

[VOL. III, August 13, 1986]

R.C.C. NO. 55

Wednesday, August 13, 1986

OPENING OF SESSION

At 9:43 a.m., the Vice-President, the Honorable Ambrosio B. Padilla, opened the session.

THE VICE-PRESIDENT: The session is called to order.

NATIONAL ANTHEM

THE VICE-PRESIDENT: Everybody will please rise to sing the National Anthem.

Everybody rose to sing the National Anthem.

THE VICE-PRESIDENT: Everybody will please remain standing for the Prayer to be led by the Honorable Vicente B. Foz.

Everybody remained standing for the Prayer.

PRAYER

MR. FOZ: Almighty God, give us the light to write a Constitution the people will know and like, neither too long nor too short but good for them. Give us the strength to carry on with humility though often we get carried away when we push our ideas too hard, and say words we do not really mean but hurt our fellow workers. Give us the time to reflect even as we rush our work to meet some crazy deadline, mindful that more than stringing together words and phrases, we write history and bind our people; that is, if they accept it. But Lord, please make them do. Amen.

ROLL CALL

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

THE SECRETARY-GENERAL, *reading*:

Abubakar	Present [*]	Natividad	Present [*]
Alonto	Present [*]	Nieva	Absent
Aquino	Present	Nolledo	Present [*]
Azcuna	Present	Ople	Present
Bacani	Present	Padilla	Present
Bengzon	Present	Quesada	Present
Bennagen	Present [*]	Rama	Present
Bernas	Present	Regalado	Absent
Rosario Braid	Present	Reyes de los	Present [*]
Brocka	Present	Rigos	Present

Calderon	Present	Rodrigo	Present
Castro de	Present	Romulo	Present
Colayco	Present	Rosales	Present
Concepcion	Present	Sarmiento	Present*
Davide	Present	Suarez	Present
Foz	Present	Sumulong	Present
Garcia	Present*	Tadeo	Present
Gascon	Present	Tan	Present*
Guingona	Absent	Tingson	Present
Jamir	Present	Treñas	Present
Laurel	Present	Uka	Present
Lerum	Present*	Villacorta	Present
Maambong	Present*	Villegas	Present
Monsod	Present		

The President is absent.

The roll call shows 33 Members responded to the call.

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

Before calling on the Assistant Floor Leader, we wish to acknowledge the presence of a group of students from St. Scholastica's College, Manila and St. Bridget's College, Batangas.

The Assistant Floor Leader is recognized.

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

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

APPROVAL OF JOURNAL

MR. CALDERON: Mr. Vice-President, I move that we approve the Journal of the previous session.

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

MR. CALDERON: Mr. Vice-President, I move that we proceed to the Reference of Business.

THE VICE-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 and Committee Report, the Vice-President making the corresponding references:

COMMUNICATIONS

Communication from Mr. Jose C. Laureta of 105 Paseo de Roxas, Makati, Metro Manila, recommending that Section (7) 2 of Proposed Resolution No. 531 be deleted, and that the question whether the advertising industry should be nationalized be deferred and be left for determination by the legislative body.

(Communication No. 528 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from Mr. Emilio Y. Hilado, Jr. of P.O. Box 199, Bacolod City, suggesting among others the following: (1) that each provision as finally passed by the Committee be published in full in the major daily newspapers; (2) that provincial governors and municipal mayors be encouraged to conduct public hearings on each provision as approved by the Committee; and (3) publish each provision as it is finally passed by the Constitutional Commission.

(Communication No. 529 — Constitutional Commission of 1986)

To the Steering Committee.

One hundred forty-one letters from students in Silang, Cavite, all seeking to include in the Constitution the following proposals: (1) a No-U.S. Military Bases Agreement; (2) an anti-nuclear power plant; (3) the promotion of Philippine sovereignty over our natural resources; and (4) a No-U.S. or any foreign intervention on Philippine affairs.

(Communication No. 530 — Constitutional Commission of 1986)

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

Communication from the Philippine Social Science Council, Inc., Don M. Marcos Avenue, U.P., Diliman, Quezon City, signed by its Chairman, Carolina G. Hernandez, and thirteen other officers and members, endorsing favorably the proposal to grant regional autonomy to areas and populations with common historical, geographical, cultural, linguistic and ethnic characteristics.

(Communication No. 531 — Constitutional Commission of 1986)

To the Committee on Local Governments.

Letter from Ricardo Cardinal Vidal, Archbishop of Cebu, expressing his deep esteem and appreciation for the sacred task of writing a Constitution for the country, enclosing therewith a copy of the 1979 Pastoral Letter of the Philippine Hierarchy on the Life of the Unborn Child, which may be of help in the deliberations of the Constitutional Commission.

