

[VOL. I, July 18, 1986]

R.C.C. NO. 33

Friday, July 18, 1986

OPENING OF SESSION

At 9:36 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 Rustico F. de los Reyes, Jr.

Everybody remained standing for the Prayer.

PRAYER

MR. DE LOS REYES: Lord, we have here a gathering of women and men given the awesome task of writing a new constitution that will best serve the interests of our country now and in the years to come. We have had, so far, three Constitutions before, drafted by patriotic and brilliant Filipinos, who had invoked Your enlightenment and guidance. We are certain that they tried not to fail You and their people and that You had not denied them Your Divine Wisdom. But people are people, Almighty One, and their creations proved that only You are capable of perfection.

Our faith in You, Almighty Father, gives us the courage to hope that while perfection cannot be ours Your wisdom will enable us to approximate the perfect Constitution needed by our country.

Your wisdom is better than all the riches of the world. We pray that You cleanse our minds and hearts of greed and selfishness. Your wisdom is the wellspring of an insight that can only come from You. We pray that You open our minds to receive Your counsel.

Lord Almighty, the events of the recent past in our country have left bitterness and deep hate in many of our people. Purge these bitterness and hate from their hearts because as You have said, only those who are pure in heart can ever hope to receive You.

We cannot hope to accomplish anything without You, Great Architect of the universe, Creator of heaven and earth. We pray — HELP US and stay with us every

moment of the day and night that we spend in the performance of our sacred task. And when our work is done, Almighty One, breathe life into our new Constitution so that when we look back to this time, it will be not only with pride, but with profound gratitude to You who made it all possible.

We give Thee thanks, Almighty God, for all Your blessings. Amen.

ROLL CALL

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

THE SECRETARY-GENERAL, *reading*:

| | | | |
|---------------|----------|--------------|----------|
| Abubakar | Present* | Monsod | Present |
| Alonto | Present* | Natividad | Present* |
| Aquino | Present | Nieva | Present* |
| Azcuna | Present* | Nolledo | Present |
| Bacani | Present | Ople | Present* |
| Bengzon | Present | Padilla | Present |
| Bennagen | Present | Quesada | Present* |
| Bernas | Present | Rama | Present |
| Rosario Braid | Present | Regalado | Present |
| Brocka | Present* | Reyes de los | Present |
| Calderon | Present | Rigos | Present |
| Castro de | Present | Rodrigo | Present |
| Colayco | Present | Romulo | Present |
| Concepcion | Present | Rosales | Present |
| 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 | Present* | Treñas | Present |
| Lerum | Present* | Uka | Present |
| Maambong | Present* | Villacorta | Present |

Commissioner Villegas is on official mission.

The President is present.

The roll call shows 33 Members responded to the call.

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

MR. CALDERON: Madam President.

THE PRESIDENT: The Assistant Floor Leader is recognized.

MR. CALDERON: 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.

MR. CALDERON: Madam President, I move for the approval of the Journal of the previous session.

MR. DE LOS REYES: Madam President, just a slight correction on page 12, last paragraph.

THE PRESIDENT: Commissioner de los Reyes may proceed.

MR. DE LOS REYES: The sentence which starts with: "On Mr. de los Reyes' suggestion that instead of abolishing the death penalty through the Constitution" should be changed. Because I am one of the authors for the abolition of the death penalty, I propose to change the words "instead of" to HE IS FOR, so that the corrected sentence should read: 'On Mr. de los Reyes' suggestion that HE IS FOR abolishing the death penalty through the Constitution, there should be a provision to allow future legislatures . . ."

That is all.

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

Let the proper correction be made.

APPROVAL OF JOURNAL

MR. CALDERON: Madam President, I now move That we approve the Journal of the previous session, as corrected.

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 of references:

COMMUNICATIONS

Resolution of the Knight of Columbus Council 8134, Cotabato City, on the renegotiation and/or implementation of the Tripoli Agreement suggesting that

should any negotiation be held, it should be free from foreign intervention.

(Communication No. 228 — Constitutional Commission of 1986)

To the Committee on Local Governments.

Letter from Ms. Erna-Leah C. Orante of 9 Zone 5, Dayangdang, Naga City, suggesting provisions to stop the improper use of prime agricultural lands for residential, commercial and industrial purposes.

(Communication No. 229 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Letter from Mr. R.A.D. Baron of the United Christian Community Organization, UNICO, Manila, proposing a provision in the bill of rights on the right to bear arms.

(Communication No. 230 — Constitutional Commission of 1986)

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

Letter from the Integrated Bar of the Philippines signed by Mr. Vicente D. Millora, forwarding proposals of the Council for the Welfare of Children underscoring the need for principles or policies protecting the rights of children, youth and mothers.

(Communication No. 231 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

Letter from Mr. Jose L. Moya of 17 Sunset Drive, Horseshoe Village, Quezon City, enclosing a paper, entitled: "A Memorandum to the Constitutional Commission on the Essentials of Good Courts and Crime Prevention."

Communication No. 232 — Constitutional Commission of 1986)

To the Committee on the Judiciary.

Letter from the Honorable Commissioner Ponciano L. Bennagen, transmitting a resolution of the Mountain Province Agricultural Consultation for Con-Com to consider the indigenous Igorot concepts on land.

(Communication No. 233 — Constitutional Commission

To the Committee on General Provisions.

Communication from Mr. Fulgencio S. Factoran, Jr., Deputy Executive Secretary, transmitting a letter of Mr. Dodong Proculo Samson of 166 Palaw Hills, Larena, Siquijor, suggesting a provision designating the two-meter radius around the flagpole of municipal and city halls as a place where any citizen may denounce graft and corruption and be immune from arrest.

(Communication No. 234 — Constitutional Commission of 1986)

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

Letter from the Honorable Commissioner Ponciano L. Bennagen, transmitting resolutions from the National Association of Retirees, Bontoc, Mountain Province, proposing automatic increase of monthly pensions of retirees and the adoption of the jury system in our courts of law.

(Communication No. 235 — Constitutional Commission of 1986)

To the Committee on Social Justice.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

CONSIDERATION OF PROPOSED
RESOLUTION NO. 486
(Article on the Bill of Rights)
Continuation

PERIOD OF AMENDMENTS

MR. RAMA: Madam President, I move that we continue the consideration of Proposed Resolution No. 486.

We are still in the period of amendments.

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

The honorable Chairman and members of the Committee on Citizenship, Bill of Rights, Political Rights and Obligations and Human Rights are invited to come forward.

MR. RAMA: Madam President, I ask that the Chairman of the Steering Committee be recognized for some important information.

THE PRESIDENT: Commissioner Bengzon is recognized.

MR. BENGZON: Madam President, in the past, the Committee on the Executive submitted partial committee reports: namely, Committee Report Nos. 5, 6, 8, 9 and 11. The consolidated report of the Committee on the Executive has already been submitted; therefore, in order to avoid any confusion in the minds of the Commissioners and the cluttering of the calendar, I would like to move that these partial committee reports be taken out of the calendar because they are already included in the consolidated report. One partial committee report is also for the Committee on the General Provisions. Both Committees have already submitted their consolidated report.