

R.C.C. NO. 83

VOL. IV, September 15, 1986

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/9785cdc83818/>

Monday, September 15, 1986

OPENING OF SESSION

At 9:56 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 Lorenzo M. Sumulong.

Everybody remained standing for the Prayer.

PRAYER

MR. SUMULONG: — 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 health, the strength, the light and 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 in 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 engaador
Nada es verdad ni mentira
Todo es segun el color

Del cristal con que se mira.

Kung ipahihintulot ninyong isalin ko sa ating sariling wika:

Sa mundong ito na lubhang mapaglinlang
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

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

THE SECRETARY-GENERAL, reading:

Abubakar Present[*] Laurel Present[*]

Alonto Present[*] Lerum Present[*]

Aquino Present[*] Maambong Present[*]

Azcuna Present Monsod Present[*]

Bacani Present Natividad Present

Bengzon Present Nieva Present

Bennagen Present Nollado Present[*]

Bernas Present Ople Present[*]

Rosario Braid Present Padilla Present

Calderon Present Quesada Present[*]

Castro de Present Rama Present[*]

Colayco Present Regalado Present

Concepcion Present Reyes de los Present

Davide Present Rigos Present

Foz Present Rodrigo Present

Garcia Present Romulo Present

Gascon Present Rosales Absent

Guingona Present[*] Sarmiento Present[*]

Jamir Present Suarez Present

Sumulong Present Treñas Present

Tadeo Present[*] Uka Present

Tan Present Villacorta Present[*]

Tingson Present Villegas Present

The President is present.

The roll call shows 31 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? (Silence) The Chair hears none; the motion is approved.

APPROVAL OF JOURNAL

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

MR. DE LOS REYES: Madam President, just a slight correction.

THE PRESIDENT: Commissioner de los Reyes is recognized.

MR. DE LOS REYES: On page 16, second paragraph, third line, I request that the word "NOT" be inserted between the words "is" and "targeted," so that it will read: "that the country is NOT targeted." Then on the third paragraph, first line, instead of the word "continue," it should be "CONTINUOUS," so it will read: "The current pressure, he stated, is the CONTINUOUS attacks . . ."

With those corrections, I have no more objection to the Journal.

THE PRESIDENT: Are the proper corrections made?

Is there any objection? (Silence) The Chair hears none; the Journal, as corrected, is approved.

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

THE PRESIDENT: Is there any objection? (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 the Sangguniang Bayan of Kabayan, Benguet, signed by Mayor Alfonso P. Aroco, opposing strongly the move to grant autonomy to the Cordillera region.

(Communication No. 905 — Constitutional Commission of 1986)

To the Committee on Local Governments.

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.

(Communication No. 906 — Constitutional Commission of 1986)

To the Committee on Citizenship, Bill of Rights, Political Rights and Obligations and Human Rights.

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 years logging ban, expressing hope that said ban will not be acted upon favorably.

(Communication No. 907 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

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

(Communication No. 908 — Constitutional Commission of 1986)

- 2) Faith Tabernacle Church
c/o Mr. Alfeo Namacpacan
Sta. Catalina, Negros Oriental

(Communication No. 909 — Constitutional Commission of 1986)

- 3) Mrs. Cora A. Go
Tagum Christian Fellowship
Tagum, Davao del Norte

(Communication No. 910 — Constitutional Commission of 1986)

- 4) Rev. Honorable Nerpiol
The Church Leadership Council
Surallah Alliance Church
Surallah, South Cotabato

(Communication No. 911 — Constitutional Commission of 1986)

- 5) Rev. Mike J. Aguatis
Bible Land Mission
P.O. Box 19, Tagbilaran City
Bohol

(Communication No. 912 — Constitutional Commission of 1986)

To the Committee on General Provisions.

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.

(Communication No. 913 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

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.

(Communication No. 914 — Constitutional Commission of 1986)

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

SUSPENSION OF SESSION

THE PRESIDENT: The session is suspended for a few minutes.

It was 10:08 a.m.

RESUMPTION OF SESSION

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

THE PRESIDENT: The session is resumed.

MR. ROMULO: Madam President.

THE PRESIDENT: The Acting Floor Leader is recognized.

MR. ROMULO: Before proceeding with the regular business of the day, may I ask that Commissioner Suarez be recognized.

THE PRESIDENT: Commissioner Suarez is recognized.

QUESTION OF PRIVILEGE OF COMMISSIONER SUAREZ

MR. SUAREZ: Thank you, Madam President.

I am compelled to stand before this body this morning on a matter of personal privilege, but I will deal with it very briefly. I would like to state from the outset, Madam President, that this is in connection with the prayer which I recited last Friday, September 12, 1986, as reflected in Journal No. 81 of our regular sessions.

At the outset, let me state that although the prayer was rather irreverent, it was made without any malice and was not intended to malign any of our distinguished colleagues, especially a distinguished colleague for whom personally I have developed great affection and respect.

There is a portion in the prayer I recited, Madam President, which reads and I quote: "but who had unfortunately applied for the position of security guard at the Subic Base shipyard."

I would like to state, Madam President, that this is absolutely without factual basis and lest it create any misunderstanding, may I formally move for the deletion of this particular phrase in order that we can set the records straight. May I extend my profuse apologies to a distinguished friend and colleague in the person of Commissioner de Castro, who feels alluded to in my prayer.

I cannot end the statement without adding that I absolutely had no intention of offending the sensibilities of my good friend, Commissioner de Castro.

Thank you, Madam President.

THE PRESIDENT: Thank you.

MR. DE CASTRO: Madam President.

THE PRESIDENT: Commissioner de Castro is recognized.

MR. DE CASTRO: May I thank my distinguished colleague for being a true Gentleman for the things he has said. I accept them graciously, Madam President.

Thank you.

THE PRESIDENT: Thank you, Commissioner de Castro, and as moved by Commissioner Suarez, let the proper portion of the prayer be deleted.

MR. ROMULO: Madam President.

THE PRESIDENT: The Acting Floor Leader is recognized.

CONSIDERATION OF PROPOSED RESOLUTION NO. 537

(Article on the Declaration of Principles)

Continuation

PERIOD OF SPONSORSHIP AND DEBATE

MR. ROMULO: I move that we continue the consideration on Second Reading of Proposed Resolution No. 537, Committee Report No. 36, with regard to the Article on the Declaration of Principles.

THE PRESIDENT: Is there any objection? (Silence) The Chair hears none; the motion is approved. The honorable chairman and members of the Committee on Preamble, National Territory, and Declaration of Principles are requested to occupy the front table. May we ask the Acting Floor Leader if we will proceed to the speeches?

MR. ROMULO: Yes, Madam President. The first speaker is Commissioner Aquino, but she is not here. So may I ask that Commissioner Regalado be recognized.

THE PRESIDENT: Commissioner Regalado is recognized.

SPEECH OF COMMISSIONER REGALADO

MR. REGALADO: Thank you, Madam President.

