

## JOURNAL NO. 14

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Friday, June 20, 1986

### CALL TO ORDER

At 9:26 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 lead by Mr. Hilario G. Davide, Jr., to wit:

Almighty and eternal God and Lord of Lords, we know that You are here in our midst, never have You left this hall even if at times we neglected Your call. In the past, our people had forgotten You but You kept them always in Your loving care, You delivered them from the bondage of slavery and ransomed them from captivity by an oppressive regime.

We are now at the dawn of a new day at the threshold of a new order. Repentant of our past indifference and apathy, we now pledge to build a just and humane society, a government that shall embody our ideals and aspirations under the rule of law and a regime of truth, justice, freedom, love, peace and equality.

We are commissioned to write a new Constitution. To achieve this end, our people expect much from us, we can give no more to them, than what You can give us. Without You, we are nothing. Without You, we can give nothing, for everything comes from You. A good Constitution can come only from You, for You are the Supreme Law-giver.

As we then work together to draft the fundamental law for our Republic; grant us the grace to forget ourselves, illumine our minds with Your wisdom, inflame our hearts with Your love, let our minds think and our hearts love only You, the Philippines and the Filipinos. Let our hands write and our tongues speak only for You, the Philippines and the Filipinos so that unceasing in our work and measuring our lives only in terms of loss and not of gain, all for You, we shall merit reward by the approval of our work by Your people. Help us, Oh God, we pray.

Amen.

### ROLL CALL

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

Alonto, A.D. Muñoz Palma, C.

Aquino, F.S. Quesada, M.L.M.

Azcuna, A.S. Rama, N.G.

Bernas, J.G. Regalado, F.D.  
Rosario Braid, F. De los Reyes, R.  
Brocka, L.O. Rigos, C.A.  
Calderon, J.D. Rodrigo, F.A.  
De Castro, C.M. Romulo, R.J.  
Colayco, J.C. Rosales, D.R.  
Concepcion, R.R. Sarmiento, R.V.  
Davide, H.G. Suarez, J.E.  
Foz, V.B. Sumulong, L.M.  
Gascon, J.L.M.C. Tadeo, J.S.L.  
Guingona, S.V.C. Tan, C.  
Jamir, A.M.K. Tingson, G.J.  
Maambong, R.E. Treñas, E.B.  
Monsod, C.S. Uka, L.L.  
Nolledo, J.N. Villacorta, W.V.  
Ople, B.F. Villegas, B.M.  
Padilla, A.B.

With 39 Members present, the Chair, declared the presence of a quorum.

The following Members appeared after the Roll Call:

Abubakar, Y.R.  
Garcia, E.G.  
  
Bacani T.C.  
Lerum, E.R.  
  
Bengzon, J.F.S.  
Natividad, T.C.  
  
Bennagen, P.L Nieva, M.T.F.

Mr. Laurel was 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.

## REFERENCE OF BUSINESS

On motion of Mr. Calderon, there being no objection, the Body proceeded to the Reference of Business.

## REFERRAL TO COMMITTEES OF RESOLUTIONS

Upon direction of the Chair, the Secretary-General read, on First Reading, the titles of the following proposed Resolutions which were, in turn, referred by the Chair to the Committees hereunder indicated:

Proposed Resolution No. 199, entitled:

RESOLUTION TO DISQUALIFY THOSE WHO CANNOT READ AND WRITE FROM VOTING

Introduced by Honorable Rama

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

Proposed Resolution No. 200, entitled:

RESOLUTION PROVIDING THAT A SECTION IN THE GENERAL PROVISIONS ARTICLE INCORPORATE COMMUNICATION AND INFORMATION TECHNOLOGY AS VITAL NATIONAL RESOURCES; FOR THE DIVERSIFICATION OF OWNERSHIP OF MEDIA; AND THE ESTABLISHMENT OF A NATIONAL BODY TO PROMOTE GROWTH, PROVIDE DIRECTIONS AND EVOLVE COMMUNICATION POLICIES

Introduced by Honorable Rosario Braid

TO THE COMMITTEE ON GENERAL PROVISIONS

Proposed Resolution No. 201, entitled:

RESOLUTION TO INCORPORATE UNDER THE NEW CONSTITUTION PROVISIONS STRENGTHENING CIVILIAN SUPREMACY OVER THE MILITARY

Introduced by Honorable Bengzon, Jr.

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

Proposed Resolution No. 202, entitled:

RESOLUTION INCORPORATING IN THE NEW CONSTITUTION A PROVISION THAT UNBORN CHILDREN SHALL BE POSSESSORS OF HUMAN RIGHTS FROM THE FIRST MOMENT OF CONCEPTION

Introduced by Honorable Bacani

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

Proposed Resolution No. 203, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A PROVISION SECURING AND RESPECTING THE NATURAL RIGHT AND DUTY OF PARENTS TO DETERMINE THE NUMBER, OF THEIR OFFSPRINGS

Introduced by Honorable Bacani

TO THE COMMITTEE ON GENERAL PROVISIONS

Proposed Resolution No. 204, entitled:

RESOLUTION PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF THE SUPREME COURT, THE INTERMEDIATE APPELLATE COURT, AND OF THE OTHER COURTS ESTABLISHED BY LAW, INCLUDING THE SANDIGANBAYAN

Introduced by Honorable Colayco

TO THE COMMITTEE ON THE JUDICIARY

Proposed Resolution No. 205, entitled:

