

[VOL. III, August 20, 1986]

R.C.C. NO. 61

Wednesday, August 20, 1986

OPENING OF SESSION

At 9:46 a.m., the President, the Honorable Cecilia Muñoz Palma, opened the session.

THE PRESIDENT: The session is called to order.

NATIONAL ANTHEM

THE PRESIDENT: Everybody will please rise to sing the National Anthem.

Everybody rose to sing the National Anthem.

THE PRESIDENT: Everybody will please remain standing for the Prayer to be led by the Honorable Edmundo G. Garcia.

Everybody remained standing for the Prayer.

PRAYER

MR. GARCIA: The Reading is taken from the Gospel of St. Luke, Chapter 1, verses 46-55, The Magnificat, Mary's Song of Praise:

My heart praises the Lord; my soul is glad because of God my Saviour, for He has remembered me, His lowly servant! From now on all people will call me happy, because of the great things the Mighty God has done for me.

His name is holy; from one generation to another. He shows mercy to those who honor Him. He has stretched out His mighty arm and scattered the proud with all their plans. He has brought down mighty kings from their thrones, and lifted up the lowly. He has filled the hungry with good things, and sent the rich away with empty hands. He has kept the promise He made to our ancestor; and has come to the help of His servant Israel. He has remembered to show mercy to Abraham and to all his descendants forever!

Dear God, Father of our people, be with us till the end as we finish our task of writing a charter together with our people for the future.

We continue this effort in FAITH, knowing fully well that no matter how much we try, what we can produce is but an imperfect and unfinished document — imperfect, because we are men and women with feet of clay holding imperfect tools in uncertain times; unfinished, for no matter what we do, only the people can give life and meaning to the lines we write.

We continue this effort in HOPE, knowing that if we fail to say or fail to do what we must, someday our people will say or do what must be said or done in our barrios and cities, in our towns and countryside or in our autonomous regions.

Dear God, You, Who can read between the lines, and even beyond them, we hope that You will perfect our efforts by Your guidance and loving kindness, in session or out of session, in season or out of season, for the good of our people and this country which You love so dearly.

Finally, we continue this effort in LOVE, knowing that when all is said and done, the one important thing is how we have loved our neighbor in word and deed, especially those who have less in life, those closest to Your heart: the lowly ones, the voiceless and the poor.

Dear God, You, Who love our people and our country more than anyone of us here and more than we can imagine, stand by our side. We believe in the constancy of Your love, because though we may seem to be a poor and peripheral nation is no reason for us not to be proud and free, to be strong and self-reliant, to be independent and sovereign.

You Who have crushed the proud from their thrones, lift up Your lowly ones and this our only country, brave isles in difficult seas but beloved in Your eyes.

Dear God, we trust that You will be with us, now and always. Amen.

ROLL CALL

THE PRESIDENT: The Secretary-General will call the roll.

THE SECRETARY-GENERAL, *reading*:

Abubakar	Present*	Natividad	Present
Alonto	Present	Nieva	Present
Aquino	Present*	Nolledo	Present
Azcuna	Present	Ople	Present*
Bacani	Present	Padilla	Present
Bengzon	Present	Quesada	Present*
Bennagen	Present	Rama	Present
Bernas	Present*	Regalado	Present
Rosario Braid	Present	Reyes de los	Present*
Brocka	Absent	Rigos	Present
Calderon	Present	Rodrigo	Present
Castro de	Present	Romulo	Present
Colayco	Present	Rosales	Present
Concepcion	Present	Sarmiento	Present*
Davide	Present	Suarez	Present
Foz	Present	Sumulong	Present
Garcia	Present	Tadeo	Present*
Gascon	Present	Tan	Present
Guingona	Present*	Tingson	Present
Jamir	Present	Treñas	Absent
Laurel	Present	Uka	Present

Lerum	Present	Villacorta	Present [*]
Maambong	Present [*]	Villegas	Present
Monsod	Present		

The President is present.

The roll call shows 35 Members responded to the call.

THE PRESIDENT: The Chair declares the presence of a quorum.

MR. CALDERON: Madam President.

THE PRESIDENT: The Assistant Floor Leader is recognized.

MR. CALDERON: I move that we dispense with the reading of the Journal of the previous session.

THE PRESIDENT: Is there any objection that we dispense with the reading of the Journal of the previous session? (*Silence*) The Chair hears none; the motion is approved.

APPROVAL OF JOURNAL

MR. CALDERON: Madam President, I move that we approve the Journal of yesterday's session.

THE PRESIDENT: Is there any objection that we approve the Journal of yesterday's session? (*Silence*) The Chair hears none; the motion is approved.

MR. CALDERON: Madam President, I move that we proceed to the Reference of Business.

THE PRESIDENT: Is there any objection that we proceed to the Reference of Business? (*Silence*) The Chair hears none; the motion is approved.

The Secretary-General will read the Reference of Business.