I rise in support of the proposal of Commissioner Rodrigo for the reasons he has advanced and as ramified by those who share his view. My concurrence, however, is further anchored not on an affirmation of knowledge on my part as to the truth of the contending arguments on the issues involved in such a proposal but on a disclaimer of an adequate knowledge as to the veracity of the same.

We have been regaled here by those who favor the adoption of the anti-bases provisions with what purports to be an objective presentation of the historical background of the military bases in the Philippines. Care appears, however, to have been taken to underscore the inequity in their inception as well as their implementation, as to

seriously reflect on the supposed objectivity of the report. Pronouncements of military and civilian officials shortly after World War II are quoted in support of the proposition on neutrality; regrettably, the implication is that the same remains valid today, as if the world and international activity stood still for the last 40 years.

We have been given inspired lectures on the effect of the presence of the military bases on our sovereignty — whether in its legal or political sense is not clear — and the theory that any country with foreign bases in its territory cannot claim to be fully sovereign or completely independent. I was not aware that the concepts of sovereignty and independence have now assumed the totality principle, such that a willing assumption of some delimitations in the exercise of some aspects thereof would put that State in a lower bracket of nationhood.

On the other hand, I am informed that the United States has military facilities in Portugal, Great Britain, the Netherlands, Belgium, West Germany, Spain, Italy, Greece, Turkey, Iceland, Japan and South Korea. But it is also claimed that not one of such countries has been said to have lost its independence because of such bases. Russia also has military bases in North Korea, Vietnam, Poland, East Germany, Czechoslovakia, Hungary, Romania, Bulgaria, Cuba, Syria and South Yemen. How then do these countries stand under the argument thus raised? For if it may be said that those allied with the United States are the running dogs of the Americans, how about the so-called contrary label that the Soviets also have their lackeys and surrogates?

We have been receiving a continuous influx of materials on the pros and cons on the advisability of having military bases within our shores. Most of us who, only about three months ago, were just mulling the prospects of these varying contentions are now expected, like armchair generals, to decide not only on the geopolitical aspects and contingent implications of the military bases but also on their political, social, economic and cultural impact on our national life. We are asked to answer a plethora of questions, such as: 1) whether the bases are magnets of nuclear attack or are deterrents to such attack; 2) whether an alliance or mutual defense treaty is a derogation of our national sovereignty; 3) whether criticism of us by Russia, Vietnam and North Korea is outweighed by the support for us of the ASEAN countries, the United States, South Korea, Taiwan, Australia and New Zealand; and 4) whether the social, moral and legal problems spawned by the military bases and their operations can be compensated by the economic benefits outlined in papers which have been furnished recently to all of us.

Nor is that all. We are now asked to ponder on whether the removal of the bases would result in a power vacuum which, inevitably, will have to be filled by the intrusion of another power. It is contended that nature, like law and geopolitics, abhors a vacuum.

Our attention is drawn to such esoteric theories, such as our being at a strategic crossroad near the so-called "choke points" on the Straits of Malacca, Sunda and Lombok, which lead to the Indian Ocean, the Middle East and Europe. It is reported that half of Asia's oil supplies and four-fifths of its materials allegedly pass through these "choke points." This is also claimed by the Trade Union Congress of the Philippines (TUCP).

We are also told that the U.S. facilities at Subic Bay are the primary port, training area and logistic support and maintenance base to support American air and naval operations in the Pacific, South China Sea and Indian Ocean. To stress this point, we are warned about the Russian military facilities at Cam Ranh Bay and its air forces at Da Nang, which is only one hour's flying time away from the Philippines. There are attempts to picture to us the number of war vessels, submarines, planes and other Soviet offensive armaments there. We are also warned about the growing Soviet power in the Pacific, since the island nations known as the South Pacific Forum have lifted their ban against Russian vessels and the Gilbert Island group has signed a fishing agreement with the Soviets, with Vanuatu and Fiji considering similar agreements. We are also forewarned that even if the United States should transfer its bases to Wake Islands or Yap Islands, we would still be in the center of the line therefrom to Cam Ranh Bay and Da Nang.

We also have transcripts of proceedings in Washington and the Pentagon, as well as reports of military and economic analysts, regarding the military bases. Countervailing views have also been presented by local cause-oriented groups and writers professing technical knowledge ranging from strategic worldwide planning to the destructive power of five-megaton bombs.

Where then does this avalanche of arguments and welter of views leave 47 appointed Commissioners who have been tasked with writing a Constitution but are now expected to pass upon, if not to decide the fate of 55 million Filipinos whom they were not even elected to represent? How do we, at this moment in our deliberations, verify the unverifiable data in these respective representations posited by both sides?

We have all, I assume, done our homework and our researches. Some of us, obviously, have been further aided by resource materials and arguments from diverse supportive sources. But my own personal perception is, despite all diligence, the materials I have — generally foreign in origin, outdated in vintage, unauthenticated in substance and slanted in presentation — do not yield for me that desirable level of certitude as a basis for a well-reasoned opinion. I am that concerned for, in truth, the issue before us is actually a mere spin-off from the present global contest between offshoots of American imperialism and Russian hegemonism. This is a problem of such transcendental proportions which it would be wishful thinking for any constitutional commission to even assay to resolve.

Of course, one side of persuasion has submitted categorical, unequivocal and forceful assertions of their positions. They are entitled to the luxury of the absolutes. We are urged now to adopt the proposed declaration as a "golden," "unique" and "last" opportunity for Filipinos to assert their sovereign rights. Unfortunately, I have never been enchanted by superlatives, much less for the applause of the moment or the ovation of the hour. Nor do I look forward to any glorious summer after a winter of political discontent. Hence, if I may join Commissioner Laurel, I also invoke a caveat not only against the tyranny of labels but also the tyranny of slogans.

I do not think I am alone in my position. It is not one of indecisiveness but of reasoned caution. While I would not want to fence-sit with the timorous, neither would I wish to assume the hypocrisy of advancing a conclusion on premises personally unknown to me.

I believe, as the speakers before me have averred, that the military bases issue, as well as the other proposed sections related thereto, should be thoroughly discussed in another forum at another time and by another select group of representatives of our people, and ultimately, by the people at large. Our discussions here, in the limited time we have had and that which remains for the completion of our task, cannot exhaust all the aspects, options and agreements on the issue of military bases. I agree with the proposal that this matter be submitted to as extensive and intensive discussions as possible among all sectors of our country, since each one has a stake in this matter which, unlike most of the other constitutional provisions, is so directly equated with and determinative of our national survival. This is not to denigrate the competence of this body or to question its dedication. In fact, identical reports in the newspapers have identified some heretofore hidden "legal luminaries" which we were not aware had graced us with their presence in our midst! Also, I am happy that my lack of mental equipment which causes me to make the disclaimer in this submission has been more than offset by the erudition of such talented colleagues.

