prostitution?" (see Appendix E).

Another vital aspect of this research study was the preferred working place of the prostitutes. From the thirty (30) respondents only eight (8) answered that they would rather that Ermita remained closed. This was because prior to the crackdown, the commercial sex workers were earning an amount ranging from five hundred pesos (P500) to one thousand pesos (P1,000) nightly. After the shutdown, that amount plummeted to between one hundred pesos (P100) to five hundred pesos (P500) a night.

Along Quezon Avenue, they earn something roughly the same as what they used to earn in Ermita but still they would rather work there because of the health centers and the less incidence of arrest because of vagrancy.

Ermita has long been recognized as a red-light district and its history of being one dates back a long way. Perhaps there is no lawful basis for it being a red-light district but it has a social one and that is

the existence of a large number of women who are involved in the district's flesh trade. According to a magazine article, fourteen thousand (14,000) women were displaced and that is not a small number. Ermita's crack-down led to displacement and more impoverished lives compelling those displaced to find other places where they can work.

Closing down Ermita was not a rational decision as it disrupted a local situation that has been that way for years, leaving the displaced with no other means to get by.

A result of its shutdown is the influx of the prostitutes to Quezon Avenue, under a city government that has yet to figure out what to do with these women.

From this passing of social responsibilities, the real victims are not the inhabitants of Ermita and their morals, but the prostitutes themselves who, amidst all the political pomp, still continue to offer themselves for a fee. One can only wonder what will happen to them in the future.

Displaced as they are now, it is necessary to recognize the urgency of dealing with the issue on prostitution. The City of

Manila recognizes the urgency and took action by driving them out of an area where they have been concentrated in for a long time already, but at the same time, tolerating their existence in other areas outside Ermita-Malate.

What the Quezon City council will do is beyond the boundaries of this research study. This study only intends to establish that the city government of Quezon City has yet to come up with an effective means of dealing with the problem. And it is the firm belief of the researcher that she was able to infer this denouement from her endeavors.

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A P P E N D I C E S

## CONTENTS 15

## SAMPLE QUESTIONNAIRE

Ako po si Marie Antoinette L. Rosete, isang mag-aaral ng University of the Philippines sa Manila. Ang questionnaire na ito ay para sa aking pagsasaliksik ukol sa mga commercial sex workers sa may Ermita at Quezon Avenue.

Lubos kong itatanaw ang inyong utang na loob kung inyong sasagutin ang questionnaire na ito.

Maraming salamat po.

Lagyan ng tsek sa may tabi ng inyong mga sagot.

1. Ilang taon ka nang nagtatrabaho bilang isang sex worker?

- 1 - 3 taon
- 4 - 6 taon
- 7 - 9 taon
- 10 - 12 taon
- higit pa sa 12 taon

2. Dito/Doon ka ba sa Ermita nag-umpisang magtrabaho?

- Oo
- Hindi

3. Ilang taon ka nang nagtatrabaho sa Ermita area?

- kapareho sa #1
- 1 - 3 taon
- 4 - 6 taon
- 7 - 9 taon
- 10 - 12 taon
- higit pa sa 12 taon

4. Bago pinasara ang Ermita, mga magkano ang iyong kinikita bawat gabi?

- masababa sa P200.00
- P200 - P450
- P500 - P750
- P800 - P1,000
- masmataas sa

P1,000

5. Napag-alaman mo ba na may binigay na alternatibong hanapbuhay ang Manila administration para sa mga sex workers sa Ermita?

- Oo
- Hindi

(kung ang sagot ay Oo, sagutin ang #6 at kung hindi, tumuloy sa #7)

6. a. Ano ang alternatibong trabahong iyon?

b. Mga magkano naman raw ang kikitain ninyo dito?

k. Napag-isipan mo bang tanggapin iyong trabaho?

