

# [ VOL. V, September 25, 1986 ]

## R.C.C. NO. 92

Thursday, September 25, 1986

### OPENING OF SESSION

*At 10:05 a.m., the Presiding Officer, the Honorable Francisco A. Rodrigo, opened the session.*

THE PRESIDING OFFICER (Mr. Rodrigo): The session is called to order.

### NATIONAL ANTHEM

THE PRESIDING OFFICER (Mr. Rodrigo): Everybody will please rise to sing the National Anthem.

*Everybody rose to sing the National Anthem.*

THE PRESIDING OFFICER (Mr. Rodrigo): Everybody will please remain standing for the Prayer to be led by the Honorable Teodoro C. Bacani.

*Everybody remained standing for the Prayer.*

### PRAYER

BISHOP BACANI: Diyos na aming Ama, salamat po sa bagong araw na ito, isa pang araw upang makapaglingkod kami sa Iyo at sa aming kapwa tao. Iniaalay namin sa Iyo ang lahat ng aming iisipin, sasabihin at gagawin. Maging kalugud-lugod nawa kami sa Iyong paningin. Wala nawa kaming isipin, sabihin o gawing anuman na hindi namin maihaharap sa Iyo. Isugo Mo sa amin ang Iyong Espirito upang bigyan ng liwanag ang aming mga isip, punuin ng pag-ibig ang aming mga puso at palakasin ang aming mga katawan upang sa lahat ng bagay at pagkakataon ay malaman namin ang Iyong kalooban at masiglang isakatuparan ito.

Sa araw na ito, Ama, ibigay Mo sa amin bilang natatanging biyaya na malaman namin at isagawa ang tunay na makabubuti at makapagpapaunlad sa pamilyang Pilipino, na siyang pinakasaligan ng aming lipunan.

Ito'y hinihiling namin sa Iyo sa pamamagitan ni Kristong aming Panginoon. Amen.

THE PRESIDING OFFICER (Mr. Rodrigo): The Secretary-General will call the roll.

### ROLL CALL

THE SECRETARY-GENERAL, *reading*:

Abubakar	Present *	Natividad	Present *
Alonto	Present *	Nieva	Present
Aquino	Absent	Nolledo	Present *
Azcuna	Present *	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
Calderon	Present	Rigos	Present
Castro de	Present	Rodrigo	Present
Colayco	Present	Romulo	Present
Concepcion	Present	Rosales	Absent
Davide	Present	Sarmiento	Present
Foz	Present	Suarez	Present
Garcia	Present *	Sumulong	Present
Gascon	Present *	Tadeo	Present
Guingona	Present	Tan	Present *
Jamir	Present	Tingson	Present
Laurel	Absent	Treñas	Present
Lerum	Present *	Uka	Present
Maambong	Present *	Villacorta	Present
Monsod	Present *		

The Constitutional Commission is in receipt of official advice of absence of Honorable Villegas.

The President is absent.

The roll call shows 29 Members responded to the call.

THE PRESIDING OFFICER (Mr. Rodrigo): The Chair declares the presence of a quorum.

The Assistant Floor Leader is recognized.

MR. CALDERON: Mr. Presiding Officer, I move that we dispense with the reading of the Journal of yesterday's session.

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

## APPROVAL OF JOURNAL

MR. CALDERON: Mr. Presiding Officer, I move that we approve the Journal of yesterday's session.

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

MR. CALDERON: Mr. Presiding Officer, I move that we proceed to the Reference of Business.

THE PRESIDING OFFICER (Mr. Rodrigo): 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 Presiding Officer making the corresponding references:*

## COMMUNICATIONS

Letter from Mr. Petronilo C. Joaquin of 39 Bagong Pook, San Pablo City, Laguna, suggesting, among others, that for the national colors, to change the navy blue to sky blue and then add another ray to the sun in our flag to give recognition and a feeling of belonging to our Muslim brothers.