But, on established principle and accepted practice, the conduct of foreign relations and the determination of foreign policy are the province of the executive and the legislative departments. The reason is obvious: They are in the best position, with the expertise of their ministries or legislative committees and the domestic and overseas facilities at their command, to evaluate the international situation and assess its effects on our country. I have long said that the so-called legal omnipotence of the Commission does not confer an affected omniscience on its

Members. I do not agree that a constitutional commission or convention should properly intrude into that executive domain or usurp that function under the guise of laying down a guideline, especially one so inflexible as is now being proposed. It is not only preemptive of the executive and legislative action but may even be construed as a virtually presumptuous assumption that only this Commission has the wisdom and the patriotism to decide and effectuate such a vital decision. The malicious may even say, and perhaps with some element of truth, that the very Commissioners whom the President appointed do not seem to have much confidence in the latter's capacity to exercise her options in the national interest or, for that matter, in the competence or nationalism of her future successors.

The same inference may be levelled at the new Congress since, as shown by the previous proceedings in this body, not only has there been a perceptible patina of distrust for such a future Congress but there have even been subtle attempts to encroach upon its legislative prerogatives.

To those who may be so minded, and especially in connection with the issues under discussion, it would not be amiss to recall the gentle suggestion made by the President during our inaugural ceremonies, a reminder apparently borne out of experience in the previous constitutional convention, when she appealed and I quote:

Second, limit yourselves to your constitutional missions. Your task is to design a constitution that will provide for a new legislature, not to do that legislature's work for it. That is for the people's elected representatives to do.

You must define and protect our individual freedoms and rights. You must decide how our different institutions of state shall relate to each other. Do not be distracted by political debates and matters of policy that do not belong within your constitution-making exercise. You are here by the people's wish to write a constitution; you are not here as elected politicians.

In closing, I would wish to emphasize that the foregoing considerations I have stated should not detract from the basic proposition that those in favor of deleting any mention of military bases in the Constitution are not thereby indicating a choice as to whether the same should be retained or dismantled. No. All that it means is that the matter shall be properly and correctly submitted to the judgment of the political leadership and the people, instead of this Commission, in the proper exercise to be called for that purpose at the appropriate time, and not in a rush judgment in a state of emotionalism.

Thank you, Madam President.

MR. RAMA: Madam President, the next registered speaker is Commissioner Bennagen. He is still out of the session hall. So, may I call on Commissioner Suarez.

THE PRESIDENT: Commissioner Suarez is recognized.

SPEECH OF COMMISSIONER SUAREZ

MR. SUAREZ: Thank you, Madam President.

I am quite satisfied that the crucial issues involved in the resolution of the problem of the removal of foreign bases from the Philippines have been adequately treated by previous speakers. Let me, therefore, just recapitulate the arguments adduced in favor of a foreign bases-free Philippines:

1. That every nation should be free to shape its own destiny without outside interference;
2. That no lasting peace and no true sovereignty would ever be achieved so long as there are foreign military forces in our country;

3. That the presence of foreign military bases deprives us of the very substance of national sovereignty and this is a constant source of national embarrassment and an insult to our national dignity and self-respect as a nation;
4. That these foreign military bases unnecessarily expose our country to devastating nuclear attacks;
5. That these foreign military bases create social problems and are designed to perpetuate the strangle-hold of United States interests in our national economy and development;
6. That the extraterritorial rights enjoyed by these foreign bases operate to deprive our country of jurisdiction over civil and criminal offenses committed within our own national territory and against Filipinos;
7. That the bases agreements are colonial impositions and dictations upon our helpless country; and
8. That on the legal viewpoint and in the ultimate analysis, all the bases agreements are null and void ab initio, especially because they did not count the sovereign consent and will of the Filipino people.

Madam President, I submit that the foregoing arguments are just as valid and as sound as they are today, especially because of the proliferation of sophisticated nuclear weapons of destruction, as they were in 1898 when President McKinley received his divine imperialist inspiration; in 1902 when the Philippine Bill was enacted; in 1916 when the Jones Law was passed; in 1933 when the Hare-Hawes-Cutting Law was approved; in October 1933 when Resolution No. 40 was passed by our own Philippine Congress rejecting the Hare-Hawes-Cutting Law on the ground that "the military, naval and other recreations provided for in said Act are inconsistent with true independence, violate national dignity and are subject to misunderstanding"; in March 1934 when the Tydings-McDuffie Law was signed by President Franklin Delano Roosevelt, providing merely for retention of naval reservations and fueling stations for a period of only two years after the grant of Philippine independence, and further providing for the perpetual neutralization of the Philippine Islands if and when Philippine independence shall have been achieved; in June 1944 when Joint Resolution No. 93 of the United States Congress was passed, authorizing the President of the United States to withhold, or to acquire and retain such bases: on July 4, 1946 when the independence of the Philippines was proclaimed simultaneously with the signing of the Treaty of General Relations; and in March 1947 when the Military Bases Agreement was executed.

Madam President, I will, therefore, refrain from further belaboring the foregoing arguments. I will concentrate briefly on two main points of discussion: Firstly, on the claim that the American military bases are needed to protect the Philippines from external aggression and, secondly, on the claim that the issue of foreign bases does not deserve a place in our Constitution.

Touching on the first point and in order to expose the hypocrisy of the claim that the United States bases are principally intended to protect the Philippines, allow me just to quote significant portions of dialogues which took place in the hearings before the Subcommittee on United States Security Agreements and Commitments Abroad of the United States Senate Committee on Foreign Relations in 1970. Madam President, I am referring to what is popularly known as the Symington Report. This is what took place in that dialogue:

SENATOR FULBRIGHT: We are not really there to protect the Philippines. We are there to serve our own purpose, to maintain a base for what we believe to be our forward protection against China or anybody else. That is our purpose.

ADMIRAL KAUFFMAN: Yes, sir. I believe we are there because these are very fine bases for the United States.

SENATOR FULBRIGHT: For our own purpose.

ADMIRAL KAUFFMAN: Yes, sir.

SENATOR FULBRIGHT: But is it not inevitable that because of our presence there and with this purpose, we would always use our influence for the preservation of the status quo? We will always resist any serious threat in the political and social structure of the Philippine government, which is very likely to be in the long run a detriment to the people of the Philippines.

SENATOR SYMINGTON: What, therefore, is the real purpose of this military assistance? Doesn't it come down to a quid pro quo for the bases and a means of contributing to the Filipino government?

ROBERT H. WARREN: In my opinion, to a degree, sir. But it is also to help the Filipino forces to physically protect the United States forces in the Philippines.

SENATOR SYMINGTON: From whom?

ROBERT H. WARREN: Internally, sir; to maintain internal security and stability and thereby make our own activities over there more secure.

SENATOR SYMINGTON: In other words, we are paying the Philippine government to protect us from the Filipino people who do not agree with the policies of the government or do not like the Americans.

ROBERT H. WARREN: To a degree, yes, sir.