(Communication No. 532 — Constitutional Commission of 1986)

To the Steering Committee.

Position Paper of Siguion Reyna, Montecillo and Ongsiako containing the following: (1) Advertising agencies are not mass media; (2) No public policy is offended by the

non-nationalization of advertising agencies; (3) Foreign owners have nothing to do with the content of advertisement and, hence, do not impose their own culture on us; (4) The existing constitutional provision on mass media is adequate to promote the purpose envisioned by the proposal; and (5) The nationalization of advertising agencies is best left to the wisdom of a legislature, which positions have been adequately discussed therein.

(Communication No. 533 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication signed by Mr. Jorge Pelayo Albayda of 15 Moreño Street, Kabankalan, Negros Occidental, and one hundred ninety other signatories seeking the retention of the U.S. military bases in the Philippines even after the expiry date, saying that the presence of these bases is a boon to our economy, aside from providing security for the Philippines and Southeast Asia.

(Communication No. 534 — Constitutional Commission of 1986)

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

Communication from the Cordillera People's Alliance transmitting a resolution signed by three thousand eight hundred thirty-six (3,836) people, seeking a constitutional provision that would grant a regional autonomous government in the Cordillera.

(Communication No. 535 — Constitutional Commission of 1986)

To the Committee on Local Governments.

Letter from Mr. Ramon R. Leuterio of 105 P. Cruz Street, Mandaluyong, Metro Manila, urging the Constitutional Commission not to include in the Constitution controversial issues such as the U.S. military bases, abortion, nuclear-free Philippines, and expressing apprehension that the Constitution might be rejected if these are included.

(Communication No. 536 — Constitutional Commission of 1986)

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

Letter from Mr. Catalino P. Arafles, President, Philippine Meteorological Society, 1424 Quezon Avenue, Quezon City, conveying full support to the resolution incorporating in the Constitution an Article on Education, Science, Technology, Sports, Arts and Culture.

(Communication No. 537 — Constitutional Commission of 1986)

To the Committee on Human Resources.

COMMITTEE REPORT

Committee Report No. 37 on Proposed Resolution No. 539, prepared by the Committee on Constitutional Commissions and Agencies, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION THE
PROVISIONS ON THE COMMISSION ON HUMAN RIGHTS,

recommending its approval in substitution of Proposed Resolution No. 365.

Sponsored by Hon. Foz, Rigos, Abubakar, Concepcion, de Castro, Jamir, Monsod, Nieva, Regalado, de los Reyes, Jr., Rodrigo, Villegas, Garcia and Sarmiento.

To the Steering Committee.

THE VICE-PRESIDENT: The Floor Leader is recognized.

CONSIDERATION OF PROPOSED RESOLUTION NO. 534
(Article on Social Justice)
Continuation

PERIOD OF AMENDMENTS

MR. RAMA: Mr. Vice-President, I move that we continue the consideration on Second Reading of the Article on Social Justice. This is Proposed Resolution No. 534. There would be some reservations for the sake of clarification which will be stated by Commissioner Monsod.

THE VICE-PRESIDENT: Is there any objection to the motion of the Floor Leader? *(Silence)* The Chair hears none; the motion is approved.

MR. MONSOD: Mr. Vice-President.

MR. RAMA: May I ask that Commissioner Monsod be recognized?

THE VICE-PRESIDENT: Commissioner Monsod is recognized.

MR. MONSOD: Mr. Vice-President, there are two clarificatory refinements or modifications in the Social Justice's report to convey the intent of the Committee and the body. The first one is on page 2 of Proposed Resolution No. 534, as amended. I think this was distributed yesterday. The second paragraph of page 2 states: "The State shall promote the principle of shared responsibility between workers and employers and the preferential use of voluntary modes in settling disputes including conciliation." The modification is on the following words: instead of the words "and the enforcement of," it should read AND SHALL ENFORCE. So, the refinement is a substitution of the phrase "and the enforcement of" by the words AND SHALL ENFORCE.

THE VICE-PRESIDENT: Is there any objection to the proposed substitution? *(Silence)* The Chair hears none; the amendment is approved.

MR. MONSOD: The second one is on page 4, on urban land reform and housing, second to the last sentence of Section 9, where it says "It shall provide (promote)." I have discussed this with the proponent of the amendment, Commissioner Davide, and the word should be PROMOTE and not "provide" because the State shall not provide the employment opportunities but shall promote employment opportunities.

THE VICE-PRESIDENT: Is there any objection to the proposed substitution of the word "provide" for PROMOTE?

MR. MONSOD: PROMOTE instead of "provide," Mr. Vice-President.

THE VICE-PRESIDENT: Yes, PROMOTE instead of "provide."

Is there any objection? *(Silence)* The Chair hears none; the amendment is approved.