

# [ VOL. II, August 30, 1986 ]

## JOURNAL NO. 69

Friday, August 29, 1986

### CALL TO ORDER

At 9:52 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. Ambrosio B. Padilla to wit:

Almighty God, our Creator and Lord: With infinite wisdom, Your Sermon on the Mount, in part reads —

"Do not judge others, so that God will not judge you, for God will judge in the same way you judge others, and he will apply to you the same rules you apply to others. Why, then, do you look at the speck in your brother's eye and pay no attention to the log in your own eye". (Matthew 7:1-5)

Dear Lord, we pray that in the arduous process of formulating the fundamental law, we invoke Your Heavenly wisdom to guide us, human mortals with finite minds, in expressing our views, with ample latitude for respect to contrary views.

The Constitutional guarantee of the freedom of speech was explained by Justice Holmes —

"When men have realized that time has upset many fighting faiths, they may come to believe even more than they believe the very foundations of their own conduct that the ultimate good desired is better reached by free trade in ideas — that the best test of truth is the power of the thought to get itself accepted in the competition in the market, and that truth is the only ground upon which their wishes safely can be carried out."

Let us hope that through the remaining sessions of this Constitutional Commission, we will all invoke Divine Providence in enlightening our minds in drafting the 1986 Constitution which will fulfill the ideals and aspirations of all the Filipino people, as one united nation.

Amen.

### ROLL CALL

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

Azcuna, A. S.  
Bacani, T. C.  
Bengzon, J. F. S.  
Bennagen, P. L.  
Bernas, J. G.  
Rosario Braid, F.  
Calderon, J. D.  
De Castro, C. M.  
Colayco, J. C.  
Concepcion, R. R.  
Davide, H. G.  
Foz, V. B.  
Garcia, E. G.  
Gascon, J. L. M. C.  
Guingona, S. V. C.  
Jamir, A. M. K.  
Monsod, C. S.

Nieva, M. T. F.  
Padilla, A. B.  
Muñoz Palma, C.  
Quesada, M. L. M.  
Rama, N. G.  
Regalado, F. D.  
Rigos, C. A.  
Rodrigo, F. A.  
Romulo, R. J.  
Suarez, J. E.  
Sumulong, L.M.  
Tadeo, J. S. L.  
Tan, C.  
Tingson, G. J.  
Uka, L. L.  
Villacorta, W. V.  
Villegas, B. M.

With 34 Members present, the Chair declared the presence of a quorum.

The following Members appeared after the Roll Call:

A.M.

Abubakar, Y. R.  
Alonto, A. D.  
Laurel, J. B.  
Lerum, E. R.  
Maambong, R. E.

Natividad, T.C.  
Nolledo, J.N.  
De los Reyes, R.F.  
Sarmiento, R.V.

P.M.

Aquino, F. S.

Messrs. Brocka and Ople were absent.

Messrs. Rosales and Treñas were sick.

#### 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. 652 — Constitutional Commission of 1986

Communication from the Alliance Biblical Seminary, 101 Dangay St., Veterans Village, Project 7, Quezon City, signed by its President, Rodrigo D. Tano, urging the Constitutional Commission to incorporate in the new Constitution a provision that the separation of the Church and State shall be inviolable as embodied in the 1973 Constitution

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 653 — Constitutional Commission of 1986

Communication from eighteen signatories of the Concerned Women of the New Families Movement, suggesting that the provision in the Constitution for the protection of life be not only to protect life from the moment of conception but even up to the point of natural death

TO THE COMMITTEE ON PREAMBLE, NATIONAL TERRITORY AND DECLARATION OF PRINCIPLES

Communication No. 654 — Constitutional Commission of 1986

Communication from eight hundred thirty-five signatories, all from Cebu, requesting inclusion in the Constitution of a provision obliging the State to protect the life of the unborn from the moment of conception

TO THE COMMITTEE ON PREAMBLE, NATIONAL TERRITORY AND DECLARATION OF PRINCIPLES

Communication No. 655 — Constitutional Commission of 1986

Letter from his Eminence, Ricardo Cardinal J. Vidal, President, Catholic Bishops' Conference of the Philippines, P.O. Box 3601, Manila, supporting the provision in the Constitution allowing the teaching of religion in public elementary and high schools within the regular class hours by teachers designated or approved by the religious authorities of the religion to which the children belong

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 656 — Constitutional Commission of 1986