Madam President, need we say more? Except, perhaps, to add that the bases are not vital to our national security, and to underscore the point that the new United States strategy is to arm regional clients like the Philippines to protect United States interests rather than have the United States directly intervene.

On the second point, may I draw attention to the fact that in our own draft Constitution, we had time and again approved provisions which are, in my humble judgment, less substantive and less pervasive in character, impact and scope than a provision involving the paramount national interests of survival and dignity.

Thus, without denigrating the respective merits of the following approved provisions but only to underscore the justification for the inclusion in our Constitution of a provision involving a basic issue of the safety and survival of our country and national sovereignty, let me cite a number of these provisions which, in the first place, may be classified as essentially legislative in character: provision regarding the nonprescription of offenses involving ill-gotten wealth; provision regarding prohibition against green card holders to hold offices in public; provision regarding double allegiance as inimical to national interests; provision on sports development; provision regarding standardization of compensation of government officials and employees, provision governing members of the Armed Forces of the Philippines holding positions in the civilian government; provision regarding submission of reports to the President and Senate by the COMELEC and the judiciary; provision governing the promotion of the Spanish language; provision involving the Constitutional Commission to perform such other functions as may be provided by law; provision governing appointments extended by the Acting President; provision regarding the President's power to supervise public officers and offices; provision requiring each House of Congress to keep a Journal of its proceedings and from time to time to publish the same; provision requiring that records and books of accounts of Congress shall be preserved and be open to the public in accordance with law; provision requiring that members of the judiciary must be of proven competence, integrity, probity and independence; and we even have this provision governing the scaling of salaries of these elective and appointive officials.

In the real sense, Madam President, if we in the Commission could accommodate the provisions I have cited, what is our objection to include in our Constitution a matter as priceless as the nationalist values we cherish? A matter of the gravest concern for the safety and survival of this nation indeed deserves a place in our Constitution.

It is within the plenary powers of this august body to include the provision governing foreign bases.

Madam President, while I believe that emotionalism should not be allowed to affect our judgment, I cannot conclude this discussion without conveying to this Commission the poignant question posed by a young student in the course of the public hearings conducted in San Fernando, Pampanga, attended by some of our distinguished colleagues. It is a question which had caused me great personal anguish. This young student, conscious of his rights, asked us — his elders, the framers of this Charter — this burning question: Why should we bargain away our dignity and our self-respect as a nation and the future of generations to come with thirty pieces of silver?

Thank you, Madam President.

MR. RAMA: Madam President, I ask that Commissioner Bennagen be recognized.

THE PRESIDENT: Commissioner Bennagen is recognized.

SPEECH OF COMMISSIONER BENNAGEN

MR. BENNAGEN: Thank you, Madam President.

There have been a number of pros and cons on the U.S. military bases on neutrality and on nuclear-free weapons, but I would like to focus on at least two. One, we should not even mention anything on the U.S. bases because we do not have enough knowledge of the intricacies of the issue. If we should use the argument of inadequacy of knowledge, then there is no reason for us to enshrine a number of provisions our knowledge on which are rather imperfect. If we adopt that principle of nonaction because of inadequate information, then the whole world will grind to a halt in terms of planning and decision-making.

My view is that we do have adequate information on which to base a decision to ban the U.S. military bases or any foreign military bases, as well as nuclear weapons, on Philippine soil.

The underlying principle of military bases and nuclear weapons wherever they are found and whoever owns them is that those are for killing people or for terrorizing humanity. This objective by itself at any point in history is morally repugnant. This alone is reason enough for us to constitutionalize the ban on foreign military bases and on nuclear weapons.

Two, it has also been said that the U.S. military bases are strategic to the interest of the Philippines. I shall link this concept with the issues of democracy and communism. Essentially the question is: For whom are the bases? To settle this issue, it is important to listen to the voices of the American policy makers. For us to fully understand the answer to this question, let us go back in time when America or the U.S. specifically was planning its dominant role in the whole world. Let me cite a paper of my professor, Noam Chomsky, a professor of linguistics at the Massachusetts Institute of Technology, in a talk at Harvard University on March 19, 1985, when he spoke on U.S. intervention in Asia and in Central America.

He pointed out that from 1935 to 1945, extensive studies on geopolitics were conducted by the Council on Foreign Relations and the State Department. One of these groups was called the War Peace Studies Group. These groups developed what they called "Grand Area" planning. The "Grand Area" is the region subordinated to the needs of the American economy and is "strategically necessary for world control." In their geopolitical analysis, the "Grand Area" must include the Western Hemisphere, the Far East, the former British Empire, Western and Southern Europe and the oil-producing regions in the Middle East.

For the so-called Far East, their analysis was for Japan to be the "industrial heartland of Asia." But because Japan is resource-poor, it would need Southeast Asia and South Asia for resources and markets. All these will be incorporated within the global system dominated by the United States.

This thinking was best expressed by George Kennon, head of the State Department policy planning staff, in the late 1940s, when he wrote in 1948:

We have about 50 percent of the world's wealth but only 6.3 percent of its population . . . In this situation, we cannot fail to be the object of envy and resentment. Our real task in the coming period is to devise the pattern of relationships which will permit us to maintain this position of disparity . . . We need not deceive ourselves that we can afford today the luxury of altruism and world benefaction . . . We should cease to talk about vague . . . and unreal objectives such as human rights, the raising of the living standards and democratization. The day is not far-off when we are going to have to deal in straight power concepts. The less we are hampered by idealistic slogans, the better.

It is the same principle that was applied to Latin America for the "protection of raw materials" needed by the United States. In this regard, Chomsky asked, "Protect from whom?" From the indigenous populations, meaning those of Latin America who would naturally want to use the resources for their own use.

He asked further, "Protection by what means?" George Kennon provides the answer:

The final answer might be an unpleasant one but . . . we should not hesitate before police repression by the local government; this is not shameful since the communists are essentially traitors . . . It is better to have a strong regime in power than a liberal government if it is indulgent and relaxed and penetrated by Communists.

In American political discourse, the term "communist" is regularly used to refer to people who are committed to the belief that the government has direct responsibility for the welfare of the people.

This is quoted from a 1949 State Department Intelligence Report which warned of the spread of the doctrine, which necessarily would threaten U.S. needs for raw materials. True enough, John F. Kennedy once said that the governments of the civil-military type of El Salvador are the most effective in containing communist penetration in Latin America.

It should be pointed out that since the Second World War, the U.S. military's enemy has been world communism, as articulated by George Kennon and other U.S. policymakers. But we ask: "What is this communism as viewed by the United States?" A systematic review of congressional hearings involving the military shows that the term "communism" is interchanged with (1) "neutralist" (2) "forces of disruption" (3) "extremists" (4) "dissidents" (5) "anti-American" (6) "socialists," and others. These are the so-called "communists" that the members of the U.S. military-industrial complex see as the forces of evil in the world. This thinking is transmitted throughout the world through the extensive network of communication and U.S. propaganda, including the U.S.-supported military training schools. This is the same principle underlining U.S. propaganda in the Philippines that has reduced democracy and communism into black and white.

