

[VOL. IV, September 01, 1986]

R.C.C. NO. 71

Monday, September 1, 1986

OPENING OF SESSION

At 9:56 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 Blas F. Ople.

Everybody remained standing for the Prayer.

PRAYER

MR. OPLE: God Almighty, it was by Your will that 48 men and women from diverse origins and backgrounds were brought together here to frame a Constitution for the Filipino people.

Outside these halls, we have often been criticized for having been appointed, not elected, as though, lacking the grace of a popular mandate, we are not worthy of this exalted task. And yet this is only one way of saying that not being elected, we cannot be independent. We believe this Commission, with Your Divine Grace, has boldly met the test of independence, the sole guide for our actions being our respective consciences.

You did not intend or program us to think alike, for that would be an abomination of intellectual freedom and of the plurality of ideas essential in a democracy. God, forbid that there should ever come the day when there will be a compulsory leveling of thought to one uniform mass to suit a one-party State in our beloved country.

Therefore, we, as individual Commissioners, have exercised on this floor and in the committees, our independence of thought and action. In the process, there are clashes of ideas that often test the patience of friends and strain the bonds of courtesy and civility, but they also prove the vitality of freedom on this floor. Perhaps no better proof than this exists to show that we are being faithful to our individual mandates in drafting the highest covenant for our people.

And yet it is possible, Lord, that in thus engaging ourselves in a clash of ideas and in wearing the warrior's plumes we fall into the occasional error of vanity and pride, forgetting that it is the meek who shall inherit the earth. Teach us then, O Lord, to

be brave and humble in our hearts; teach us to be tolerant of adversaries; teach us the grace of conquering through love and humility.

And, finally, guide us, Lord, as we brace for the final chapter in the brief but epic labors of drafting a Constitution for our people and their posterity. 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
Calderon	Present	Rigos	Present
Castro de	Present	Rodrigo	Present
Colayco	Present	Romulo	Present
Concepcion	Present	Rosales	Absent
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	Absent
Lerum	Present *	Uka	Present
Maambong	Present	Villacorta	Present
Monsod	Present	Villegas	Present

The President is present.

The roll call shows 34 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 that we approve the Journal of the previous session.

MR. GUINGONA: Madam President, before we approve the Journal of the previous session, may I be allowed to insert some corrections on page 25?

THE PRESIDENT: The Commissioner may proceed.

MR. GUINGONA: On page 25, line 3, change the first word "promptly" to "MIGHT" and between the figure "30%" and the word "with," insert the words "FOR SALARIES, BONUSES, ALLOWANCES, ETC., OF TRUSTEES AND RANKING ADMINISTRATION OFFICIALS."

Finally, Madam President, on line 5, between the comma (,) after the figure "10%" and the word "allot," insert the word "MIGHT."

Thank you, Madam President.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the proposed corrections are directed to be made.

MR. OPLE: Madam President.

THE PRESIDENT: Commissioner Ople is recognized.

MR. OPLE: There is a precedent-setting character to the intervention by Commissioner Guingona in terms of correcting the Journal on the floor. There was a prior agreement that to save time those Commissioners who wanted to make their respective corrections based on what was actually said could do this by making representations to the President and to the Secretariat.

THE PRESIDENT: We have followed that; only I was surprised by Commissioner Guingona when he made the corrections on two occasions on the floor.

MR. OPLE: Thank you for that clarification, Madam President.

APPROVAL OF JOURNAL

THE PRESIDENT: Is there any objection that we approve the Journal of the previous session? (*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

Communication from the faculty and staff of the Faith Bible Institute, P.O. Box 88, Laoag City, Ilocos Norte, urging the Constitutional Commission to incorporate in the Constitution the provision that the separation of the Church and the State shall be inviolable as embodied in the 1973 Constitution and as understood historically and jurisprudentially in the Philippines.

(Communication No. 675 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from Mr. Fred M. Magbanua, Jr. and three other officers of the Christian Leaders Alliance of the Philippines, P.O. Box 1, Valenzuela, Metro Manila, endorsing the position paper on religious instructions in public schools presented by Mr. Isabelo F. Magalit of the Konsiyensiya ng Febrero Siete (KONFES), recommending that the provision of the 1973 Constitution be retained and incorporated in the new Constitution.

(Communication No. 676 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Letter from Mr. Ben T. Porcadilla of the General Baptist Church of the Philippines, Inc., Bolcan St., Agdao, Davao City, urging the Constitutional Commission to incorporate in the new Constitution that the separation of the Church and the State shall be inviolable as embodied in the 1973 Constitution and as understood historically and jurisprudentially in the Philippines.

(Communication No. 677 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication from Mr. Pedro Zorilla, transmitting Resolution No. 130 of the Sangguniang Panlungsod of Dipolog City, proposing the creation of a new region to be composed of the Provinces of Zamboanga del Norte, Misamis Occidental, Zamboanga del Sur, the Cities of Dipolog, Dapitan, Oroquieta, Ozamiz, Tangub and Pagadian.

(Communication No. 678 — Constitutional Commission of 1986)

To the Committee on the Legislative.

Communication from former MP Rogelio M. Sarmiento, Sarmiento Bldg., No. 2, Pasong Tamo Ext., Makati, Metro Manila, suggesting that the Constitutional Commission of 1986 should provide that in the event the new Constitution is repudiated during the incoming referendum, President Corazon C. Aquino should choose between the 1935 or the 1973 Constitution as the functioning constitution which we shall follow and uphold.

(Communication No. 679 — Constitutional Commission of 1986)

To the Committee on Amendments and Transitory Provisions.

Letter from former MP Rogelio M. Sarmiento, Sarmiento Bldg., No. 2, Pasong Tamo Ext., Makati, Metro Manila, urging the Constitutional Commission of 1986 not to

incorporate in the Constitution the issue of the American military bases in the Philippines and the policy of declaring the country as nuclear-free.

(Communication No. 680 — Constitutional Commission of 1986)

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

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

CONSIDERATION OF COMMITTEE REPORT NO. 29
(Article on Education, Science, Technology, Arts and Culture)
Continuation

PERIOD OF SPONSORSHIP AND DEBATE

MR. RAMA: For consideration this morning, we have the Article on Education, Science, Technology, Arts and Culture. I move that we continue consideration of this article.

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

We will request the honorable chairman and members of the Committee on Human Resources to please occupy the front table.

Mr. Floor Leader, are we still guided by the agreement that the interpellations will be centered on the different sections?

MR. RAMA: Madam President, I ask that Commissioner Azcuna be recognized.

THE PRESIDENT: May we request the members — Commissioners Uka, Guingona, Quesada, Tan, Bennagen, Gascon, Rigos and Rosario Braid — to sit in front.

Commissioner Azcuna is recognized.

MR. AZCUNA: Thank you, Madam President.

I just would like to ask a few clarificatory questions of the committee. I notice that in the lead section of the Article on Education, it stated that the State shall give priority to education, science and technology, arts and culture for the purpose of fostering national pride and identity, enhancing the quality of life of every Filipino, and expanding the frontiers of justice and freedom.

I would like to know what the goals of our educational system are. Is this a statement of the goals of our educational system?

MR. VILLACORTA: Would the Commissioner like me to answer now or to finish his other questions?

MR. AZCUNA: If possible, I would like the committee to answer that now.

MR. VILLACORTA: The section that the Commissioner has just referred to is the omnibus section which presents the goals not only for education but for science, technology, arts and culture.