

JOURNAL NO. 74

Thursday, September 4 1986

CALL TO ORDER

At 10:01 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. Rene V. Sarmiento, to wit:

"A reading from the Book of Sirach, Chapter 25, Verse 1:

With three things I am delighted, for they are pleasing to the Lord and to man: harmony among brethren, friendship among neighbors, and the mutual love of husband and wife.

Loving Father, friend and counsellor, we are about to finish the work which You, in Your wisdom, have assigned and destined us to do' Yet, frail as we are, we have our fears. Amid the turmoil in our land and our differences in this Commission, we ask: Will we be able to finish our task united and inspired? Will we be able to work hand in hand, unselfishly giving our best until we fulfill the co-creation of a masterpiece?

Loving Father, God of our patriots and heroes, our refuge through all generations, we are confident that with You teaching us to number our days aright, prospering the work of our hands and filling us at daybreak with Your kindness, we, all Members of this Commission, healthy and sick alike, will succeed in our mission. For in You, with You and through You, nothing is impossible.

As we begin anew our delicate job this morning, and resume it in the days to come, grant us the grace to have harmony and friendship among us in the midst of sponsorship, interpellations, debates, amendments, and amendment to an amendment. Guide us with Your fatherly hand to transcend our biases and prejudices, our selfishness and pride, so that, remembering our limited but precious days in this Commission, we will accomplish our task.

In Jesus' name we pray.

Amen."

ROLL CALL

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

Aquino, F. S.
Bacani, T. C.
Bennagen, P. L.
Rosario Braid, F.
Calderon, J. D.
De Castro, C. M.
Colayco, J. C.
Concepcion, R. R.
Davide, H. G.
Foz, V. B.
Guingona, S. V. C.
Jamir, A. M. K.
Lerum, E. R.
Monsod, C. S.
Nieva, M. T. F.
Padilla, A. B.

Muñoz Palma, C.
Quesada, M. L. M.
Rama, N. G.
Regalado, F. D.
De Los Reyes, R. F.
Rigos, C. A.
Rodrigo, F. A.
Romulo, R. J.
Sarmiento, R.V.
Suarez, J. E.
Sumulong, L. M.
Tan, C.
Tingson, G. J.
Uka, L. L.
Villacorta, W. V.
Villegas, B. M.

With 32 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.
Azcuna, A. S.
Bengzon, J. F. S.
Bernas, J. G.
Garcia, E. G.
Gascon, J. L. M. C.

Laurel, J. B.
Maambong, R. E.
Natividad, T. C.
Nolledo, J. N.
Ople, B. F.
Tadeo, J. S. L.

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. 706 — Constitutional Commission of 1986

Letter from Rev. Romeo Palma transmitting a resolution adopted by the Inter Church Ministerial Fellowship, Cotabato City, urging the Constitutional Commission to incorporate in the Constitution as 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

Communication No. 707 — Constitutional Commission of 1986

Communication from fifty-three (53) concerned citizens of Davao City and Davao del Sur, appealing to the Constitutional Commission to consider favorably provisions that would enshrine in the Constitution the value of human life, e.g. that an unborn child in its mother's womb should be entitled to the protection of the State

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

Communication No. 708 — Constitutional Commission of 1986

Communication from Mr. Delfin R. Manlapaz, 1707 E. Rodriguez, SF. Avenue, Cubao, Quezon City, submitting an article "On Import Liberalization" hoping that the same may be of interest and use in the consideration of the Article on the National Economy and Patrimony

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication No. 709 — Constitutional Commission of 1986

Communication from the Philippine Council of Evangelical Churches, Inc., 62 Molave St., Project 3, Quezon City, urging the Constitutional Commission to incorporate, among others, 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

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 710 — Constitutional Commission of 1986

Communication from Ms. Pacita G. Infante and fourteen (14) other women of Negros Occidental, expressing concern over the U.S. bases issue, among others, saying that if the U.S. bases are pulled out, the vacuum will immediately be occupied by Russia

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

Communication No. 711 — Constitutional Commission 1986

Communication from the Philippine Council of Evangelical Churches, Inc., Ozamiz City Chapter, signed by its Chairman, Abraham Mapangal, and ten other officers and members, 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

Communication No. 712 — Constitutional Commission of 1986

Communication from Mr. Juanito J. Manangkil of 266 Sta. Quiteria Road, Caloocan City, suggesting that elections must be for every six years for all elective officials from President to Barangay Captain and that the incumbents including their relatives and relatives by affinity within the fourth degree shall be barred from running for the same position in order to minimize if not totally eradicate political dynasty and political warlordism

TO THE STEERING COMMITTEE

Communication No. 713 — Constitutional Commission of 1986

Letter from Mr. Lucio I. Ricafrente, transmitting Resolution No. 35 of the Sangguniang Panlalawigan of Aklan, requesting the Constitutional Commission to allow in the new Philippine Constitution the retention of the American bases in the Philippines even after the year 1991

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

Communication No. 714 — Constitutional Commission of 1986

Communication from the Diliman Campus Bible Church, 152 Valenzuela Street, Area 2, U.P. Campus, Diliman, Quezon City, signed by its Pastor, William Girao, and two others, 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

Communication No. 715 — Constitutional Commission of 1986

Communication from the Palkan Alliance Church, Palkan, Polomolok, South Cotabato, signed by its Secretary, Mr. Domingo C. Biantan, 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

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 716 — Constitutional Commission of 1986

Communication from Ma. Paz R. Hidalgo and Leonarda A. Yber, both of Madrid, Spain, requesting inclusion of Spanish as one of the official languages in the new Philippine Constitution

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 717 — Constitutional Commission of 1986

Communication from the Church of the Foursquare Gospel in the Philippines, Romblon-Aklan-Masbate District, Odiongan, Romblon, signed by Rev. Norberto D. Doromal, Jr., urging the Constitutional Commission 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

Communication No. 718 — Constitutional Commission of 1986

Letter from Mr. Gerardo C. Enriquez, Chairman, Environmental Conservation Movement, Alabat, Quezon, proposing various suggestions on conservation of natural resources

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

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

On motion of Mr. Rama, 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.

Mr. Rama stated that the parliamentary status would be the continuation of the period of amendments.

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

PROPOSED MODIFIED AMENDMENT OF MR. DAVIDE

Thereupon, Mr. Davide proposed a modified amendment on Section 1(a) to read:

IT SHALL BE THE DUTY OF THE STATE TO PROVIDE EDUCATION TO ALL THE CITIZENS, AND TO ENSURE EQUAL ACCESS AND OPPORTUNITY TO IT. MEASURES TO PROMOTE QUALITY EDUCATION AT ALL LEVELS SHALL BE VIGOROUSLY IMPLEMENTED.

Mr. Davide stated that the proposal would reconcile the problem presented by Mr. Ople and meet Mr. Gascon's request to emphasize the duty of the State to provide education to all citizens.

Reacting thereto, Mr. Gascon stated that the Committee has no serious objection to the proposal but would emphasize the "right of the citizen to education" and the