In the middle of 1950, these ideas about U.S. policy on "communism" were further developed by a prestigious study group headed by a professor of government in Harvard University. The conclusion was that "communism" is the enemy. Why is "communism" the enemy? Because its economic transformation does not "complement the industrial economics of the West." This is the basis for Chomsky to say: "The U.S. quite consistently tries to create enemies if a country tries to free itself from U.S. domination." This is the historical basis of the ever-present "Red Scare." Referring to Latin America, he says:

What we do is drive a country that tries to get away from U.S. influence into being a base for the Russians because that justifies the U.S. to violently intervene in the internal affairs of the country to keep this country within its grip.

Of course, we know that this pattern has taken place in Asia and the Philippines.

Specific to the Philippines, George Kennon who linked the military strategy of forward deployment with the containment of Soviet and Communist power agreed with General MacArthur's idea in 1948 that the strategic boundaries of the United States were no longer along the western shore of North and South America but in the western coast of the Asiatic continent. George Kennon said:

It is my own guess that Japan and the Philippines will be found to be the cornerstones of such Pacific security system and that if we can continue to retain effective control over these areas, there can be no serious threat to our security from the East within our time.

It was necessary therefore to shape our relationship to the Philippines in such a way as to permit to the Philippine government a continued independence in all internal affairs, but to preserve the archipelago as a bulwark of U.S. security in the area.

This, too, was the historical and geopolitical context for the bases agreement in 1947.

I shall not cover the same ground already covered clearly by Commissioner Garcia and, recently, this morning, by Commissioner Suarez.

Let me say now that it is in understanding the geopolitical context of U.S. policy that we begin to make sense of what representative Stephen Solarz, Chairman of the powerful House Subcommittee on Asian and Pacific Affairs, said regarding U.S. policy in the Philippines very recently:

On a scale of ten, our interests are: 6.5 for the military bases at Subic and Clark; 2 for U.S. investments and trade; and, to be kind, 1.5 for Filipino human rights.

It is also in this context that we begin to understand the following recent statements attributed to American officials according to a Philippine News Agency dispatch from Washington, D.C. It states:

Richard Armitage, Assistant Secretary of Defense for Far Eastern Affairs, told Congress that the NPA's strength had increased from 12,000, before President Aquino took over, to 16,000. The idea is to increase the threat, if even speculative, of insurgency in the Philippines as a basis for U.S. intervention.

Gaston Sigur, Assistant Secretary for East Asian and Pacific Affairs, also told Congress that no one should underestimate our resolve to maintain our defense and mutual security arrangements with the Philippines and to preserve our access to the facilities at Subic and Clark through 1991 and beyond.

He was quoted as saying:

The bases support our strategy of forward deployment in Asia and provide a secure foundation which makes possible the pursuit of our larger political and economic interests in this key part of the globe.

One unnamed source said:

The U.S. will also have no qualms to destabilize the present government if it perceives that its interests are being jeopardized or the communists are taking the upperhand.

The same context helps us put into perspective the Manila Declaration by the International Security Council during its recent Manila conference on August 12-14, which was cited by Commissioner de Castro last week. This Conference was chaired by a right-wing scholar who was once hired by the Marcos regime to wage a propaganda campaign in support of that regime. The document re-echoes the cold war rhetoric between "democracy" and "communism."

I argue that all these developments demand of us a thoroughgoing reexamination of the cold war rhetoric between democracy and communism, between the idea of a strategic interest so that we can blaze a path of our own

choosing, consistent with our history, our cultural values, our own needs and our aspirations.

International politics and patterns of social development are much too complex to be reduced into mere opposition to "democracy" and "communism." We must not accept the concept of strategic interests or strategic importance without asking: For whom? Right now, new nations are exploring uncharted paths of national development, guided by the human right to self-determination. We can do no less. But this exploration can only be done if we free ourselves not only from the clutches of the old colonial masters, most clearly evident in the presence of the U.S. military bases, but also from anachronistic ideas, values and structures. This would mean that we should not take words such as democracy and communism for what we have been told they are by American propaganda. We should not assume that strategic interests and existing political and economic structures are for the welfare of the Filipinos even if we are told of this repeatedly by American propaganda.

The time to do all this reexamination is now. And one way of starting this in a very concrete way is through the Constitution which is the fundamental law of the land. As the fundamental law, it is the place for declaring that there should be no foreign bases on our soil, that our homeland should be nuclear-free, and that we assert, along with our neighbors, that we shall move forward towards a region of peace, freedom and neutrality.

Thank you, Madam President.

MR. RAMA: Madam President, I ask that Commissioner Bacani be recognized.

THE PRESIDENT: Commissioner Bacani is recognized.

SPEECH OF COMMISSIONER BACANI

BISHOP BACANI: Madam President, I do not intend to make a speech because many of the speeches have been very scholarly, very impressive, very persuasive in their arguments. What I would like to give are two footnotes which may be helpful in the discussion. The two footnotes are these:

The first and what I consider more important is the concept of the necessary evil, which we may perhaps explore. I have noticed that in the arguments we have advanced there have been points trying to show that U.S. naval bases here have been an evil element in our history and also arguments trying to show that we are either not certain of this or that the bases have been somehow beneficial also to us as a people.

What I would like to point out is that there may be a third element to consider and that is whether the bases are evil or good. If they are evil, then there is a possibility that they may be a necessary evil and that, thus, even if they should exist and may be allowed to exist, they can be tolerated for the sake of a greater good, at least for the time being.

Let me cite some examples, one from our own physical life and the other from our political life. Sometimes a child may have a rheumatic heart, and it may be good to rectify in the abstract that rheumatic heart disease in the beginning. And yet doctors may advise — as for example, a doctor has advised in the case of a child of a friend of mine — that the operation be postponed till after 10 years so as to enable the child to gain enough strength in order precisely to be able to bear the operation. So here, there is an evil and it is an acknowledged evil and yet it is tolerated for the sake of a greater good.

In another instance, for example, in the matter of our political life, a cabinet minister who perhaps should be removed — and it seems advisable to remove — may be kept in the cabinet of the President because of the graver consequences for the present of his removal. Hence, the evil is known, the evil perhaps is acknowledged, but the removal of the evil is postponed till a later date precisely because of the greater good.

In the Scriptures, we also have something like this. There is the parable of the wheat and the weeds. We remember the parable of the Lord Jesus about a man who sowed wheat seeds and yet both wheat and weeds grew, and he was told by the laborers:

But did you now sow wheat? Why then are there weeds? Do you want us to root them out?

And the Lord said to them:

Let us wait till harvest time, lest by rooting out the weeds, you also do harm to the wheat.

And hence, even God sometimes tolerates some evil, some necessary evil precisely in order to achieve a greater good.