(Communication No. 1006 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from Mr. Carlos Sobrevinas of the Manphil Investment Corporation, 5th Floor, Alco Building, 391 Sen. Gil Puyat Avenue Ext., Makati, Metro Manila, suggesting that the pertinent provisions of the Bill of Rights regarding nonpayment of debts be amended in the sense that, if the amount of the loan or debts is P500,000 or over, and the loan becomes sour or unpaid, as long as there are indications or evidences showing that there was collusion or connivance between the borrower and the lender, the offense should be classified as punishable by imprisonment and fine depending on the amount of the loan/debt.

(Communication No. 1007 — Constitutional Commission of 1986)

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

Letter from Mr. Marcelino W. Macapobre of Bato, Toledo City, Cebu, suggesting, among others, that barangay captains and barangay councilors be paid for their services to their respective barangays.

(Communication No. 1008 — Constitutional Commission of 1986)

To the Committee on Local Governments.

Letter from Mr. Ruben Soliman of Lopez, Quezon, proposing, among others, the following: (1) that the Constitution be written in Filipino or Tagalog; (2) that all 18-year old citizens be required to secure their cedula; (3) that those who cannot read and write should not be allowed to vote; and (4) to allow the U.S. bases to continue up to 1991.

(Communication No. 1009 — Constitutional Commission of 1986)

To the Steering Committee.

Communication from Mr. Felicisimo Tupas, Executive Secretary, Holy Name Society of the Philippines, Archdiocese of Ozamis, seeking inclusion in the Constitution of a provision that would include religion as a required subject in the elementary and high school and to say the invocation in every flag ceremony.

(Communication No. 1010 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Communication from Mr. Gregorio D. Guadalupe, transmitting Resolution No. 91 of the Sangguniang Panlalawigan of Iloilo, proposing to the Constitutional Commission the redistricting of the Province of Iloilo by increasing the congressional districts therein from five (5) to six (6) with an average population of 288,843.43 per district, based on the 1980 population of the Philippines.

(Communication No. 1011 — Constitutional Commission of 1986)

To the Committee on the Legislative.

MR. RAMA: Mr. Presiding Officer.

THE PRESIDING OFFICER (Mr. Rodrigo): The Floor Leader is recognized.

CONSIDERATION OF PROPOSED RESOLUTION NO. 542  
(Article on Family Rights)  
*Continuation*

PERIOD OF AMENDMENTS

MR. RAMA: I move that we continue consideration of the Article on Family Rights.

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

The members of the committee are requested to take the center table.

MR. RAMA: We are now in the period of amendments. May I ask the chairman and the members of the committee to please take their seats in front.

#### SUSPENSION OF SESSION

MR. RAMA: Mr. Presiding Officer, may I ask for a suspension of the session to allow those who wish to propose amendments to confer with the committee chairman?

THE PRESIDING OFFICER (Mr. Rodrigo): Is there any objection? (*Silence*) The Chair hears none; the session is suspended.

*It was 10:14 a.m.*

#### RESUMPTION OF SESSION

*At 10:36 a.m., the session was resumed.*

THE PRESIDING OFFICER (Mr. Rodrigo): The session is resumed.

MR. RAMA: Mr. Presiding Officer.

THE PRESIDING OFFICER (Mr. Rodrigo): The Floor Leader is recognized.

MR. RAMA: I ask that Commissioner Nieva, the committee chairman, be recognized.

THE PRESIDING OFFICER (Mr. Rodrigo): Commissioner Nieva is recognized.

MS. NIEVA: There are two possible formulations for Section 1 that the committee would be willing to accept.

The first is from Commissioner Davide that says: "THE STATE RECOGNIZES THE FILIPINO FAMILY AS THE FOUNDATION OF THE NATION. ACCORDINGLY IT SHALL STRENGTHEN ITS SOLIDARITY AND ACTIVELY PROMOTE ITS TOTAL DEVELOPMENT."

The alternative is the one presented by Commissioner Suarez: "THE STATE SHALL STRENGTHEN THE FAMILY AS A BASIC SOCIAL INSTITUTION AND SHALL PROMOTE AND PROTECT THE SOLIDARITY OF THE FAMILY."

I think the committee would agree to the Davide amendment which includes the Suarez amendment except for the additional phrase "PROMOTE ITS TOTAL DEVELOPMENT" which the committee would like to maintain.

So, the section would read: "THE STATE RECOGNIZES THE FILIPINO FAMILY AS THE