

JOURNAL NO. 83

Monday, September 15, 1986

CALL TO ORDER

At 9:56 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, through Your Divine Guidance we are approaching the end of our labors in the making of a new Constitution for our people. Of course it was not smooth sailing all the time. It was unavoidable that many a time we see the same subject in different lights. Each of us has his or her own ideas and philosophies depending on the heredity and the environment which have influenced our lives. There were even moments when in the heat of the discussion tempers flared and emotional outbursts were exchanged causing temporary disruption in the proceedings, but these lapses in parliamentary decorum were soon tided over and tranquility in the floor discussions restored, thanks no doubt to the compassionate and merciful attitude that You, our Heavenly Father, take towards our human failings and shortcomings.

We pray, dear Lord, that in the days that remain for us to finish our work on the new Constitution, You will continue infusing in us the power of the Holy Spirit so that we may have the wisdom to carry on our task to a successful conclusion, to be more tolerant of each other's views, to be magnanimous in victory and graceful in defeat.

Let not our honest differences of opinion stand in the way of our unity. Let us respect the opinions of those with whom we disagree. Let them believe that they are right and we are wrong, even as we believe that we are right and they are wrong. For, after all, as one Spanish poet said:

En este mundo engañoso
Nada es verdad ni mentira
Todo es según el color
Del cristal con que se mira.
Kung ipahintulot ninyo na isalin ko sa ating sariling wika:
Sa mundong ito na lubhang mapanglinlang
Walang lubos na katotohanan, walang lubos na kasinungalingan,
Ang lahat ay alinsunod sa kulay
Ng palagaying ating tinataglay.

Heavenly Father, we believe in You and in Your Son, Jesus Christ, and we

trust that in Your infinite goodness and kindness, You will lead us to the right paths, You will lead us to the right decisions. We pray for 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:

Azcuna, A. S.	Nieva, M. T. F.
Bacani, T. C.	Padilla, A. B.
Bengzon, J. F. S.	Muñoz Palma, C.
Bennagen, P. L.	Regalado, F. D.
Bernas, J. G.	De los Reyes, R. F.
Rosario Braid, F.	Rigos, C. A.
Calderon, J. D.	Rodrigo, F. A.
De Castro, C. M.	Romulo, R. J.
Colayco, J. C.	Suarez, J. E.
Concepcion, R. R.	Sumulong, L. M.
Davide, H. G.	Tan, C.
Foz, V. B.	Tingson, G. J.
Garcia, E. G.	Treñas, E. B.
Gascon, J. L. M. C.	Uka, L. L.
Jamir, A. M. K.	Villegas, B. M.
Natividad, T. C.	

With 31 Members present, the Chair declared the presence of a quorum.

The following Members appeared after the Roll Call:

A.M.

Abubakar, Y. R.	Nolledo, J. N.
Alonto, A. D. .	Ople, B. F.
Aquino, F. S.	Quesada, M. L. M.
Guingona, S. V. C.	Rama, N. G.
Maambong, R. E.	Sarmiento, R. V.
Monsod, C. S.	Villacorta, W. V.

P.M.

Laurel, J. B.	Tadeo, J. S. L.
Lerum, E. R.	

Mr. Rosales was sick.

On September 13, 1986, Mr. Alonto who was present was inadvertently marked absent.

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, with the following corrections, at the instance of Mr. de los Reyes, on page 1254.

- 1) on the third line of the first paragraph, between the words "is" and "targeted", insert the word "not"; and
- 2) on the first line of the second paragraph, change the word "continue" to "continuous".

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. 905 — Constitutional Commission of 1986

Communication from the Sangguniang Bayan of Kabayan, Benguet, signed by Mayor Alfonso P. Aroco, opposing strongly the move to grant autonomy to the Cordillera region

TO THE COMMITTEE ON LOCAL GOVERNMENTS

Communication No. 906 — Constitutional Commission of 1986

Communication from Mr. Lupo T. Carlota, transmitting a resolution adopted by the First National Convention of Filipino-Americans in the United States, Memphis, Tennessee, urging the Constitutional Commission to include in the Constitution a provision allowing Filipinos to have dual citizenship