My second footnote, Madam President, has to do with the social costs of the bases. It has been pointed out that they are causes of prostitution and drug abuse and thus, allowing the bases to continue may mean the loss of the Filipino soul.

I neither want to exonerate the bases nor concur in their condemnation from the point of view of their social costs in the lives of our countrymen. I simply want to make this observation as one who has lived and worked in very close proximity to two American bases, the Subic Naval Base and the U.S. Naval Communications Station in San Antonio, Zambales. There was one noticeable phenomenon regarding the provenance of the hostesses and hospitality girls in both San Antonio and Subic. Hardly anyone of them came from San Antonio or Subic. They were practically all migrants from the Visayas, Bicol and sometimes from Manila, Pangasinan or other neighboring provinces. The same could be said of the hospitality girls and hostesses in Olongapo. They were and are neither permanent residents of that place nor are they originally from there. The people from these places I am referring to — Subic, San Antonio, and then, insofar as there are permanent residents there, of Olongapo, because they usually have a sufficient source of livelihood — do not enter the flesh market. This leads one to surmise that the presence of the bases in itself does not cause or is not at least the unique cause of prostitution. If this were the case the ones who would become prostitutes or hostesses soonest would be the girls from the very places where the bases are established, in this case, in Subic, in San Antonio and Olongapo. But no. The hospitality girls and hostesses usually come from afar. They come near the base areas for several reasons, but the two reasons we hear most are these two: First, they need to survive or make their families survive and second, they somehow hope to be able to become the steady or the wife of an American serviceman. Hence, the remedy to prostitution does not seem to be primarily to remove the bases because even if the bases are removed, the girls mired in poverty will look for their clientele elsewhere. The remedy to the problem of prostitution lies primarily elsewhere — in an alert and concerned citizenry, a healthy economy and a sound education in values.

It was interesting to have read this article yesterday, "Children of the Night," in the Sunday Times Magazine. The girl referred to here apparently does not work near an American base, but she earns her livelihood somewhere in Manila. And yet, she says: "Ayaw kong maging patay-gutom muli." That is in response to the possibility that she may leave her trade: "Sa trabaho ko may pag-asa pa akong umasenso. Baka isang araw may magkagusto sa aking Kano, gawin pa akong kabit." In other words, what I am trying to point out is, we may be barking at the wrong tree. In Thailand, at present, there are no longer any American bases, according to the information I have received. And yet one American magazine points out that they have one million prostitutes or hospitality girls in that place. Again, one magazine pointed out that there are about 500,000 hospitality girls in the Philippines. If that is so and if the figures for Olongapo are right that there are 15,000 registered hospitality girls, there are a lot more outside of Olongapo. It is not that I exonerate the bases for the ills because they do contribute; but what I am trying to say is, the remedy we are trying to propose may not fit completely the problem.

Thank you.

MR. RAMA: Madam President, I ask that Commissioner Jamir be recognized.

THE PRESIDENT: Commissioner Jamir is recognized.

SPEECH OF COMMISSIONER JAMIR

MR. JAMIR: Madam President, in rising to support the deletion of Section 3 of the proposed Article on Declaration of Principles, I am prompted by a desire to prevent the inclusion of any mention of neutrality and the maintenance of foreign military bases in our Constitution. In my opinion these matters are best left to the sound judgment of our President and the Congress, so that they may act on them as the future unfolds, and according to the best interests of our people. For our Constitution to mandate that this country must remain neutral at all times and prohibit the existence of foreign military bases here, irrespective of what the circumstances may demand, would be most unwise, if not suicidal, for it would put the government in a strait-jacket in the conduct of foreign affairs.

My reasons for this stand are based upon events which have occurred in the recent past. Let us begin with the question of neutrality.

In 1935, the United States Congress passed the Neutrality Act which obliged the President to place an embargo on all shipments of arms beginning September 3, 1939. As long as this law remained in force, the United States could not do anything to help England and, later on, Russia fight the German hordes. The result would have been disastrous for all of us. For had England and Russia lost the war, all of us would have lain prostrate under the German boots. Fortunately, the Neutrality Act was not embodied in the United States Constitution, so it was repealed on November 30, 1939. America, therefore, was able to make itself the "arsenal of democracy," especially after the approval of the Lend-Lease Act. This instance is more than ample proof that it is wrong to tie the hands of our President and Congress by a constitutional provision mandating neutrality irrespective of circumstances. The better policy, as borne out by the event just related, is not to mention neutrality in our proposed Constitution.

Is neutrality a success? With the sole exception of Switzerland, which has not been invaded because it serves as a useful listening post for all nations at war and not because of its neutrality, it is a failure. Consider the following circumstances:

Belgium relied on its neutrality during, the First and Second World Wars and, on Germany's promise to respect it, she refused to form a common front against the Kaiser's and Hitler's armies. On both occasions, however, Belgium was pillaged and plundered by the Germans. Holland and Denmark, whose neutralities were likewise guaranteed by Germany and who tried to placate Hitler's demands, became the sad victims of their delusion when they were crushed by the legions of that madman. Norway, whose neutrality was also guaranteed by Hitler, was invaded by the latter on the pretext that England was about to overrun that unhappy country.

These are facts of history and they furnish concrete examples of the failures of neutrality. Up to the present, these nations that put so much trust on their supposed diplomatic immunity are still suffering from the grievous wounds inflicted upon them by a nation whose word and honor meant nothing.

If the Philippines makes a unilateral declaration of neutrality in its Constitution, can it expect the rest of the world to abide by that declaration? Of course, it cannot because they are not bound thereby, not being parties to the declaration. The best thing to do then is to ask the superpowers to guarantee that neutrality. Shall we ask the United States to do it? I doubt very much if those who are suspicious of the United States would agree to this. In

fact, I have yet to hear them say something good about that country. Or should we ask Russia to guarantee Philippine neutrality? Maybe, since there are those who appear to favor that nation. If so, I would like to remind that it was Russia who, in spite of her Non-Aggression Pact of 1921 with Finland, attacked that small country on November 30, 1939 because it failed to agree to lease the Port of Hango in the Gulf of Finland to Russia. Let me also remind that it was Russia that urged the Polish partisans to rise up in revolt against the German garrison a few days before Poland's liberation, only to leave the Polish patriots to the tender mercies of the German soldiers because Russia wanted the noncommunist partisans to be liquidated in order to give way to its own minions. What was worse was that Russia refused to allow the British and the Americans to give food and military aid to the Polish people. Even today, poor Poland continues under the Russian yoke and all striking Polish miners and workers are mowed down by Russian tanks and guns. The Polish do not even know when their calvary would end.

Let me also remind that six or seven years ago Russia invaded Afghanistan, its neighbor, in order to install Russia's puppet as president of that country. Since then so many Afghan lives have been lost and countless Afghan families have been driven from their homes to neighboring Pakistan. Up to now Russia continues to occupy Afghanistan against the will of its own people. And these hapless victims of ruthless invasion do not know if they will ever return to their native land. And so I ask if, in the guise of guarantor of our neutrality, we are ready to offer this country of ours as a succulent food for the Russian bear.

