

**JOURNAL NO. 79**

Wednesday, September 10, 1986

CALL TO ORDER

At 9:52 a.m., the President of the Constitutional Commission, the Honorable Cecilia Muñoz Palma, called the session to order.

NATIONAL ANTHEM AND PRAYER

The National Anthem was sung followed by a prayer led by Mr. Napoleon G. Rama, to wit:

"Lord Almighty, Who are the first Lawmaker, Who fashioned the fundamental laws for nature and for man, which nature may not disobey — an insurgent atom could touch off a doomsday disaster — and which under Your scheme only man with his gift of free will may accept or not accept at his own risk, touch us with a spark of Your wisdom in the making of laws so that we may shape the' fundamental law of our land true to the aspirations of the people and the common good, and acceptable to them.

You wanted remembered and celebrated and acknowledged by all as special the event of Your decreeing the Ten Commandments as a milestone in the history of mankind. It wasn't with out a dash of drama. You sent Your servant Moses to Mt. Sinai before You handed him, amid thunder and lightning, the commandments inscribed in tablets of stone. Moses descended godlike from the summit, exploding in anger at an ungrateful, idolatrous people, smashing the tablets into small pieces — a scene the world will not likely forget. In a few weeks, we, too, will deliver the Constitutional commandments to the people.

To Moses who led Your people out of the land of tyranny to the edge of the' land of milk and honey, You gave the gift of leadership, wisdom, courage and anger. We need all of these gifts, Lord, and a little more. For our mission is wider, our responsibility greater, than that of Moses, as lawgiver.

Moses came down the mountain to decree upon the people the laws he did not write. Your Constitutional' Commissioners will come down the Batasang Pambansa to render upon our people the fundamental law that we ourselves have written.

This we ask through Christ, Your Son.

Amen."

## ROLL CALL

Upon direction of the Chair, the Secretary-General of the Commission called the Roll and the following Members responded:

Bengzon, J. F. S.	Quesada, M. L. M.
Bennagen, P. L.	Rama, N. G.
Rosario Braid, F.	Rigos, C. A.
De Castro, C. M.	Rodrigo, F. A.
Colayco, J. C.	Romulo, R. J.
Concepcion, R. R.	Sarmiento, R. V.
Davide, H. G.	Suarez, J. E.
Foz, V. B.	Sumulong, L. M.
Guingona, S. V.	Tadeo, J. S. L.
Jamir, A. M. K.	Tan, C.
Laurel, J. B.	Tingson, G. J.
Monsod, C. S.	Treñas, E. B.
Nieva, M. T. F.	Uka, L. L.
Padilla, A. B.	Villacorta, W. V.
Muñoz Palma, C.	Villegas, B. M.

With 30 Members present, the Chair declared the presence of a quorum.

The following Members appeared after the Roll Call:

A.M.

Abubakar, Y. R.	Gascon, J. L. M. C.
Alonto, A. D.	Lerum, E. R.
Aquino, F. S.	Maambong, R. E.
Azcuna, A. S.	Natividad, T. C.
Bacani T C.	Nolledo, J. N.
Bernas, J. G.	Ople, B. F.
Calderon, J. D.	Regalado, F. D.
Garcia, E. G.	De Los Reyes, R. F.

Mr. Rosales was sick.

## READING AND APPROVAL OF THE JOURNAL

On motion of Mr. Rama, there being no objection, the reading of the Journal of the previous session was dispensed with and the said Journal was approved by the Body.

## REFERENCE OF BUSINESS

On motion of Mr. Rama, there being no objection, the Body proceeded to the Reference of Business.

## REFERRAL TO COMMITTEES OF COMMUNICATIONS

Upon direction of the Chair, the Secretary General read the titles of the following Communications which were, in turn, referred by the Chair to the Committees hereunder indicated:

Communication No. 800 — Constitutional Commission of 1986

Letter from Ms. Felicidad Q. Lagarde, submitting Resolutions No. 24 and No. 25 of the Senior Citizens Association, Tacloban City Chapter, P. Paterno St., Tacloban City, seeking, respectively, inclusion in the Constitution of a provision on the right of the elderly poor and aging persons to enjoy their right to social and material relief, free medical services, old age financial grants and other related terminal services; and a provision on the right of the potential elderly persons with knowledge, skills, experience, and expertise, as reservoir of human resource, for involvement in cultural enrichment, social development, instead of being alienated, deprived, and downgraded

TO THE COMMITTEE ON SOCIAL JUSTICE

Communication No. 801 — Constitutional Commission of 1986

Letter from Mr. Maimpok N. Ongchangco, 17 Osmeña Industrial Valley Subdivision, Marikina, Metro Manila, expressing doubts whether the new Constitution will be ratified because of the inclusion of controversial and divisive issues

TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

Communication No. 802 — Constitutional Commission of 1986

Communication signed by twelve physicians from U.S.T. Hospital, expressing objection against the retention of the U.S. military bases in the Philippines

TO THE COMMITTEE ON PREAMBLE, NATIONAL TERRITORY AND DECLARATION OF PRINCIPLES

Communication No. 803 — Constitutional Commission of 1986

Telegram from BAYAB PCCC Kamkem ACT Ozamiz, requesting for redeliberation of a provision on national economy and urging the Constitutional Commission to adopt a nationalist constitution to protect Filipino business industries against foreign competition

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication No. 804 — Constitutional Commission of 1986

Communication from Rev. Homer A. Clavecilla of Union Theological Seminary, Palapala, Dasmariñas, Cavite, opposing vigorously the proposed compulsory religious instruction in public schools, supporting instead, the retention of the old constitutional provision on optional religious instruction

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 805 — Constitutional Commission of 1986

Letter from Ms. Amherstia Paez of the Institute of Public Health Student Council, University of the Philippines Manila, Ermita, Manila, containing specific recommendations for the proposed Article on Education, Science, Technology, Sports, Arts and Culture

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 806 — Constitutional Commission of 1986

Letter from Mrs. Ramona Rodriguez Tan, Associate Professor, University of the Philippines, and Mrs. Pura Tianco Badoy, President, PWU College of Education Alumnae Association, expressing support for a provision providing free and compulsory education up to the secondary level

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 807 — Constitutional Commission of 1986

Letter from Mr. Enrique L. Victoriano of 4427 Int. Old Sta. Mesa, Manila, submitting proposals which are believed to provide sufficient interpellations in the discussions to at least pave the way for modifications of the educational system by legislation

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 808 — Constitutional Commission of 1986

Communication from the Provincial Fiscal of Bohol, Enrique B Inting, Tagbilaran City, containing comments as well as recommendations on Section 3 of the proposed Article on the Bill of Rights

TO THE COMMITTEE ON CITIZENSHIP, BILL OF RIGHTS, POLITICAL RIGHTS AND OBLIGATIONS AND HUMAN RIGHTS

Communication No. 809 — Constitutional Commission of 1986

Letter from the Philippine Medical Association of Metropolitan Washington, D.C., Inc., 10210 Norton Road, Potomac, Maryland, U.S.A. signed by It's President, Dr. Cresenciano C. Lopez and fifteen (15) other officers and members, endorsing the resolution adopted by the Association of Philippine Physicians in America, Inc., seeking inclusion in the Constitution of a provision, that would allow a natural-born citizen of the Philippines who has lost his/her Philippine citizenship eligible to be transferee of private lands

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communications Nos. 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820 and 821 — Constitutional Commission of 1986

Communications urging the Constitutional Commission to incorporate in the Constitution the provision that the separation of the Church and the State shall be inviolable as embodied in the 1973 Constitution and as understood historically and jurisprudentially in the Philippines, each from the following:

1. Rev. Ruth Barnard  
Christian Rendezvous, San Jose Street  
Dumaguete City
2. Rev. Jose M. Artajo and one hundred one  
other signatories, Faith Tabernacle (Charismatic Center) Bayawan,  
Negros Oriental
3. Rev. Hermes Guiritan and thirty-six other  
signatories, Foursquare Gospel Church,  
Tiguib, Ayungon, Negros Oriental
4. Pasto Francis P. Anthony  
c/o Kabulusan Baptist Church  
Kabulusan, Pakil, Laguna
5. Rev. Dioscoro P. Sales  
Faith Island Mission, Inc.  
P.O. Box 2, Bais City  
Negros Oriental
6. Mr. Bonifacio Portugal, Jr. and three other  
signatories, Corpus Christi Community  
Foundation, Inc., P.O. Box AC-65, Quezon  
City
7. Rev. Ernie P. Lao  
Davao Baptist Church  
Araullo Street, Tionko Subdivision  
Davao City
8. Rev. Gideon B. Caselan and two hundred  
fifty-four other signatories, Lagao Alliance  
Church, Lagao, General Santos City
9. Mr. Efraim M. Tendero and two hundred  
forty-seven other signatories, Kamuning  
Bible Christian Fellowship, No. 4, 11th  
Jamboree, Kamuning, Quezon City
10. Ms. Antonia T. Corda and five hundred  
fifty-six other signatories, Phil. General  
Council of the Assemblies of God, P.O.  
Box 49, Valenzuela, Metro Manila
11. Mr. Edgar delos Santos and twenty-seven  
other signatories, First Kalinga Alliance  
Church, Bulanao, Tabuk, Kalinga-Apayao
12. Mr. William Su, Baptist Conference Church  
of Bacolod, P.O. Box 494, Bacolod City