

JOURNAL NO. 40

Saturday, July 26, 1986

CALL TO ORDER

At 9:44 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. Lorenzo M. Sumulong, to wit:

Heavenly Father, every time we come here to perform the task assigned to us of writing a new Constitution for our people, we begin with a prayer. We decided to do this because the task entrusted to us is a difficult and most exacting task. The document we are framing is not intended to meet and provide solutions to passing problems and momentary difficulties. We are here to frame a fundamental law that our people can use not just for a year, not just for a decade, not just for a generation, but for all time.

To produce such a charter for our people, Heavenly Father, we need Your help. Pour into us the power of the Holy Spirit so that we may have the strength, the perseverance, and the determination to wash away pride or prejudice from our hearts and minds so that the light of truth and reason and unalloyed love of country, rather than the darkness of preconceived ideas and pet theories, will be the controlling factor to guide us in the discharge of the grave responsibility that has been placed on our shoulders.

Heavenly Father, we are mortals, we are human beings with feet of clay, we have our own views and philosophies depending on the heredity and environment which have influenced our lives. Thus, we oftentimes see the same subject in different lights. It is unavoidable that there should be clash of ideas amongst us, and I for one welcome this clash of ideas if done openly rather than clandestinely, for letting off steam is a good safety valve to prevent violent explosions.

Heavenly Father, we thank Thee for keeping us united despite diversification in our views every now and then. We pray, O Lord, that whenever we agree to disagree, we take it as a sign of the restoration of our freedom of expression — for as Voltaire said "I do not agree with a word of what you say, but I will fight to the death your right to say it" — so that when we agree to disagree we are not weakening our unity, but rather we are strengthening the unity in our diversity.

Heavenly Father, we beseech Your continued guidance and assistance.

Amen.

ROLL CALL

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

Bacani; T. C.	Nolledo, J. N.
Bengzon, a. F. S.	Padilla, A. B.
Bennagen, P. L.	Muñoz Palma, C.
Bernas, J. G.	Rama, N. G.
Rosario Braid, F.	Regalado, F. D.
Brocka, L. O.	De los Reyes, R. F.
Calderon, J. D.	Rigos, C. A
De Castro, C. M.	Rodrigo, F. A.
Colayco, J. C.	Romulo, R. J.
Concepcion, R. R.	Sarmiento, R. V.
Davide, H. G.	Sumulong, L. M.
Guingona, S. V. C.	Tadeo, J. S. L
Jamir, A. M. K.	Tan, C.
Maambong, R. E.	Tingson, G. J.
Monsod, C. S.	Treñas, E. B.
Nieva, M. T. F.	Villegas, B. M.

With 32 Members present, the Chair declared the presence of a quorum.

The following Members appeared after the Roll Call:

Abubakar, Y. R.	Lerum, E. R.
Alonto, A. D.	Natividad, T. C.
Aquino, F. S.	Ople, B. F.
Foz, V. B.	Quesada, M. L. M.
Garcia, E. G.	Uka, L. L.
Laurel, J. B.	Villacorta, W. V.

The following Members were absent:

Azcuna, A. Rosales, D. R.
S.
Gascon, J. L. Suarez, J. E.
M. C.

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.

REFERENCE OF BUSINESS

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

REFERRAL TO COMMITTEES OF COMMUNICATIONS

Upon direction of the Chair, the Secretary-General read the titles of the following Communications which were, in turn, referred by the Chair to the Committees hereunder indicated:

Communication No. 330 — Constitutional Commission of 1986

Letter from Mr. Manuel A. Sanico of 4107 Corregidor-Pitogo, Machete, Metro Manila, proposing the adoption of Filipino as our national language

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 331 — Constitutional Commission of 1986

Letter from Mr. Manuel A. Sanico of 4107 Corregidor-Pitogo, Machete, Metro Manila, proposing the creation of a "Veterans Affairs Commission"

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 332 — Constitutional Commission of 1986

Communication from Mr. Eufemio C. Salera, District Commander, Veterans Federation of the Philippines, Zamboanga del Sur Chapter, Pagadian City, submitting a consolidated report of veterans' petitions

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 333 — Constitutional Commission of 1986

Letter from Mr. Teofilo B. Cruzat of Poblacion, Catanauan, Quezon, proposing a provision in the new Constitution requiring all candidates for elective positions to secure clearances before filing their certificates of candidacy