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

Communication No. 907 — Constitutional Commission of 1986

Letter from Dean Celso B. Lantican, Acting President, Philippine Society of Foresters, Inc., pointing out some of the more serious disadvantages of the proposed 10-20-year logging ban, and expressing hope that said ban will not be acted upon favorably

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication Nos. 908, 909, 910, 911 and 912 — Constitutional Commission of 1986

Letters urging the Constitutional Commission to incorporate in the Constitution a 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, from:

- 1) Pastor Victor G. Lamarca
Malabon Church of God
World Missions of the Philippines, Inc.
Malabon, Metro Manila
- 2) Faith Tabernacle Church
c/o Mr. Alfeo Namacpacan
Sta. Catalina, Negros Oriental
- 3) Mrs. Cora A. Go
Tagum Christian Fellowship
Tagum, Davao del Norte
- 4) Rev. Honorato Nerpiol
The Church Leadership Council
Surallah Alliance Church
Surallah, South Cotabato
- 5) Rev. Mike J. Aguatis
Bible Land Mission
P.O. Box 19, Tagbilaran City
Bohol

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 913 — Constitutional Commission of 1986

Letter from Mr. Aurelio Periquet, Jr., President of the Philippine Chamber of Commerce and Industry, expressing his views on the proposed Article on National Economy and Patrimony and proposing specific amendments to Sections 1, 4 and 9 thereof

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication No. 914 — Constitutional Commission of 1986

Communication signed by two hundred seventy signatories from the Philippine Women's University, seeking to incorporate in the new 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

SUSPENSION OF SESSION

At this juncture, the Chair suspended the session.
It was 10:08 a.m.

RESUMPTION OF SESSION

At 10:18 a.m., the session was resumed.

QUESTION OF PRIVILEGE OF MR. SUAREZ

Thereupon, Mr. Suarez rose on a question of personal privilege relative to a portion of the prayer he recited on September 12, 1986 which appeared in Journal No. 81.

He explained that although the prayer, particularly the phrase "but who had unfortunately applied for the position of security guard at the Subic Bay shipyards", was irreverent, it was said without malice and was not intended to malign Mr. de Castro. He affirmed that such allegation was without factual basis.

He apologized to Mr. de Castro, and moved that said phrase be deleted from the records of the Commission.

In reply, Mr. de Castro accepted Mr. Suarez' apology and gentlemanly gesture of requesting for the deletion of such phrase.

Thereupon, on motion of Mr. Suarez, there being no objection, the Body approved the deletion of the phrase "but who had unfortunately applied for the position of security guard at the Subic Bay shipyards" from the records of the Commission.

UNFINISHED BUSINESS: COMMITTEE REPORT NO. 36 ON PROPOSED RESOLUTION NO. 537 ON THE ARTICLE ON DECLARATION OF PRINCIPLES

Thereafter, on motion of Mr. Romulo, there being no objection, the Body resumed consideration, on Second Reading, of Proposed Resolution No. 537 (Committee Report No. 36) on the Article on Declaration of Principles, entitled:

Resolution to incorporate in the Constitution an Article on the Declaration of Principles.

Mr. Romulo stated that the Body was still in the period of sponsorship.

Thereupon, the Chair recognized Mr. Tingson, and the Members of the Committee on Preamble, National Territory and Declaration of Principles.

REMARKS OF MR. REGALADO

Mr. Regalado supported Mr. Rodrigo's proposal and his reasons therefor, as further elaborated by other speakers, in support of the deletion of the provisions on the U.S. military bases. He stated, however, that his concurrence with such proposal was not based on his knowledge as to the truth of the contending arguments but on a disclaimer of an adequate knowledge as to their veracity. Adverting to the arguments for the adoption of the anti-bases provisions, namely, neutrality and the legal and political effects of the presence of U.S. military bases in the Philippines, he disagreed that a country that maintains foreign bases in its territory would be in the lower bracket of nationhood and could not claim full independence and sovereignty. He adverted to the presence of U.S. military facilities in Portugal, Great Britain, the Netherlands, Belgium, West Germany, Spain, Italy, Greece, Turkey, Iceland, Japan and South Korea; and the presence of Russian bases in North Korea, Vietnam, Poland, East Germany, Czechoslovakia, Hungary, Romania, Bulgaria, Cuba, Syria