Oo  
 Hindi

7. Ngayon at sarado na ang Ermita, mga magkano na lang ang iyong kinikita bawat gabi?

P100.00 - P250  
 P251 - P400  
 P401 - P500  
 masmataas pa sa P550

8. Kung ikaw ang masusunod, gugustuhin mo bang buksan muli ang Ermita bilang isang red - light district?

Oo  
 Hindi

9. Napag-isipan mo bang lumipat sa Quezon Avenue at doon magtrabaho?

Oo  
 Hindi

( Kung Oo ang iyong sagot, tumuloy sa pagsasagot ng questionnaire. At kung hindi naman ay maaaru niyo nang isauli ang questionnaire)

10. Ilang buwan ka nang nagtatrabaho dito sa Quezon Avenue?

1 - 4 buwan  
 5 - 6 buwan  
 7 - 8 buwan  
 9 - 12 buwan  
 higit sa isang taon

11. Mga magkano naman ang iyong kinikita dito sa Quezon Avenue bawat gabi?

masbababa sa P200.00  
 P200 - P450  
 P500 - P750  
 P800 - P1,000  
 masmataas sa P1,000

12. Saan ta masnapang nait magtrabaho?

Ermita  
 Quezon Avenue  
 Bahay

13. May alam ka bang mga plano ng Quzon City administration para sa mga commercial sex workers ( tulad ng livelihood projects, health clinics man lang? )

Oo  
 Hindi

14. Kung ikaw ang masusunod, masgugustuhin mo bang magtrabaho dito sa Quezon Avenue? O buksan na lamang muli ang Ermita?

sa Quezon Avenue na lamang  
 sa Ermita muli

15. Mayroon ka bang nais sabihin o ipaabot sa mga tao sa pamahalaan? Ano iyon?



AN EXCERPT OF THE SENATE HEARING ON  
MARCH 4, 1993  
WHEREIN THE ORDINANCE 7783 WAS READ

The ASST. SECRETARY FORBES , reading :

"COMMITTEE ON LAWS  
COMMITTEE ON POLICE, PEACE AND ORDER  
COMMITTEE ON ENTERTAINMENT  
COMMITTEE ON WAYS AND MEANS

2nd Endorsement

COMMITTEE REPORT

The abovementioned committees respectively renders return, thru the Council Secretariat. on within basic proposal entitled :

AN ORDINANCE PROHIBITING THE ESTABLISHMENT OR  
OPERATION OF BUSINESS PROVIDING FOR  
CERTAIN

FORMS OF AMUSEMENT AND/OR ENTERTAINMENT  
WITHIN

CERTAIN PORTION OF ERMITA-MALATE AREA;

PRES-

CRIBING PENALTIES FOR VIOLATION THEREOF;

AND

FOR OTHER PURPOSES

REPORT

SUBJECT : PROHIBITION OF FUNHOUSES

The proposed city ordinance seeks to prohibit the establishment or operation of business providing for certain forms of amusement and/or entertainment within certain portions of Ermita-Malate area and prescribing penalties for violation thereof.

Specifically, the objective of said ordinance, as provided in Section 1 thereof, is to protect social and moral welfare of the community. Obviously, this objective is sought to be accomplished by prohibiting such forms of amusement as enumerated therein.

A public hearing on the issue was jointly called by the Committee on Laws, Committed on Ways and Means, Committee on Police, and Committee on Entertainment. Panelist include

distinguished members of the society and the people most concerned about the proposed ordinance. While there were four major topics of discussion namely : (a) the legality of the proposed ordinance; (b) its effects on the city government and the City of Manila in general; (c) its effects on the people concerned to be most affected by this ordinance; and (d) the implementation of the proposed ordinance by the police, and other related agencies, the lively exchange of ideas dwelt more on the issue of legality.

It is submitted that the issue on legality is so comprehensive that it covers practically all other aspects of the proposed ordinance. When we speak of legality, it concerns not only the authority of the Council to enact such ordinance, but the reasonableness of the basis for its enactment and/or the propriety of the law and corollarily, whether the same is unduly oppressive to certain sector of the population. Under the latter category may fall the varied argument on the effects of the ordinance on the City of Manila, the sector most affected and the question of morality, among others.

Thus said, two basic legal issues have to be resolved in the consideration of this ordinance, namely : (1) Whether or not the same is within the power of the City Council, as a legislative body, to validly and legally enact the proposed ordinance, and (2) Whether or not the means employed as to be effected under the proposed ordinance are reasonable for the accomplishment of the purpose of the law?

It is believed that said ordinance does not suffer any constitutional infirmity and that the passage of the same is well within the power or authority of the City Council.