Let us now turn to the question of foreign military bases. My position on this matter is that nothing should be mentioned in our proposed Constitution regarding the maintenance of foreign military bases in the Philippines. In other words, this matter should be left entirely to the determination of our President and Congress as our country's interest may dictate.

One of the reasons advanced against the maintenance of foreign military bases here is that they impair portions of our sovereignty. While I agree that our country's sovereignty should not be impaired, I also hold the view that there are times when it is necessary to do so according to the imperatives of national interest. There are precedents to this effect. Thus, during World War II, England leased its bases in the West Indies and in Bermuda for 99 years to the United States for its use as naval and air bases. It was done in consideration of 50 overaged destroyers which the United States gave to England for its use in the Battle of the Atlantic.

A few years ago, England gave the Island of Diego Garcia to the United States for the latter's use as a naval base in the Indian Ocean. About the same time, the United States obtained bases in Spain, Egypt and Israel. In doing so, these countries, in effect, contributed to the launching of a preventive defense posture against possible trouble in the Middle East and in the Indian Ocean for their own protection.

It must be recognized that on our own, we cannot survive a full-scale war. The sheltering sea which surrounds us is not enough to guarantee our freedom from hostile attack and it will be foolish to suppose that in Southeast Asia, to which our country belongs, nothing untoward will happen. One can never tell when the malice of the wicked will surface. The best thing for us to do, therefore, is to invest in the goodwill of our neighboring nations by doing our share of the common defense. Since the bases of Subic Bay and Clark Field are obviously part of the defense perimeter of Southeast Asia, the little inconvenience we are undergoing due to the impairment of a portion of our sovereignty, which is more than offset by the protection they afford, may be considered our investment in peace and freedom.

Madam President, I have often asked myself whether the demand for neutrality and the removal of all foreign military bases from our shores stem from the desire to see this country bereft of all vestiges of self-protection or from a hatred of everything that has to do with the United States of America. I am unable to give a credible answer to either one of them. I cannot imagine why one would want his own nation to face a hostile world

completely defenseless. Neither can I understand why one could see nothing but fault in the United States of America in spite of the obvious blessings she has showered upon us. But whatever may be the cause of these extreme demands, let us not forget that it is our country that will suffer by constitutionalizing them. The anxious hope of our countrymen is that in the discharge of our duties we shall act with circumspection and not with folly.

Let us, therefore, cast aside all pettiness so that the youth, with all his dreams, the middle-aged, with his memories of causes lost and won, and those in their twilight years can help bring our people out of bondage to the promised land.

Thank you, Madam President.

MR. RAMA: Madam President, I ask that Commissioner Treñas be recognized.

THE PRESIDENT: Commissioner Treñas is recognized.

SPEECH OF COMMISSIONER TREÑAS

MR. TREÑAS: Madam President, may I also be allowed to express my sentiments on the crucial issue now before this Commission.

After hearing the eloquent and sometimes emotional arguments of those who favor the inclusion in our Constitution of the anti-bases provision, I am tempted to join them because there is no question that the bases or the presence of the bases may invite attack — nuclear attack — in case of war. It has spawned social problems. America insists that the rentals she is paying us are a measly amount compared with what is being paid to other countries in the form of aid. America has supported a corrupt and dictatorial regime; but on the other hand, after hearing the solid and somber arguments of Commissioner Rodrigo, as well as those who have supported him, I must say that I join him in this matter.

Madam President, I contend and respectfully submit that this Commission does not have the right or the duty to put in our Constitution a provision banning military bases. President Aquino, during the last presidential campaign, repeatedly stated her stand on the matter of the bases — that she has her options open and will decide accordingly at the proper time.

Madam President, I believe that we, her own appointed Commissioners who are supposed to draft our Constitution, the fundamental law of the land, should not preempt her from exercising her option at the proper time. We see in our President, as shown in the last few days, a dynamic President who can act decisively. She will be more so after a few years from now when this important issue will be decided. Why deprive her of this right which I sincerely believe belongs to her as our Chief Executive? By then the matter will be better studied by our government. Why deprive our future Congress, duly elected by the people, to affirm or ratify whatever is the decision of our President? Why deprive the Filipino people of the right to decide this crucial issue after the matter has been properly debated, the pros and cons expounded? If President Cory Aquino at the proper time should decide that the bases shall be removed and this is ratified by our Congress and supported by our people, so be it. If she believes otherwise, let us give her, our Congress and the people a chance. I will not repeat the other worthy arguments presented by other speakers.

Wherefore, Madam President, let my feeble voice be heard and my sentiments expressed in this manner. In the same breath, I support the report of the committee that we shall not allow nuclear weapons to be stored in any part of our country. I support the reasons and arguments of Commissioners Azcuna and de los Reyes. Let us join all other nations in proclaiming to the world that we shall not allow any nuclear weapon to be stored in our beloved country. If the superpowers America and Russia continue their insanity of building up nuclear power and destroy

each other and the world in case of war, let it be in their respective conscience. But let us not pass this occasion without expressing the sentiments of the Filipino people that we shall never allow nuclear weapons to be stored in our country. However, I hope and pray that these two superpowers will realize the insanity of this all and sit together and say: "Let us destroy all our nuclear powers. Let us use all the billions we are spending for the eradication of poverty, disease and hunger." We look to that day and we are sure that all the world, all the nations of the world will be living in peace, harmony and love.

Thank you.

MR. RAMA: Madam President, may I ask that the chairman of the committee, Commissioner Tingson, be recognized.

THE PRESIDENT: Commissioner Tingson is recognized.

SPEECH OF COMMISSIONER TINGSON

MR. TINGSON: Thank you very much, Madam President.

I am aware that a goodly number of my fellow Commissioners have already eloquently expressed themselves on this burning issue of the day — the retaining or the dismantling of the United States military bases in the Philippines. Madam President, I do not intend to muddle the high-level discussions and debates on this controversial subject by getting into the fray on the flimsy excuse that I am duty-bound as a Member of this august body to speak up on any and all proposals brought forth before us. The truth is that I have tried to adhere to the wise advice that silence is golden especially when one is not considered an expert on a given subject.

Madam President, it is said that if you want to please an Englishman, give him tea. If you desire to please an American, serve him apple pie. If you expect to be a good host to a Korean, by all means produce him Kimchi. If you want to please a Mexican, give him tortillas. Ah, but if you want to please a Filipino, let him talk!

And speak I must, Madam President, because rightly or wrongly I have been singled out by the press and many columnists as the unabashed American-boy Commissioner. They have criticized me unjustly. They have hurled the Philippines against my reputation. They have tried to crucify me on the iron cross of intellectual indiscretion, all because I have been trained to articulate my honest convictions and to speak out my mind when I am convinced after ample and prayerful consideration that I have arrived at a reasonable conclusion or opinion.