Communication from five hundred eighty-one signatories with their respective addresses, seeking to include in the Constitution a provision obliging the State to protect the life of the unborn from the moment of conception

TO THE COMMITTEE ON PREAMBLE, NATIONAL TERRITORY AND DECLARATION OF PRINCIPLES

Communication No. 657 — Constitutional Commission of 1986

Communication from the Catholic Bishops' Conference of the Philippines, P.O. Box 3601, Manila, signed by its President, Ricardo Cardinal J. Vidal, extending wholehearted support to the provision in the Constitution that upholds and promotes the unity, stability and development of marriage and the family, and the provision seeking to equally protect the life of the mother and the life of the unborn from the moment of conception

TO THE COMMITTEE ON PREAMBLE, NATIONAL TERRITORY AND DECLARATION OF PRINCIPLES

Communication No. 658 — Constitutional Commission of 1986

Communication from the Association of Philippine Physicians in America, Inc., Norfolk, Virginia, U.S.A., urging the Constitutional Commission to include a provision that would allow a natural-born citizen of the Philippines who has lost his Philippine citizenship to be a transferee of private lands

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication No. 659 — Constitutional Commission of 1986

Communication from the Central Visayas Ecumenical Fellowship, 49 Mabini St., Cebu City, signed by three hundred thirty-nine 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"

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 660 — Constitutional Commission of 1986

Letter from Mr. Cezar L. Legayada, National President, Federation of Unions of Rizal, Philippines (FUR)-TUCP, 247 Quirino Avenue, Baclaran, Parañaque, Metro Manila, endorsing a proposed constitutional provision on industrialization, economic protectionism and Filipinization of the economy

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication No. 661 — Constitutional Commission of 1986

Letter from Mr. Rustico Durante of Budeos, Quezon, expressing opposition to the retention of foreign military bases in the country

TO THE COMMITTEE ON PREAMBLE, NATIONAL TERRITORY AND DECLARATION OF PRINCIPLES

Communication No. 662 — Constitutional Commission of 1986

Communication from the Mayors League of Zambales, Iba, Zambales, signed by its President, Porfirio F. Elamparo, and other officers, requesting for the retention of the U.S. Military Bases in the Philippines

TO THE COMMITTEE ON PREAMBLE, NATIONAL TERRITORY AND  
DECLARATION OF PRINCIPLES

Communication No. 663 — Constitutional Commission of 1986

Communication from the Wesleyan Church of Cabanatuan City, 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

TO THE COMMITTEE ON GENERAL PROVISIONS

MANIFESTATION OF MR. BENGZON

At this juncture, Mr. Bengzon adverted to his previous day's announcement of the continuation of consideration of the Article on National Economy and Patrimony. However, he stated that the Committee has not yet completed the reconciliation to be made on the provisions, in view of which, he asked that the Body go back to it later instead of continuing its consideration during the morning session.

BUSINESS FOR THE DAY: COMMITTEE REPORT NO. 29 ON PROPOSED RESOLUTION  
ON THE ARTICLE ON EDUCATION, SCIENCE, TECHNOLOGY, ARTS AND CULTURE

Thereupon, on motion of Mr. Bengzon, there being no objection, the Body proceeded to the consideration, on Second Reading, of the Proposed Resolution on the Article on Education, Science, Technology, Arts and Culture (Committee Report No 29), entitled:

Resolution to incorporate in the Constitution an Article on Education,  
Science, Technology, Arts and Culture.

The Chair recognized Mr. Villacorta and the members of the Committee on Human Resources.

SPONSORSHIP REMARKS OF MR. VILLACORTA

At the outset, Mr. Villacorta acknowledged the important contributions of Mr. Guingona in proposing the creation of the Committee on Human Resources and Mr. Uka who supported it with his now famous comment, "what is one Committee among friends".

Speaking in support of the Proposed Resolution, Mr. Villacorta stated that the significance of education, science and culture in rebuilding society cannot be emphasized. He said that the Filipino nation is still searching for its identity and for the appropriate educational system that will ford the people to greater self-confidence and achievement and that without a national consciousness and necessary skills that are committed to the service of the Filipinos themselves, there will be difficulty in realizing the aspirations of other Articles in the new Constitution particularly those on social justice and national economy and patrimony.

He stated that education, language, science and technology, arts and culture are the essential ingredients of human development and towards these ends, the