1. As to the issue of lack of legislative authority:

## A. POLICE POWER IN GENERAL.

Police power has been characterized as "the most essential, insistent, and the least limitable of powers, extending as it does to all the great public needs." *Ermita-Malate Hotel and Motel Operators Association, Inc. vs. City Mayor of Manila*, 20 SCRA 849 (1967), citing *Noble State Bank vs. Haskell*, 219 U.S. 412 (1911) and *Inchong vs. Hernandez*, 101 Phil. 1155, 1163 (1957). Negatively, it has been defined as "that inherent and plenary power in the State which enables it to prohibit all that is hurtful to the comfort, safety and welfare of society.": *Id.*, citing *Rubi vs. Provincial Board*, 39 Phil. 660 (1918).

Police power rests upon public necessity and upon the right of the state and of the public to self-protection. *U.S. vs. Toribio*, 15 Phil. 85, 97 (1910); *Iloilo Ice and Storage Co. vs. Municipal Council of Iloilo*, 24 Phil. 471, 485 (1913). For this reason, its scope expands and contracts with changing needs. "The numerous attempts which have been made to limit by definition the scope of the police power are only interesting as illustrations of its rapid extension within comparatively recent years to points heretofore deemed entirely within the field of private liberty and property rights." *Churchill vs. Rafferty*, 32 Phil. 580, 602-603 (1915); *U.S. vs. Salaveria*, 39 Phil. 102, 108 (1918); *People vs. Romar*, 46 Phil. 440, 445 (1924); *Calalang vs. Williams*, 70 Phil. 726, 734 (1940).

In the field of public morals, police powers has been used as the basis for judicial approval of legislation punishing vagrancy and classifying a pimp as a vagrant, *U.S. vs. Giner Cruz*, 38 Phil. 677 (1918); regulating the operation of public dance halls, *U.S. vs. Rodriguez*, 38 Phil. 759 (1918), *Sarmiento vs. Belderal*, L-15719, May 13, 1961; prohibiting gambling, *U.S. vs. Pacis*, 31 Phil. 54 (1915), *U.S. vs. Espiritu-Santo*, 23 Phil. 610 (1912); regulating the days when panguingui may be played, *U.S. vs. Salaveria*, 39 Phil. 102 (1918). Panguingui is a card game popular in rural areas, licens-

ing cockpits, Pedro vs. Provincial Board of Rizal, 56 Phil. 123 (1913); prohibiting the operation of pinball machines, Uy Ha vs. City Mayor, L-14149, May 30, 1960; and regulating the operation of motels and hotels Ermita-Malate Hotel and Motel Operators Assn. Inc., City Mayor of Manila, supra.

B. EXPRESS POWER TO PROHIBIT UNDER THE LOCAL GOVERNMENT CODE

The Local Government Code of 1991 now expressly grants the City Council the power not only to regulate but also to prohibit. Section 458 (4) vii, Article 3 of the said Code provides as follows :

Regulate the establishment, operation, maintenance of any entertainment or amusement facilities, including theatrical performances, circuses, billiard pools, public dancing schools, public dance halls, sauna baths, massage parlors, and other places for entertainment or amusement, particularly those which tends to disturb the community or annoy the inhabitants, or require the suspension or suppression of the same; or prohibit certain forms of amusement or entertainment in order to protect the social and moral welfare of the community."

The term "certain forms of amusement or entertainment" is broad enough to reasonably include funhouses and the like, which are the subject of the proposed ordinance.

C. GENERAL WELFARE CLAUSE.

The said ordinance is a valid exercise of the "General Welfare Clause" provided under Section 16 of the Local Government Code of 1992, especially in the promotion of health and safety.

Section 16 provides that-

SEC.16. General Welfare. Every local government unit shall exercise the powers expressly granted, those necessarily, implied, therefrom, as well as powers necessary, appropriate, or incidental for its efficient governance, and

those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, maintain peace and order, and preserve the comfort and convenience of their inhabitants. (*italics supplied*).

The general welfare is generally regarded as the basis of police power of local government units. Thus, the same is properly exercised where it appears : (1) That the interest of the public generally as distinguished from those of a particular class require such interference; and (2) That the means is reasonably necessary for the accomplishment of the purpose and not unduly oppressive upon individuals (*Fabie vs. City of Manila*, 21 Phil. 468).