REFERENCE OF BUSINESS

The Secretary-General read the following Communications, the President making the corresponding references:

COMMUNICATIONS

Communication from Mr. Santiago Morales of the Philippine Chamber of Communications, Inc., Room 504 SMS Bldg., 120 Juan Luna, Binondo, Manila requesting inclusion in the Constitution of the following proposed provision: "In the interest of national security and for the common good, no foreigner shall be allowed to sit in the governing body of public utilities nor shall any foreigner or foreign corporation, association or entity be allowed to be involved, through a management contract or other means, in the management, administration, operation, and control of public utilities."

(Communication No. 582 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Letter from Ms. Marie Francesca Yuvienco of St. Paul College, Quezon City, urging the retention of the United States military facilities in Clark Air Base and Subic Naval Base.

(Communication No. 583 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory and Declaration of Principles.

Letter from Rev. Henry Habon of Tarlac, Tarlac, urging the Constitutional Commission to incorporate in the Constitution the provision on the inviolability of the separation of the Church and the State, as embodied in the 1973 Constitution.

(Communication No. 584 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication from the Sangguniang Bayan of Rosario, Agusan del Sur, signed by the Municipal Mayor-Designate Ruperto V. Bermudez, seeking the disbandment and/or abolition of the Philippine Constabulary (PC) and the Integrated Civilian Home Defense Forces (CHDF).

(Communication No. 585 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from the Concerned Women of the Philippines, signed by fifteen members, reiterating its stand on "the sacredness of the family as a basic unit of society" and "the right to life of the unborn child which begins from the moment of conception."

(Communication No. 586 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory and Declaration of Principles.

Letter from Mr. Jose P. Dimalanta, Jr. of Tabuk, Kalinga-Apayao, requesting reconsideration of the Constitutional Commission's decision to refuse the mechanism of limiting reelections thru a process effectivity barring elective officials from running for the same public office after two or three terms, saying that, at this crucial stage in our history, there is a compelling need to apply the brakes to unlimited reelections, and perforce to unabated abuse of power; otherwise there will be a larger break from the sociopolitical mainstream that will be the breeding ground for future civil strife of the internecine type.

(Communication No. 587 — Constitutional Commission of 1986)

To the Steering Committee.

Letter from Mr. Ramon Y. Sy, UCPB Building, Makati Avenue, Makati, Metro Manila, submitting his position paper in which he discussed his policy recommendations on the settlement of our foreign debt.

(Communication No. 588 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Communication from Ms. Cristina M. Liamzon, National Coordinator, Philippine Partnership for the Development of Human Resources in Rural Areas, submitting a position paper on the proposed amendments to Sections 5, 6 and 7 of the Article on

Social Justice, expressing hope that these statements be given sufficient attention in the deliberations of the sections.

(Communication No. 589 — Constitutional Commission of 1986)

To the Committee on Social Justice.

Letter from Mr. Vicente D. Millora, transmitting a resolution of the Board of Governors of the Integrated Bar of the Philippines, urging the Constitutional Commission to provide in the Constitution for a time limit of six (6) months from date of sequestration by the Presidential Commission on Good Government within which the corresponding action for forfeiture of ill-gotten wealth should be filed in court.

(Communication No. 590 — Constitutional Commission of 1986)

To the Committee on Amendments and Transitory Provisions.

Communication from the Convention of Philippine Baptist Churches, Inc., P.O. Box 263, Iloilo City, signed by its General Secretary, Rev. Penuelito A. Sacapaño, registering its opposition to a proposed constitutional provision which will make religious instruction in the public schools compulsory or mandatory.

(Communication No. 591 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Letter from Mr. Ernesto B. Hidalgo of Room 209 CCH Bldg., Alfaro St., Salcedo Village, Makati, Metro Manila submitting a proposed amendment to Section 9, Article XIV of the 1973 Constitution for inclusion in the new Constitution to wit: "In cases where the exploration, development or exploitation of any of the country's natural resources requires a capital investment of ten million U.S. dollars (US\$10 million) or more, foreign citizens, corporations or associations may be allowed to own at least 60 per centum of the capital; provided, however, that said foreign citizens, corporations or associations must gradually dispose of at least twenty percent of its total equity to Filipino citizens within the period of ten years at the rate of two percent annually commencing from the start of actual commercial production."

(Communication No. 592 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Communication from Ms. Perla B. Sanchez of the Institute of Maternal and Child Health (IMCH), 11 Banawe St., Quezon City, endorsing an open letter signed by two hundred eighty-eight signatories with their respective addresses, seeking the deletion of Section 9 of the proposed Article on the Declaration of Principles, which states: "The State shall equally protect the life of the mother and the life of the unborn from the moment of conception."

(Communication No. 593 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory and Declaration of Principles.

Communication from five hundred ninety signatories with their respective addresses seeking the inclusion in the Constitution of a provision obliging the State to protect the life of the unborn from the moment of conception.