

**JOURNAL NO. 68**

Thursday, August 28, 1986

CALL TO ORDER

At 10:12 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. Cirilo A. Rigos, to wit:

"Most merciful God, in whom we have our being; we thank Thee for the beauty of Thy presence in our midst. As we face the challenges of this day, take away the fear and suspicions in our hearts, the self-righteousness in our souls, the pride in our intellect. Make us sensitive to the leading of Thy Spirit, that we may be humble in times of victory, and honorable in times of defeat.

May our work today be an investment unto eternity, and may it contribute to the rebuilding of this nation we all love so dearly.

Grant us the grace to rise beyond the tumults of our age, and always to put our trust in Thee.

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:

Rosario Braid, F.  
Calderon, J. D.  
De Castro, C. M.  
Colayco, J. C.  
Concepcion, R. R.  
Davide, H. G.  
Foz, V. B.  
Gascon, J. L. M. C.  
Guingona, S. V. C.  
Jamir, A. M. K.  
Monsod, C. S.  
Nieva, M. T. F.  
Nolledo, J. N.

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

With 26 Members present, the Chair declared the presence of a quorum.

The following Members appeared after the Roll Call:

A.M.

Abubakar, Y. R.	Laurel, J.B.
Alonto, A. D.	Lerum, E.R.
Aquino, F. S.	Natividad, T.C.
Azcuna, A. S.	Quesada, M.L.M.
Bengzon, J. F. S.	Suarez, J. E.
Bennagen, P. L.	Tadeo, J.S.L.
Bernas, J. G.	Tingson, G.J.
Garcia. E. G.	Villacorta, W.V.

P.M.

Bacani, T.C.     Maambong, R. E.

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, with the following corrections:

1. By Mr. de los Reyes: On page 963, first column, paragraph 7, line 3, to substitute the phrase "is not a complex crime" after "rebellion" with CANNOT BE COMPLEXED WITH ANOTHER CRIME; and
2. By Mr. Regalado: On the same page, second column, paragraph 1, line 4, to insert NOT between "rebels" and "in".

#### 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 me titles of the following Communications which were, in turn referred by the Chair to the Committees hereunder indicated:

Communication No. 635 — Constitutional Commission of 1986

Communication from the Cooperative Union of the Philippines, Inc., Room 400-G N. dela Merced (Delta) Bldg., West Avenue, Quezon City, signed by Mr. Vicente Arroyo Martires, Legal and Management Counsel, ASEAN Cooperative Organization, submitting a copy of the Resolution of the First National Cooperative Congress and the communication to President

Muñoz Palma requesting the Constitutional Commission to consider the inclusion in the Constitution of a state policy on cooperatives

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication No. 636 — Constitutional Commission of 1986

Communication from Mr. Elias Q. Tan of 309-G Tres de Abril, Victor Village, Cebu City, urging inclusion in the Constitution of a provision that shall promote the establishment of open economy or special economic zones in selected areas, prototypes of which may be set up by the private sector at no cost or liability to the State, and towards this end, the State shall ensure their full development as self-reliant communities enjoying a high degree of autonomy

TO THE COMMITTEE ON THE NATIONAL ECONOMY AND PATRIMONY

Communication No. 637 — Constitutional Commission of 1986

Letter from Mr. Jorge de Ramos, President, Student Council of Asian Theological Seminary, 54 Scout Madriñan, Quezon City, suggesting a provision on "the inviolability of the separation of the Church and State"

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 638 — Constitutional Commission of 1986

Letter from the teachers and personnel (62 signatories) of Claret School of Zamboanga, urging the Constitutional Commission to consider the following: 1) the Filipino child's right to education and corresponding duty of the State to provide for the same; 2) reorientation of the Philippine educational system; 3) enlightenment the ultimate role of education; and 4) no distinction or discrimination between private or public schools

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 639 — Constitutional Commission of 1986

Communication from Ms. Rosalinda V. Tirona, Ambassador to India, transmitting copies of UN documents relating to the "Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief", which might be useful in the work of the Constitutional Commission

