

[VOL. II, July 26, 1986]

R.C.C. NO. 40

Saturday, July 26, 1986

OPENING OF SESSION

At 9:44 a.m., the President, the Honorable Cecilia Muñoz Palma, opened the session.

THE PRESIDENT: The session is called to order.

NATIONAL ANTHEM

THE PRESIDENT: Everybody will please rise to sing the National Anthem.

Everybody rose to sing the National Anthem.

THE PRESIDENT: Everybody will please remain standing for the Prayer to be led by the Honorable Lorenzo M. Sumulong.

Everybody remained standing for the Prayer.

PRAYER

MR. SUMULONG: Heavenly Father, everytime we come here to perform the task assigned to us of writing a new Constitution for our people, we begin with a prayer. We decided to do this because the task entrusted to us is a difficult and most exacting task. The document we are framing is not intended to meet and provide solutions to passing problems and momentary difficulties. We are here to frame a fundamental law that our people can use not just for a year, not just for a decade, not just for a generation, but for all times.

To produce such a charter for our people, Heavenly Father, we need Your help. Pour unto us the power of the Holy Spirit so that we may have the strength, the perseverance, and the determination to wash away pride or prejudice from our hearts and minds so that the light of truth and reason and unalloyed love of country, rather than the darkness of preconceived ideas and theories, will be the controlling factors to guide us in the discharge of the grave responsibility that has been placed on our shoulders.

Heavenly Father, we are mortals; we are human beings with feet of clay; we have our own views and our own philosophies, depending on the heredity and environment which have influenced our lives. Thus, we oftentimes see the same subject in different lights. It is unavoidable that there should be a clash of ideas amongst us, and I, for one, welcome this clash of ideas if done openly rather than clandestinely, for letting off steam is a good safety valve to prevent violent explosions.

Heavenly Father, we thank Thee for keeping us united despite diversification in our

views every now and then. Pray, O Lord, that whenever we agree to disagree, we take it as a sign of the restoration of our freedom of expression — for as Voltaire said, "I do not agree with a word of what you say, but I will fight to the death your right to say it." So that when we agree to disagree, we are not weakening our unity, but rather we are strengthening the unity in our diversity.

Heavenly Father, we beseech Your continued guidance and assistance. Amen.

ROLL CALL

THE PRESIDENT: The Secretary-General will please call the roll.

THE SECRETARY-GENERAL, *reading*:

| | | | |
|---------------|----------------------|--------------|----------------------|
| Abubakar | Present [*] | Natividad | Present [*] |
| Alonto | Present [*] | Nieva | Present |
| Aquino | Present [*] | Nolledo | Present |
| Azcuna | Absent | Ople | Present [*] |
| Bacani | Present | Padilla | Present |
| Bengzon | Present | Quesada | Present [*] |
| Bennagen | Present | Rama | Present |
| Bernas | Present | Regalado | Present |
| Rosario Braid | Present | Reyes de los | Present |
| Brocka | Present | Rigos | Present |
| Calderon | Present | Rodrigo | Present |
| Castro de | Present | Romulo | Present |
| Colayco | Present | Rosales | Absent |
| Concepcion | Present | Sarmiento | Present |
| Davide | Present | Suarez | Present |
| Foz | Present [*] | Sumulong | Present |
| Garcia | Present [*] | Tadeo | Present |
| Gascon | Absent | Tan | Present |
| Guingona | Present | Tingson | Absent |
| Jamir | Present | Treñas | Present |
| Laurel | Present [*] | Uka | Present [*] |
| Lerum | Present [*] | Villacorta | Present [*] |
| Maambong | Present | Villegas | Present |
| Monsod | Present | | |

The President is present.

The roll call shows 32 Members responded to the call.

THE PRESIDENT: The Chair declares the presence of a quorum.

MR. CALDERON: Madam President, I move that we dispense with the reading of the Journal of the previous session.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none, the motion is approved.

APPROVAL OF JOURNAL

MR. CALDERON: Madam President, I move that we approve the Journal of the previous session.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

MR. CALDERON: Madam President, I move that we proceed to the Reference of Business.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary-General will read the Reference of Business.

REFERENCE OF BUSINESS

The Secretary-General read the following Communications, the President making the corresponding references:

COMMUNICATIONS

Letter from Mr. Manuel A. Sanico of 4107 Corregidor-Pitogo, Makati, Metro Manila, proposing the adoption of Filipino as our national language.

(Communication No. 330 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Letter from Mr. Manuel A. Sanico of 4107 Corregidor-Pitogo, Makati, Metro Manila, proposing the creation of a "Veterans Affairs Commission."

