

# [ VOL. IV, August 28, 1986 ]

## R.C.C. NO. 68

Thursday, August 28, 1986

### OPENING OF SESSION

*At 10:12 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 Cirilo A. Rigos.

*Everybody remained standing for the Prayer.*

### PRAYER

REV. RIGOS: Most merciful God, in whom we have our being, we thank Thee for the beauty of Thy presence in our midst. As we face the challenges of this day, take away the fear and suspicions in our hearts, the self-righteousness in our souls, the pride in our intellect. Make us sensitive to the leading of Thy Spirit, that we may be humble in times of victory, and honorable in times of defeat.

May our work today be an investment unto eternity, and may it contribute to the rebuilding of this nation we all love so dearly.

Grant us the grace to rise beyond the tumults of our age, and always to put our trust in Thee.

In Jesus' name we pray. Amen.

### ROLL CALL

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

THE SECRETARY-GENERAL, reading:

Abubakar	Present *	Natividad	Present *
Alonto	Present *	Nieva	Present
Aquino	Present *	Nolledo	Present

Azcuna	Present *	Ople	Absent
Bacani	Present *	Padilla	Present
Bengzon	Present *	Quesada	Present *
Bennagen	Present *	Rama	Present
Bernas	Present *	Regalado	Present
Rosario Braid	Present	Reyes de los	Present
Brocka	Absent	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	Present	Tan	Present
Guingona	Present	Tingson	Present *
Jamir	Present	Treñas	Absent
Laurel	Present *	Uka	Present
Lerum	Present *	Villacorta	Present *
Maambong	Present *	Villegas	Present
Monsod	Present		

The President is present.

The roll call shows 26 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 yesterday's session.

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

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

MR. DE LOS REYES: Madam President.

THE PRESIDENT: Commissioner de los Reyes is recognized.

MR. DE LOS REYES: Just a minor correction. On the last paragraph of page 20, it states: "Commenting on the statements of Mr. Bernas, Mr. de los Reyes stated that

rebellion is not a complex crime." The phrase should read: "rebellion CANNOT BE COMPLEXED WITH ANOTHER CRIME."

THE PRESIDENT: Will Commissioner de los Reyes please repeat that.

MR. DE LOS REYES: The sentence should read: "Commenting on the statements of Mr. Bernas, Mr. de los Reyes stated that rebellion CANNOT BE COMPLEXED WITH ANOTHER CRIME."

Thank you, Madam President.

THE PRESIDENT: Is there any objection? (Silence) The Chair hears none; let the proper correction be made.

MR. REGALADO: Madam President.

THE PRESIDENT: Commissioner Regalado is recognized.

MR. REGALADO: May I also ask for a correction on page 21, the second paragraph. It says: "Mr. Regalado expressed support for Mr. de los Reyes' observations stating that in the cases of People vs. Geronimo and People vs. Taruc, it was held that any other offense committed by the rebels NOT in furtherance of the rebellion." The word "NOT" has been omitted.

THE PRESIDENT: Is there any objection? (Silence) The Chair hears none; let the proper correction be made.

MR. REGALADO: Thank you, Madam President.

#### APPROVAL OF JOURNAL

THE PRESIDENT: Is there any objection? (Silence) The Chair hears none; the Journal of yesterday's session 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

Communication from the Cooperative Union of the Philippines, Inc., Room 400-G N. de la Merced (Delta) Bldg., West Avenue, Quezon City, signed by Mr. Vicente Arroyo Martires, Legal and Management Counsel, ASEAN Cooperative Organization,

submitting a copy of the Resolution of the First National Cooperative Congress and the communication to President Muñoz Palma, requesting the Constitutional Commission to consider the inclusion in the Constitution of a state policy on cooperatives.

(Communication No. 635 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Communication from Mr. Elias Q. Tan of 309-G Tres de Abril, Victor Village, Cebu City, urging inclusion in the Constitution of a provision that shall promote the establishment of open economy or special economic zones in selected areas, prototypes of which may be set up by the private sector at no cost or liability to the State, and towards this end, the State shall ensure their full development as self-reliant communities enjoying a high degree of autonomy.

(Communication No. 636 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Letter from Mr. Jorge de Ramos, President, Student Council of Asian Theological Seminary, 54 Scout Madriñan, Quezon City, suggesting a provision on "the inviolability of the separation of the Church and State."

(Communication No. 637 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from the teachers and personnel (62 signatories) of Claret School of Zamboanga, urging the Constitutional Commission to consider the following: (1) the Filipino child's right to education and corresponding duty of the State to provide for the same; (2) reorientation of the Philippine educational system; (3) enlightenment — the ultimate role of education; and (4) no distinction or discrimination between privately owned or public schools.

(Communication No. 638 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Communication from Ms. Rosalinda V. Tirona, Ambassador to India, transmitting copies of UN documents relating to the "Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Relief," which might be useful in the work of the Constitutional Commission.

(Communication No. 639 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication from Ms. Agustina B. Carrasco, President, Senior Citizens of the Philippines, Vinzons, Camarines Norte, suggesting to include in the Constitution a provision for the upliftment of the senior citizens of the Philippines.

(Communication No. 640 — Constitutional Commission of 1986)

To the Committee on Social Justice.

Communication from Mr. Julio P. Macuja, Secretary-General, Lakas ng Kabataang Pilipino (LKP), and 16 others, proposing an Article on Education, Science, Technology, Sports, Arts and Culture for consideration by the Constitutional Commission.

(Communication No. 641 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Communication from the Katipunang Manggagawang Pilipino TUCP Training Center, TUCP-PGEA Compound, Diliman, Quezon City, signed by former MP Jeremias U. Montemayor, containing negative reactions elicited among peasant and labor groups to the draft article on social justice and hope that the defects perceived therein may be corrected.

(Communication No. 642 — Constitutional Commission of 1986)

To the Committee on Social Justice.

Communication from 1,748 concerned citizens of Negros Occidental, declaring and manifesting their adherence to democracy and to the tenets and principles of the democratic form of government, and repudiating communism in all its forms and implications, and at the same time favoring the retention of the U.S. Military and Naval Bases in the Philippines for a reasonable period.

(Communication No. 643 — Constitutional Commission of 1986)

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

Communication from Ms. Ester B. Sy-Quimsiam, Deputy Executive Director and Officer-in-Charge, Commission on Population, MSSD, Welfareville Compound, Mandaluyong, Metro Manila, and 2,260 other signatories coming mostly from the NCR and parts of the Ilocos region, seeking amendment to Section 8 of the proposed Article on General Provisions.

(Communication No. 644 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication from the Central Visayas Ecumenical Fellowship, 49 Mabini St., Cebu City, signed by the Chairperson of its Executive Committee, Rev. Maxwell Codillo, UCCP, and 868 other signatories, expressing opposition to Proposed Resolution No. 289, entitled: "Resolution providing in the new Constitution the teaching of religion in public elementary and secondary schools under certain conditions."

(Communication No. 645 — Constitutional Commission of 1986)

To the Committee on Human Resources.