

JOURNAL NO. 31

Wednesday, July 16, 1986

CALL TO ORDER

At 9:33 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:

Almighty God, there are those who call into question the value of a new Constitution as an instrument to change a system and reform society. There are those who scoff at what they believe the exaggerated importance attached to the appointive Constitutional Commission as a solver of the national problems.

So horrible and entrenched are the evils in our system and society that it ought to be obvious that it takes more than words and pious incantation of principles on a piece of paper, however elegantly strung together, to exorcise them.

Have we not perhaps, through our public hearings and press releases, set so lofty a goal, and thus set up the people for so crushing a letdown? Are we making a Constitution and building an illusion?

I was beginning, Lord, to have doubts myself about the soundness of the formula of constitution-making as an instrument of national reform and redemption. But I remember that You, too, had a formula for reforming man and saving mankind.

I recall, Lord, that when you decided to recreate man in Your image and recover for him his lost Eden, You sent Your only Son to this world. And the first thing He did was to revise the old laws of Moses and introduced new doctrines. He wrote a new Constitution, now known as the New Testament.

The New Testament, Your new Constitution bearing Your Son's words and ideas, transfigured, ennobled and saved man. Constitution-making was also Your procedure for bringing reform and salvation to mankind.

We ask You now, Lord, let this new Constitution that we are now writing in this hall be the New Testament for the Filipino.

Amen.

ROLL CALL

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

Aquino, F. S.	Nolledo, J. N.
Bacani, T. C.	Ople, B. F.
Bennagen, P. L.	Padilla, A. B.
Bernas, J. G.	Muñoz Palma, C.
Rosario Braid, F.	Quesada, M. L. M.
Calderon, J. D.	Rama, N. G.
De Castro, C. M.	Regalado, F. D.
Concepcion, R. R.	De los Reyes, R. F.
Davide, H. G.	Rigos, G. A.
Foz, V. B.	Rodrigo, F. A.
Gascon, J. L. M. C.	Romulo, R. J.
Guingona, S. V. C.	Rosales, D. R.
Jamir, A. M. K.	Sarmiento, R. V.
Laurel, J. B.	Sumulong, L. M.
Maambong, R. E.	Tan, C.
Monsod, C. S.	Treñas, E. B.
Natividad, T. C.	Uka, L. L.
Nieva, M. T. F.	Villacorta, W. V.

With 36 Members present, the Chair declared the presence of a quorum.

The following Members appeared after the Roll Call:

Abubakar, Y. R.	Colayco, J. C.
Alonto, A. D.	Garcia, E. G.
Azcuna, A. S.	Lerum, E. R.
Bengzon, J. F. S.	Suarez, J. E.
Brocka, L. O.	Tadeo, J. S. L.

Mr. Villegas was on official mission.

Mr. Tingson officially notified the Constitutional Commission, through the Secretariat, of his absence.

READING AND APPROVAL OF THE JOURNAL

On motion of Mr. Calderon, 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, with the correction, at the instance of Mr. de los Reyes on page 263, column 2, paragraph 3, line 1, to change the word "normal" to USUAL.

REFERENCE OF BUSINESS

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

REFERRAL TO COMMITTEES OF RESOLUTIONS

Upon direction of the Chair, the Secretary-General of the Commission read, on First Reading, the titles of the following proposed Resolutions which were, in turn, referred by the Chair to the Committees hereunder indicated:

Proposed Resolution No. 524, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A
PROVISION ON THE RIGHTS AND ROLE OF PEOPLE'S ORGANIZATIONS

Introduced by Honorable Garcia

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

Proposed Resolution No. 525, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A
PROVISION ON THE RIGHT OF ALL CITIZENS TO DECENT SHELTER

Introduced by Honorable Garcia

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

Proposed Resolution No. 526, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION AN ARTICLE
FOR THE SYNCHRONIZATION OF NATIONAL ELECTIONS

Introduced by Honorable Guingona

TO THE COMMITTEE ON CONSTITUTIONAL COMMISSIONS AND
AGENCIES

Proposed Resolution No. 527, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION AN ARTICLE PROVIDING FOR NATIONAL/LOCAL ELECTIONS IN 1987

Introduced by Honorable Guingona

TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

Proposed Resolution No. 528, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION AN ARTICLE TO RESTRICT INSTANCES WHEN THE STATE MAY ENGAGE IN BUSINESS ENDEAVORS

Introduced by Honorable Guingona

TO THE COMMITTEE ON NATIONAL ECONOMY AND PATRIMONY

Proposed Resolution No. 529, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION AN ARTICLE ON THE RATIFICATION OF THE DRAFT CONSTITUTION

Introduced by Honorable Guingona

TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

COMMUNICATIONS

Communication No. 204 — Constitutional Commission of 1986

Letter from the Philippine Chamber of Health signed by Dr. Eduardo R. de la Cruz, proposing provisions on health in the preamble, declaration of principles and state policies, bill of rights, and general provisions

TO THE COMMITTEE ON SOCIAL JUSTICE

Communication No. 205 — Constitutional Commission of 1986

Letter from Deputy Minister Carmelo C. Noriel, Ministry of Labor and Employment, submitting the position paper of the Ministry on the subjects of profit-sharing, workers' participation in decision-making and compulsory arbitration

TO THE COMMITTEE ON SOCIAL JUSTICE

Communication No. 206 — Constitutional Commission of 1986

Letter from the Honorable Commissioner Ahmad Domocao Alonto; transmitting Special Resolution No. 6-27, series of 1986, of Daaron Nadwatol Islamia, petitioning the Commission to include the rights of the Muslims of Southern Philippines for an autonomous government

TO THE COMMITTEE ON LOCAL GOVERNMENTS

Communication No. 207 — Constitutional Commission of 1986

Communication from Mr. Willie B. Dazo of 14 Don Matias Street, Don Antonio Heights, Quezon City, proposing the inclusion of a provision on the right to bear arms

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

Communication No. 208 — Constitutional Commission of 1986

Letter from Campaign for a Sovereign Philippines signed by Ms. Ma. Socorro I. Diokno, Ms. Loretta Ann P. Rosales, Messrs. Butch Abad and Efren C. Moncupa, and Rev. Elmo Gideon Manapat, calling for a ban from Philippine soil of all military bases and nuclear weapons and power plants

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 209 — Constitutional Commission of 1986

Letter from Mr. Jose Mari C. Gonzales, Officer-in-Charge, Bureau of Broadcasts, Ministry of Information, proposing the inclusion of a provision on the right to bear arms

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

Communication No. 210 — Constitutional Commission of 1986

Letter from Ms. Delia Rarela-Barcelona for the Association for Non-Traditional Education, recommending the consideration of the need for alternative learning systems, along the lines of non-traditional education

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 211 — Constitutional Commission of 1986

Letter from TransProResources Corporation signed by Rene S. Santiago, proposing a general provision for a balanced budget

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 212 — Constitutional Commission of 1986

Letter from General Fidel V. Ramos, Chief of Staff, Armed Forces of the Philippines, submitting the NAFP position on the Constitution

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 213 — Constitutional Commission of 1986

Letter from Ms. Lily A. Rubio of the Ministry of Information, NCR, endorsing a proposal of Mr. Federico R. Co of Anahaw Street, Project 7, Quezon City, for the grant of old age pension to 70 years old and above citizens