(Communication No. 331 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication from Mr. Eufemio C. Salera, District Commander, Veterans Federation of the Philippines, Zamboanga del Sur Chapter, Pagadian City, submitting a consolidated report of veterans' petitions.

(Communication No. 332 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from Mr. Teofilo B. Cruzat of Poblacion, Catanauan, Quezon, proposing a provision in the new Constitution requiring all candidates for elective positions to secure clearances before filing their certificates of candidacy.

(Communication No. 333 — Constitutional Commission of 1986)

To the Committee on Constitutional Commissions and Agencies.

Communication from Mr. Ignacio C. Badeo, a sidewalk vendor of 864 R. Papa St., Sampaloc, Manila, proposing that Philippine Presidents be awarded an end-term bonus of P10 million if they have rendered an untarnished 6-year term.

(Communication No. 334 — Constitutional Commission of 1986)

To the Committee on the Executive.

Communication from Mr. Prudencio S. Serrano of 784 Don M. Marcos Avenue, Mati, Davao Oriental, submitting various proposals for the consideration of the Constitutional Commission.

(Communication No. 335 — Constitutional Commission of 1986)

To the Steering Committee.

Communication from Nur-Hussein A. Ututalum, Al Hadj, Speaker, Batasang Pampook, Autonomous Region IX, Zamboanga City, transmitting, for consideration by the Constitutional Commission of 1986, Resolution No. 117, entitled: RESOLUTION RESPECTFULLY REQUESTING THE CONSTITUTIONAL COMMISSION TO GRANT POLITICAL RIGHT OF SUFFRAGE TO ILLITERATES.

(Communication No. 336 — Constitutional Commission of 1986)

To the Committee on Citizenship, Bill of Rights, Political Rights and Obligations and Human Rights.

Communication from Mr. Ambrosio C. Sumalbag, Chairman, LAYA Community, Inc. of 740 CBCP Gen. Luna St., Intramuros, Manila, proposing a provision in the Bill of Rights that prisoners who have lawfully and fully served their sentence will enjoy full restoration of their civil rights.

(Communication No. 337 — Constitutional Commission of 1986)

To the Committee on Citizenship, Bill of Rights, Political Rights and Obligations and Human Rights.

Communication from the National Secretariat of Social Action (NASSA), Justice and Peace of the Catholic Bishops' Conference of the Philippines, proposing the abrogation of the Military Bases Agreement between the United States and the Philippines, genuine land reform, and rights of indigenous people, among others.

(Communication No. 338 — Constitutional Commission of 1986)

To the Steering Committee.

Position paper submitted by Mr. Arturo M. Erasmo of Purok Sweet Rose, Dumagok Fishing Village, Pagadian City, recommending the adoption of measures that will reduce the incidence of poverty in urban and rural areas and promote further utilization of the country's human and natural resources, among others.

(Communication No. 339 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Position paper, submitted by Promotion of Church People's Right, Zamboanga del Sur Chapter, Pagadian City, signed by thirty-two (32) people, suggesting among others the removal of U.S. bases in the Philippines, institution of a genuine land reform program, nationalization and Filipinization of existing industries, and reexamination of the Tripoli Agreement.

(Communication No. 340 — Constitutional Commission of 1986)

To the Steering Committee.

Letter from Mr. Crescencio A. Yaco, Chairman, Center for Solidarity Tourism, c/o PR Desk, Sociology Department, Asian Social Institute, 1518 Leon Guinto Street, Malate, Manila, submitting a resolution urging the Constitutional Commission to incorporate in the Constitution provisions on the enjoyment of travel and tourism and state support for the development and promotion of indigenous tourism programs.

(Communication No. 341 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from Messrs. Jerry B. Beo, Provincial Chairman, League of Filipino Students, and Teofilo Isorena, Jr., Provincial Chairman, Kabataan Para sa Demokrasya at Nasyonalismo, expressing strong objection to the following proposals of the so-called "cause-oriented" group: (1) retention of the U.S. military bases or their transfer to Catanduanes, (2) retention of the capital punishment, and (3) annual psychiatric examinations for all government and military men.

(Communication No. 342 — Constitutional Commission of 1986) To the Steering Committee.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

CONSIDERATION OF C.R. NO. 17
(Article on Accountability of Public Officers)

PERIOD OF SPONSORSHIP AND DEBATE

MR. RAMA: I move that we consider Committee Report No. 17 as reported out by the Committee on Accountability of Public Officers.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

Consideration of Committee Report No. 17 is now in order. With the permission of the body, the Secretary-General will read only the title of the committee report without prejudice to inserting in the Record the whole text thereof.