

[VOL. II, August 05, 1986]

R.C.C. NO. 48

Tuesday, August 5, 1986

OPENING OF SESSION

At 9:48 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 Teodoro C. Bacani.

Everybody remained standing for the Prayer.

PRAYER

BISHOP BACANI: Father, for more than two months now we have been working at our appointed task of formulating a Constitution that will be truly responsive to the Filipino people. Often now we feel weariness, a perhaps, on occasions, discouragement.

Father, give us renewed strength. Continue to pour down Your light upon us; continue to fill our hearts with love and concern for our brethren, especially the less privileged; and continue to give us strength of body and soul, so that with unflagging zeal we may continue the task that You have given us and that what You have begun so marvelously in us may be accomplished by You through us.

This we ask You through Christ our Lord. Amen.

ROLL CALL

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

THE SECRETARY-GENERAL, *reading*:

Abubakar	Present *	Bengzon	Present *
Alonto	Present *	Bennagen	Present
Aquino	Present *	Bernas	Present
Azcuna	Present *	Rosario Braid	Present
Bacani	Present	Brocka	Present
Calderon	Present	Quesada	Present

Castro de	Present	Rama	Present
Colayco	Present *	Regalado	Present
Concepcion	Present	Reyes de los	Present
Davide	Present	Rigos	Present
Foz	Present	Rodrigo	Present
Garcia	Present	Romulo	Present
Gascon	Present	Rosales	Present
Guingona	Present	Sarmiento	Present
Jamir	Present	Suarez	Present
Laurel	Present	Sumulong	Present
Lerum	Present	Tadeo	Present
Maambong	Present	Tan	Present
Monsod	Present	Tingson	Present
Natividad	Present *	Treñas	Present
Nieva	Present	Uka	Present
Nolledo	Present *	Villacorta	Present
Ople	Present *	Villegas	Present
Padilla	Present		

The President is present.

The roll call shows 39 Members responded to the call.

THE PRESIDENT: The Chair declares the presence of quorum.

MR. CALDERON: Madam President, 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.

APPROVAL OF JOURNAL

MR. CALDERON: Madam President, I move that we approve 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 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

Letter from Mr. Oscar N. Rivera of Zobel Street, San Miguel Village, Makati, suggesting that the issue of United States military bases in the Philippines be treated as a separate proposal independent of the main Constitution when the Constitution is presented to the people for ratification.

(Communication No. 442 — Constitutional Commission of 1986)

To the Committee on Amendments and Transitory Provisions

Letter from Fr. Raymundo Hilot of the Episcopal Commission on Tribal Filipinos, 372 Cabildo Street, Intramuros, Manila, submitting a resolution adopted by the 5th SILDAP-SIDLAKAN General Assembly, seeking inclusion in the Constitution of provisions on the national tribal Filipinos' right to self-determination.

(Communication No. 443 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication from Sheikh Ahmad Bashier, Chairman of the Bangsa Moro Multi-Sectoral Conference, submitting proposals on autonomous governments and autonomy for the Bangsa Moro nation as special constitutional provisions.

(Communication No. 444 — Constitutional Commission of 1986)

To the Committee on Local Governments.

Letter from Mr. Fred C. Whiting, President, The American Chamber of Commerce of the Philippines, Inc., P.O. Box 1578 MCC, Makati, Metro Manila, expressing the opinion that proposed resolutions before the Constitutional Commission regarding foreign participation in franchised utilities in the Philippines would be counter-productive to the government's goal of making the business climate attractive to foreign investment, urging therefor a very serious consideration of the negative effects that may well result from altering the present 60/40 ratio of participation

(Communication No. 445 — Constitutional Commission

To the Committee on the National Economy and Patrimony.

Letter from Ms. Remedios C. Galsim and five others of the Concerned Citizens Council, B.F. Homes, Parañaque, Metro Manila, suggesting inclusion in the Article on Social Justice in the Constitution, the definition and principles of "just wage" and "labor has priority over capital."

(Communication No. 446 — Constitutional Commission of 1986)

To the Committee on Social Justice.

Letter from Mr. Elviro P. Lagrana of Pulupandan, Negros Occidental, submitting a position paper for the retention of U.S. military bases in the Philippines until such time as we attain economic strength capable of developing our land, air and naval

defenses against external attack.

(Communication No. 447 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from Mr. Delfin R. Manlapaz of 1707 E. Rodriguez, Sr. Blvd., Cubao, Quezon City, Metro Manila submitting proposed amendments to "Resolution to Incorporate in the New Constitution an Article on Education, Science and Technology, Sports, Arts, and Culture" (Committee Report No. 29).

(Communication No. 448 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Communication from the Tribal Filipino Apostolate, Diocesan Pastoral Services, Sacred Heart Convent, Zamora Street, Butuan City, signed by Mr. Erric Rico and forty-one others, urging the Constitutional Commission to consider the following proposals: (1) that the Lumads be given the right to own/utilize their ancestral domain; (2) that the Lumads be given the right to self-determination; (3) that the Lumad culture be honored and respected; (4) that a government agency motivated to serve the Lumads and the rest of the minority peoples be created; and (5) that government services be made available to the Lumads.

(Communication No. 449 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letters from Mr. Bienvenido A. Castillo of 50 McKinley, Pulilan, Bulacan, suggesting the following prohibiting election officials from acting as sponsors in weddings or baptism to do away with the padrino system; congressional approval of the declaration of martial law, suspension of the writ of habeas corpus and foreign borrowings; prohibiting members of the Cabinet from holding other government offices; prohibiting the President to grant reprieves, commutations and pardons; trial by jury, among others; opposing the creation of autonomous governments of Cordillera and Mindanao; opposing land reform, saying that it is outright landgrabbing and a political gimmick of the past regime, and opposing the discussion of the U.S. military bases issue at this time as it is delaying the country's economic recovery.

(Communication No. 450 — Constitutional Commission of 1986)

To the Steering Committee.

Letter from Mr. Briccio T. Aguilos, Jr., Provincial Attorney of Leyte, submitting, upon direction of the Sangguniang Panlalawigan of said province, proposals on local government autonomy.

(Communication No. 451 — Constitutional Commission of 1986)

To the Committee on Local Governments.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

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

PERIOD OF AMENDMENTS

MR. RAMA: On the agenda this morning, we still have the continuation of the consideration of the Article on Social Justice. We have just finished the period of sponsorship and debate. The last interpellator spoke at the end of the session yesterday. So, I move that we close the period of sponsorship and debate on the Article on Social Justice.

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

MR. RAMA: I move that we proceed to the period of amendments.

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

The body is now open to consider amendments. We are requesting the different proponents to submit their proposed amendments to the Committee.

SUSPENSION OF SESSION

THE PRESIDENT: To give the Committee time to deliberate on the amendments and to enable its members to express their reactions thereto, the Chair suspends the session for a few minutes.

MR. RAMA: Thank you, Madam President.

It was 9:59 a.m.

RESUMPTION OF SESSION

At 10:17 a.m., the session was resumed.

THE PRESIDENT: The session is resumed.

MR. SARMIENTO: Madam President.

THE PRESIDENT: The Acting Floor Leader is recognized.

MR. SARMIENTO: After conferring with the members of the Committee and the proponents of various amendments, I would like to announce that this will be our procedure this morning. First, the proponents will present their amendments. Should there be a clarification, the members of the Committee will give their