RESOLUTION TO INCORPORATE IN THE DECLARATION OF PRINCIPLES AND STATE POLICIES A PROVISION RECOGNIZING THE RIGHT TO A HEALTHY ENVIRONMENT AND PROVIDING FOR THE PRESERVATION AND PROTECTION OF THE COUNTRY'S NATURAL RESOURCES

Introduced by Honorable Rigos

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

Proposed Resolution No. 206, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A PROVISION ENUMERATING THE AIMS OF ALL EDUCATIONAL INSTITUTIONS IN THE PHILIPPINES, TO INCLUDE AMONG OTHERS THE ENCOURAGEMENT OF CRITICAL AND CREATIVE THINKING AND RESPECT FOR HUMAN RIGHTS

Introduced by Honorable Rosario Braid

TO THE COMMITTEE ON HUMAN RESOURCES

Proposed Resolution No. 207, entitled:

RESOLUTION PROVIDING THAT THE REGIONAL PUBLIC HEARINGS ON THE DRAFT CONSTITUTION BE GIVEN THE WIDEST ADVANCED PUBLICITY; AND THAT THERE BE A NATIONWIDE RADIO AND TELECONFERENCE WITH COMMISSIONERS AND THE CITIZENS PARTICIPATING

Introduced by Honorable Rosario Braid

TO THE AD HOC PLANNING COMMITTEE ON PUBLIC HEARINGS

Proposed Resolution No. 208, entitled:

RESOLUTION PROPOSING THE CREATION OF AN INDEPENDENT CONSTITUTIONAL BODY TO BE KNOWN AS THE COMMISSION ON APPOINTMENTS

Introduced by Honorable Tingson

TO THE COMMITTEE ON CONSTITUTIONAL COMMISSIONS AND AGENCIES

Proposed Resolution No. 209, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A PROVISION RECOGNIZING AND SECURING THE RIGHT OF A PERSON ARRESTED OR SUBJECT TO CUSTODIAL OR

TACTICAL INVESTIGATION OR INTERROGATION TO BE ADVISED OF HIS FUNDAMENTAL RIGHTS

Introduced by Honorable Sarmiento

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

Proposed Resolution No. 210, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A PROVISION LIMITING THE AUTHORITY TO ISSUE WARRANTS OF ARREST, SEARCHES AND SEIZURE TO JUDGES

Introduced by Honorable Natividad

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

Proposed Resolution No. 211, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A PROVISION TO ENSURE THAT OUR NATURAL RESOURCES ARE USED, AND THE EXERCISE OF THE RIGHT TO PRIVATE PROPERTY IS REGULATED, FOR THE COMMON GOOD

Introduced by Honorable Bacani

TO THE COMMITTEE ON NATIONAL ECONOMY AND PATRIMONY

Proposed Resolution No. 213, entitled:

RESOLUTION TO DEFINE PATRIMONY AS THE TOTALITY OF THE NATURAL RESOURCES, OF THE HISTORICAL AND CULTURAL TRADITIONS, AND OF THE COLLECTIVE TECHNICAL AND FINANCIAL CAPABILITIES OF THE FILIPINO NATION

Introduced by Honorable Tadeo, Suarez, Aquino, Brocka, Villacorta, Gascon and Tan

TO THE COMMITTEE ON NATIONAL ECONOMY AND PATRIMONY

Proposed Resolution No. 214, entitled:

RESOLUTION PROPOSING TO ADOPT IN A CONSTITUTIONAL PROVISION THAT POPULARLY ACCLAIMED RESULTS OF THE PRESIDENTIAL "SNAP" ELECTION HELD ON FEBRUARY 7TH NINETEEN-HUNDRED AND EIGHTY SIX

Introduced by Honorable Tingson, Alonto and Abubakar

TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

Proposed Resolution No. 215, entitled:

RESOLUTION PROVIDING FOR THE FILIPINIZATION OF THE MEDIA AND COMMUNICATION INDUSTRY, LIMITING THE NUMBER OF MEDIA ESTABLISHMENTS TO BE OWNED OR CONTROLLED BY INDIVIDUALS OR COMPANIES, AND PREVENTING CROSS-OWNERSHIP OF MEDIA IN A SINGLE MARKET, AND GRANTING THEIR EMPLOYEES THE RIGHT TO BE PART-OWNERS THEREOF OR TO PURCHASE SHARES OF STOCK THEREIN

Introduced by Honorable Foz, Villacorta and Brocka

**TO THE COMMITTEE ON GENERAL PROVISIONS****COMMUNICATIONS****Communication No. 24 — Constitutional Commission of 1986**

Letter from Mr. Francisco Y. Arcellana, Jr., president of the National Organization Against Nuclear Power and Weapons, proposing provisions that will liberate our country from the dangers of defective nuclear technology and nuclear weaponry.

**TO THE COMMITTEE ON NATIONAL ECONOMY AND PATRIMONY****RESIGNATION FROM COMMITTEE MEMBERSHIPS**

At this juncture, Mr. Calderon, on behalf of the Chairman of the Committee on General Provisions, Mrs. Florangel Rosario Braid, informed the Body of the resignation of Messrs. Brocka and Bennagen from said Committee.

The Chair took note of the manifestation.

**ADJOURNMENT OF SESSION**

Thereafter, on motion of Mr. Calderon, to enable the Members to attend their respective Committee meetings scheduled for the morning, the Chair declared the session adjourned until five o'clock in the afternoon of Monday, June 23, 1986.

It was 9:40 a.m.

I hereby certify to the correctness of the foregoing.

(SGD.) FLERIDA RUTH P. ROMERO  
Secretary-General

**ATTESTED:**

(SGD.) CECILIA MUÑOZ PALMA  
President

Approved on June 23, 1986

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