#### D. ESTABLISHED JURISPRUDENCE.

A City Ordinance aimed to safeguard public morals is valid. This is the established jurisprudence in our country. As held in the *Ermita-Malate Operators vs. City of Manila*, a police measure aimed to safeguard public morals is immune from an imputation that on its face, it is fatally defective as being repugnant to the due process clause of the Constitution, resting purely on conjecture. To hold otherwise would be to unduly restrict and narrow the scope of police power which is the most essentials, insistent, and the least limitable of powers, extending as it does to all the great public needs.

In *Kee and Co., Earnshaw*, 56 Phil. 204, it was also held that the City of Manila has the power to divide its territory into residential and industrial zones and to prescribe that offensive and unwholesome trades and occupations be established exclusively in the latter zone.

In *Lopera vs. Vicente*, (G.R. No. L-18102, June 30, 1962), it was held that the City Council may validly fix the distance of cabarets. The matter of fixing the distance is peculiarly local in nature and that the Council alone is in a better position to know the appropriate distance at which cabarets should be located from the public building, school, hospital and church.

F. CONSISTENT WITH P.D. NO. 499.

Presidential Decree No. 499 is very clear that it converts certain districts in the Ermita-Malate area into a commercial zone limited to legitimate businesses such as curio store, souvenir shops, handicraft display centers and the like. The said presidential decree itself does not allow the establishment of funhouses. The conversion therefore of Ermita-Malate area into a red light district has no basis in our law. Conversely, the prohibition on funhouses is in accord with the intent and purpose of the aforesaid presidential decree.

2. As to the issue that the means is not reasonable for the accomplishment of the purpose.

A. THE OBJECTIVE OF THE ORDINANCE IS TO ARREST THE GROWING PROMOTION OF IMMORALITY AND MORAL DEGRADATION.

The proposed ordinance seeks to regulate the operation of funhouses, which is an activity that affects the public welfare. The operation and existence of funhouses, in the view of the City Council is connected with the promotion of immorality and moral degradation, in the breakdown of the peace and order situation in the area, and thereby bringing utter discomfort and inconvenience to the city's inhabitants in general.

Further, statistics will support that crime rate related to prostitution, vagrancy, and similar offenses against morals and chastity are comparatively higher in Ermita-Malate than in any other parts of Manila. The aforesaid Local Government Code provision clearly provides for the city

government's power to act on these matters. To prescribe the City Council from enacting a legislative measure prohibiting funhouses would be to tie its hands from providing remedy to a social menace that victimizes not only our women, but which also affects the moral fiber of our society and consequently the peace and order of the community.

B. IT IS NOT A CLASS LEGISLATION.

There is said to be a class legislation when a law or an ordinance discriminates against some and favors other, when both are similarly situated. Thus, class legislation accordingly violate the constitutional guarantee of "legal protection of the laws" which requires that "all persons subject to legislation should be treated alike, under like circumstances and conditions both in the privileges conferred and liabilities imposed." The standard of equal protection is satisfied if the law operates equally and uniformly on all persons under circumstances which are not different. Conversely, the doctrine of equal protection as well as the argument of class legislation would not apply when there are substantial differences or distinctions.

Consequently, it is clear that there is no class legislation when there is valid and substantial classification. Thus, accordingly, a valid classification must "be based on substantial distinctions which make real differences; it must be germane to the purpose of the law." (Pp.vs. Vera, 65 Phil.56) No violation is committed as long as the classification is reasonable, not arbitrary or capricious.

The application of the ordinance in question within the Ermita-Malate designated area is therefore validly based on reasonable classification, for the following reasons: (1) The Ermita-Malate area is popularly, if not officially, known as the "Tourist Belt;" (2) The area is also known as the prostitution den of the city; (3) The area has the greatest concentration of funhouses compared to other areas in the City of Manila; and (4) The area is likewise familiarly called the

"night capital" of the city where all know vices can be found.

The test of valid and reasonable classification can be sufficiently complied with. There is clearly no factual basis in the allegation of arbitrariness and discrimination as to constitute class legislation.