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 640 — Constitutional Commission of 1986

Communication from Ms. Agustina B. Carrasco, President, Senior Citizens of the Philippines, Vinzons, Camarines Norte, suggesting to include in the Constitution a provision for the upliftment of the senior citizens of the Philippines

Communication No. 641 — Constitutional Commission of 1986

Communication from Mr. Julio P. Macuja, Secretary-General, Lakas ng Kabataang Pilipino (LKP) and sixteen others proposing an Article on Education, Science, Technology, Sports, Arts and Culture for consideration by the Constitutional Commission

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 642 — Constitutional Commission of 1986

Communication from the Katipunang Manggagawang Pilipino, TUCP Training Center, TUCP-PGBA Compound, Diliman, Quezon City, signed by former MP Jeremias U. Montemayor, containing negative reactions elicited among peasant and labor groups to the draft article on social justice and hope that the defects perceived therein may be corrected

TO THE COMMITTEE ON SOCIAL JUSTICE

Communication No. 643 — Constitutional Commission of 1986

Communication from one thousand seven hundred forty-eight concerned citizens of Negros Occidental, declaring and manifesting their adherence to democracy and to the tenets and principles of the democratic form of government, and repudiating communism in all its forms and implications; and favoring the retention of the US Military and Naval Bases in the Philippines for a reasonable period

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

Communication No. 644 — Constitutional Commission of 1986

Communication from Ms. Ester B. Sy-Quimsiam, Deputy Executive Director and Officer-in-Charge, Commission on Population, MSSD, Welfareville Compound, Mandaluyong, Metro Manila, and two thousand two hundred sixty other signatories coming mostly from the NCR and parts, of the Ilocos region, seeking amendment to Section 8 of the proposed Article on General Provisions

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 645 — Constitutional Commission of 1986

Communication from the Central Visayas Ecumenical Fellowship, 49 Mabini St., Cebu City, signed by the Chairperson of its Executive Committee, Rev. Maxwell Codillo, UCCP, and eight hundred sixty-eight other 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. 646 — Constitutional Commission of 1986

Communication from seven hundred fifty members of the Philippine General Council of the Assemblies of God, P.O. Box 49, Valenzuela, Metro Manila, 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. 647 — Constitutional Commission of 1986

Communication from the Mindanao Press and Radio Association, Cagayan de Oro City, signed by Mr. Gabino R. Labial, Jr., submitting a Resolution adopted by the association proposing amendments to Section 4, Article II and Section 10, Article XV of the 1973 Constitution for inclusion in the proposed Constitution

#### TO THE COMMITTEE ON HUMAN RESOURCES

##### Communication No. 648 — Constitutional Commission of 1986

Letter from former MP Renato L. Cayetano requesting disapproval or rejection of the proposed redistricting of the parliamentary district of Pateros, Taguig, and Muntinlupa into Pateros and Taguig as one district, and Muntinlupa and Las Piñas, as another

#### TO THE COMMITTEE ON THE LEGISLATIVE

##### Communication No. 649 — Constitutional Commission of 1986

Communication from the Sangguniang Bayan of Mabini, Batangas, signed by the Municipal Mayor, Basilio C. Calangi, requesting the Constitutional Commission, thru the Honorable Cecilia Muñoz Palma, to reconsider its decision on the scrapping of the death penalty because it might have an adverse effect on the ratification of the proposed Constitution

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

##### Communication No. 650 — Constitutional Commission of 1986

Letter from Mr. Oscar N. Rivera of 131 F. Zobel Street, San Miguel Village, Makati, Metro Manila, expressing agreement to the proposal of Commissioner Joaquin Bernas that a piecemeal submission to the people of the proposed charter be adopted to give the people wider choices in deciding major controversial issues

#### TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

##### Communication No. 651 — Constitutional Commission of 1986

Letter from seventy-six Members of the Faculty of the University of the Philippines and Members of the Academic Community, seeking to include in the Constitution a provision obliging the State to explicitly protect the human life of the unborn from the moment of conception