TO THE COMMITTEE ON CONSTITUTIONAL COMMISSIONS AND AGENCIES

Communication No. 334 — Constitutional Commission of 1986

Communication from Mr. Ignacio C. Badeo, a sidewalk vendor of 864 R. Papa St., Sampaloc, Manila, proposing that Philippine Presidents be awarded an end-term bonus of 10 million pesos if he has rendered an untarnished 6-year term

TO THE COMMITTEE ON THE EXECUTIVE

Communication No. 335 — Constitutional Commission of 1986

Communication from Mr. Prudencio S. Serrano of 784 Don M. Marcos Avenue, Mati, Davao Oriental, submitting various proposals for the consideration of the Constitutional Commission

TO THE STEERING COMMITTEE

Communication No. 336 — Constitutional Commission of 1986

Communication from Nur-Hussein A. Ututalum, Al Hadj, Speaker, Batasang Pampook, Autonomous Region IX, Zamboanga City, transmitting, for consideration by the Constitutional Commission of 1986, Resolution No. 117, entitled: RESOLUTION RESPECTFULLY REQUESTING THE CONSTITUTIONAL COMMISSION TO GRANT POLITICAL RIGHT OF SUFFRAGE TO ILLITERATES

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

Communication No. 337 — Constitutional Commission of 1986

Communication from Mr. Ambrosio C. Sumalbag, Chairman, LAYA Community, Inc. of 740 CBCP Gen. Luna St., Intramuros, Manila, proposing a provision in the Bill of Rights that prisoners who have lawfully and fully served their sentence will enjoy full restoration of their civil rights

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

Communication No. 338 — Constitutional Commission of 1986

Communication from the National Secretariat of Social Action, Justice and Peace (NASSA) of the Catholic Bishops' Conference of the Philippines, proposing the abrogation of the military bases agreement between the United States and the Philippines, genuine land reform and rights of indigenous people, among others

TO THE STEERING COMMITTEE

Communication No. 339 — Constitutional Commission of 1986

Position Paper submitted by Mr. Arturo M. Erasmo of Purok Sweet Rose, Dumagok Fishing Village, Pagadian City, recommending the adoption of measures that will reduce the incidence of poverty in urban and rural areas and promote further utilization of the country's human and natural resources, among others

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication No. 340 — Constitutional Commission of 1986

Position Paper submitted by Promotion of Church People's Right, Zamboanga del Sur Chapter, Pagadian City, signed by thirty-two (32) people, suggesting among others the removal of US bases in the Philippines, institution of a genuine land reform program, nationalization and Filipinization of existing industries, and reexamination of the Tripoli agreement

TO THE STEERING COMMITTEE

Communication No. 341 — Constitutional Commission of 1986

Letter from Mr. Crescencio A. Yaco, Chairman; Center for Solidarity Tourism, c/o PR Desk, Sociology Department, Asian Social Institute, 1518 Leon Guinto Street, Malate, Manila, submitting a resolution urging the Constitutional Commission to incorporate in the Constitution provisions on the enjoyment of travel and tourism and State support for the development and pro- motion of indigenous tourism programs

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 342 — Constitutional Commission of 1986

Letter from Messrs. Jerry B. Beo, Provincial Chairman, League of Filipino Students, and Teofilo Isorena, Jr., Provincial Chairman, Kabataan Para Sa Demokrasya at Nasyonalismo, expressing strong objection to the following proposals of the so-called "cause oriented" group: 1) retention of the US military bases or their transfer to Catanduanes, 2) retention of the capital punishment, and 3) annual psychiatric examinations for all government and military men

TO THE STEERING COMMITTEE

BUSINESS FOR THE DAY: COMMITTEE REPORT NO. 17 ON THE ARTICLE ON ACCOUNTABILITY OF PUBLIC OFFICERS

Thereafter, on motion of Mr. Rama, there being no objection, the Body proceeded to the consideration, on Second Reading, of Committee Report No. 17, as amended and consolidated by the Committee on Accountability of Public Officers, entitled:

Resolution proposing to incorporate in the 1986 Constitution an article on accountability of public officers.

Thereupon, the Chair recognized Mr. Monsod, the Chairman of the Committee, and the other Members of the Committee for the sponsorship.