C. THE PROPOSED LAW DOES NOT PROHIBIT THE EXERCISE OF ANY LAWFUL OCCUPATION OR BUSINESS.

Although it is true that the proposed ordinance seeks, in effect, to prohibit funhouses in the Ermita-Malate district, it does not totally prohibit the operation of such establishment in other districts of the city. The enactment of the proposed ordinance does not prevent businessmen from operating funhouses outside of the area specifically delineated and provided for therein. The Ermita-Malate district is distinguished from the other areas of the city because of the prostitution, immorality, and criminality that has become prevalent in the area.

D. THE PROPOSED ORDINANCE IS NOT UNDULY OPPRESSIVE.

The inclusion of a provision in the proposed ordinance that allows for the conversion by the operators or proprietors of funhouses, at their option to other "wholesome" establishments could be used, to argue that the proposed ordinance is not unduly oppressive as it allows the property owners and business to remain in the area, albeit with more "wholesome" businesses.

CONCLUSION

In view of the foregoing, it is hereby concluded that the proposed ordinance on funhouses is constitutional and is a valid exercise of police power.

However, the enumeration of amusement activities or forms under Section 1 suffers the abuse of generality. The same must be clearly and specifically defined. This is so because these amusement are not contrary to

morals per se unless coupled with or accompanied by certain vices or sex-related activities.

The Committee recognized the merits of the subject proposal and hereby recommend its early approval and/or adoption.

APPENDIX C

ORDINANCE NO. 7783

(a typed copy)

AN ORDINANCE PROHIBITING THE ESTABLISHMENT OR OPERATION OF BUSINESSES

PROVIDING CERTAIN FORMS OF AMUSEMENT, ENTERTAINMENT, SERVICES AND FACILITIES IN THE ERMITA-MALATE AREA, PRESCRIBING PENALTIES FOR VIOLATION THEREOF; AND FOR OTHER PURPOSES.

Be it ordained by the City Council of Manila, THAT :

SECTION 1. Any provision of existing laws and ordinances to the contrary withstanding, no person, partnership, corporation or entity shall, in the Ermita-Malate area bounded by Teodoro M. Kalaw Sr. Street in the North, Taft Avenue in the East, Vito Cruz Street in the South and Roxas Boulevard in the West, pursuant P.D. 499 be allowed or authorized to contract and engage in, any business providing certain forms of amusement, entertainment and which tend to disturb the community, annoy the inhabitants, and adversely affect the social and moral welfare of the community, such as but not limited to :

1. Sauna Parlors
2. Massage Parlors
3. Karaoke Bars
4. Beerhouses
5. Night Clubs
6. Day Clubs
7. Super Clubs
8. Discotheques
9. Cabarets
10. Dance Halls
11. Motels
12. Inns

SEC. 2. The City Mayor, the City Treasurer or nay person acting in behalf of the said officials are prohibited from issuing permits, temporary or otherwise, or from granting licenses and accepting payments for the operation of businesses enumerated in the preceding section.

SEC. 3. Owners and/or operator of establishments engaged in, or devoted to, the businesses enumerated in Section 1 hereof are hereby given three (3) months from the date of approval of this ordinance within which to wind up business operation or to transfer to any place outside of the Ermita-Malate area or convert said

businesses to other kinds of business allowable within the area, such as but not limited to :

1. Curio or antique shops
2. Souvenir shops
3. Handicrafts display centers
4. Art galleries
5. Records and music shops
6. Restaurants
7. Coffee shops
8. Flower shops
9. Music lounge and sing-along restaurants, with well-defined activities for wholesome family entertainment that cater to both local and foreign clientele.
10. Theaters engaged in the exhibition, not only of motion pictures, but also of cultural shows, stage and theatrical plays, art exhibitions, concerts and the like.
11. Businesses allowable within the law and medium intensity districts as provided for in the zoning ordinances for Metropolitan Manila, except new warehouse or open-storage depot, dock or yard motor repair shop, gasoline service station, light industry with any machinery, or funeral establishments.

SEC. 4. Any person violating any of the provisions of this ordinance, shall upon conviction be punished by imprisonment of one (1) year or fine of FIVE THOUSAND (P5,000) PESOS or both, at the discretion of the Court, PROVIDED, that in case of juridical person, the President, the General Manager, or person-in-charge of operation shall be liable thereof; PROVIDED FURTHER, that in case of subsequent violation and conviction, the premises of the erring establishment shall be closed and padlocked permanently.

SEC. 5. This ordinance shall take effect upon approval.

Approved by His Honor, the Mayor on March 30, 1993.

APPROVED :

ALFREDO S. LIM  
Mayor  
City of Manila

MA. CORAZON CABALLES  
Acting Presiding Officer  
City Council, Manila

ATTESTED :

RAFAELITO M. GARAYBALAS  
Secretary to the Mayor

EMMANUEL R. SISON  
Sec. to the  
City Council

## APPENDIX D

4 March 1994

Miss Charito Planas  
Vice-Mayor  
Office of the Vice-Mayor  
Quezon City Hall  
Diliman, Quezon City

Dear Vice-Mayor Planas

I, Marie Antoinette L. Rosete, am a graduating student from the University of the Philippines in Manila pursuing a Bachelor of Arts degree majoring in Development Studies. As a major requirement for my course, I am doing my undergraduate thesis on the influx of commercial sex workers along Quezon Avenue in relation to the crackdown of the Ermita-Malate area as a red-light district.

In this regard, I would like to request for the opportunity to discuss this matter with you as I feel that your input will be of utmost value to my research.

As a Quezon City resident, I would like to take this opportunity to congratulate you on the success you've been gaining on the clean-up drive of our city.

I am looking forward to your favorable response.

Thank you,

*Marie Antoinette L. Rosete*  
Marie Antoinette L. Rosete

## APPENDIX E

TRANSCRIBED INTERVIEW WITH  
QUEZON CITY VICE-MAYOR  
CHARITO FLANAS

MARCH 11, 1994  
QUEZON CITY HALL  
DILIMAN, QUEZON CITY

Q: Kasi ho 'yung thesis ko tungkol sa mga prostitutes na nag-flock sa Quezon Avenue from the Ermita-Malate area. Kaya ho kayo ang pinili kong iinterview kasi kayo ho ang pinaka-visible sa fight ng mga ---

P: Hindi alam mo kasi ganito... it is the Mayor who has the power to close, to order what is to be done. Now, I did what I could do when I became acting Mayor. Na 'yung sa Maalikaya nagkarron ng raid. Tapos ng raid, mayroong nat-accuse ng prostitution, so I ordered it closed.

I just want to put things in proper perspective. That I was able to do that as an acting Mayor and then diyan sa Quezon Boulevard, 'yung mga streetwalkers. But maganda mag... young know you are covered by media, television, radio, print, because nakapagsara ka, but what is the solution? Kaya, in our program here, the Women's Week, you will notice, we have a roundtable dialogue on prostitution. Because we want to look at it realistically. And what are the things that we should do. Should we decriminalize prostitution? Shall we have a red-light district in order to protect them? Sapagkat ang tanong natin ay : Mahihinto ma ba? That is the first question there. Mahihinto mo ba 'yung prostitution? Kung hindi mo mahihinto, anong dapat nating gawin, para naman may proteksiyon?

Q: So what are your plans?

A: Ah, ano nga, 'yung dialogue. You join us in the dialogue. Because I am also looking for a solution.

Q: Sino 'yung mag-cocompose nung dialogue?

A: Hindi. You just join us. It's open to the ano, uh... women's organizations. Ang napupuna ko dito sa mga women's organizations ay wala naman silang concrete na (Binibigay?) ano... Ang isa lang concrete na prinopose ay 'yung Women's Desk which I started in Quezon City.

Q: You don't have kahit na approximate number of how many prostitutes are there ---

A: Ah, hindi, hindi na... wala namang mag-reregister na 'yang prostitutes.

The City government in cooperation with Sr. Son have this tinatawag na Belen at diyan pupunta 'yung mga gustong magbagong buhay at tinutulungan. Mayroon tayo dito sa Quezon Boulevard corner Edsa, meron pa sa Project 4. 'Yun na ang ating tulong.

Q: When was this?

A: This is stil ongoing.

Q: Sr. Son?

A: Sr. Son \_\_\_\_\_.

Q: From what---

A: She's a nun. Okay? O, sige. "yung lang naman ang ating mapag-uusapan wala nang iba, eh. Ha, Okay? You attend the dialogue.

Q: When will this be?

A: You look at our program. March 17. Okay?

Q: Okay. Thank you, Ma'am.