Yes, Madam President and colleagues, I am for the retention of the American military bases in our country and I am affirming it today without hesitation or embarrassment. And why should I when survey after survey show unmistakably that a vast majority of the Filipino people are precisely opting for this decision and doing it decisively? Do we not believe anymore that vox populi vox dei? Is democracy not the very essence of respect for the voice of the majority?

In the last survey taken by the Bishops-Businessmen's Conference on this issue, an overwhelming majority of our people favored the retention of the American facilities at Clark Air Base and Subic Naval Base. Only an insignificant percentage voted for their removal.

But this humble Representation does not, of course, ask for retention of foreign military bases on our soil without conditions, nor is he advocating the extension of the bases treaty for 100 years more beyond 1991 without strict conditions. He is not that blind, nor is he that naive.

It is said that patriotism is a refuse for scoundrels. For the moment, let us equate this issue, pro or con, neither with the patriot nor with the scoundrel. Rather, let us try to be dispassionate and honestly objective.

Madam President, among my 47 resolutions filed with our Constitutional Commission is Proposed Resolution No. 268, advocating that those bases be extended from one period to another upon concurrence of the parties and such extensions shall be based on justice, the historical amity of the peoples of the Philippines and the United States and their common defense interest.

I agree with Francisco Tatad that as a sovereign country we must not consider ourselves hostage to any agreement which does not serve our national interest. Indeed, it is our right and duty to abrogate or modify any agreement that does not find consonance with our God-given rights; but it is equally our right and duty to defend every agreement we have signed with our word of honor as a self-respecting sovereign people. The well-known writer poses the question:

Does the RP-US Bases Agreement serve our national interest? The United States, Japan and the whole of ASEAN need the bases. Do we need them as well? If the bases serve to tranquilize the waters of Western Pacific, how much tranquil would they be were those bases to be removed? What chances would a country have of living a peaceful and quiet life were the balance of power in the region to shift? Can we afford to exist as a group of islands in the middle of a vast ocean untouched and unmoved by the changing currents around us? Can we afford to pursue a policy of neutralism while the waters around us heat up?

Mr. Tatad continues to ask ponderously:

Can we afford to speculate on our security? Do our reasonably friendly relations with Socialist Vietnam, with its Russian-supplied army of over a million men, allow us to tempt that country, with whom we have a territorial dispute over some oil-rich areas just a strip of water off Palawan, by dismantling the only structure that provides our external defense at this time?

Madam President, reality tells us that for good or ill, we continue to rely on the U.S. Seventh Fleet to provide security cover for our oil imports from the Middle East, and on the 13th Air Force particularly for our aerial defense. With the decline of our defense budget over the years, can we possibly fill with our resources a security vacuum arising out of a sudden American withdrawal of their military bases which obviously serve as a mutual defense for their and our security, including that of ASEAN?

These are gut questions that demand not wishy-washy but equally gut answers.

Madam President, along with those who have addressed this assembly during the last few days, I, too, would say that as a self-respecting country we must exert every effort to end our security dependence on a foreign power. But let us be down-to-earth pragmatists, not dreamers. Certainly, the time is not now — perhaps within the lifetime of our children's children.

Defense Minister Juan Ponce Enrile certainly knows whereof he speaks when he batted in a speech reported out by newspapers on Wednesday, July 23, 1986 for the retention of American military facilities in the country even beyond this century to counterbalance the growing Soviet military might in the Pacific region.

He said this is not the time to remove Clark Air Base and Subic Naval Base, the two major facilities of the United States in the country, because it will create a vacuum in this part of the world. It would not be in the interest of our country at this time or within a much longer period. The Soviets have a huge military base at Cam Ranh Bay in Vietnam, just a few flying hours from Luzon.

Enrile asked who will counterbalance the Soviets, if they do not get out of this region. He maintained that even the joint military forces in the Pacific, including China and Japan, would not be enough to counter the Soviet military force. The Defense Minister warned that if one superpower is stronger militarily than the other, the stronger one would be tempted to intrude into the national territory of the weaker nation.

In the case of the Philippines and the other Southeast Asian nations, the presence of American troops in the country is a projection of America's security interest. Enrile said that nonetheless, they also serve, although in an incidental and secondary way, the security interest of the Republic of the Philippines and the region. Yes, of course, Mr. Enrile also echoes the sentiments of most of us in this Commission, namely: It is ideal for us as an independent and sovereign nation to ultimately abrogate the RP-US military treaty and, at the right time, build our own air and naval might.

The Defense Minister continued by saying that we we can guard the boundaries of our nation against external attack maybe later on when we attain an economic strength to enable us to develop such capabilities.

My question, Madam President, is: Can anybody around honestly see in the offing such a possibility, perhaps within our lifetime?

On the other hand, Vice-President Salvador Laurel was reported to have said in another speech delivered on the same day that the U.S. bases should not be touched by our Constitutional Commission because any such decision written into our new Charter would tie down the hands of the government. Laurel said that with the bases question out of the Constitution, the government can respond to changes of circumstances and have more elbow room in the projected renegotiations of the bases treaty beginning 1988.

We must hear, of course, from our national leaders. Our Lady Chief Executive, President Corazon Aquino, on the same date, July 23, said that she wanted to keep her options open on what to do with the American military bases in the country and reiterated her advice to us Commissioners to stick to the work of writing a constitution and not usurp the legislative and policy-making functions of the representative institutions that we are called upon to create.

It is interesting to note that the United States Embassy in Manila has officially come out last July 21 with the statement that although the United States considers American military facilities in the country vitally important to its interests, nevertheless, the United States Embassy in Manila said, it — America, that is — will not insist on staying if the Philippine government decides to end the RP-US Military Bases Agreement in 1991.

This position was reported in the Embassy's publication, U .S. Views, in the wake of speculations that the United States would retain the bases, as it did in Guantanamo Bay, Cuba, despite efforts to remove them.

The United States does not wish to relocate its facilities at Clark and Subic, especially since other sites in the region are less strategically located and transferring the bases would entail a great deal of time and money, the report said.

The report added that if, however, the government of the Philippines exercises its prerogative to terminate the Military Bases Agreement after 1991, the United States would certainly not, as some allege, insist on staying as an unwanted guest.

It mentioned that seven Philippine administrations and eight American presidents had found the bases serving the mutual interest of both countries and a majority of Filipinos favoring the retention of the bases.

Quantifying the economic benefits that the Philippines derives from its military spending, the United States Embassy pointed out that there are about half-a-million direct and indirect jobs and over one billion added, as a result, to the country's economy.

All these, Madam President, emphasize the need for a most thorough, scholarly and continuous study of all aspects of the problem we are discussing here in our Constitutional Commission. The Filipino people must be prepared for the moment of truth when they will have to make a definite stand on the military bases issue

consistent with their security and well-being.

Yes, I support the stand of Commissioner Francisco "Soc" Rodrigo. And I would also support, perhaps to be written in the Transitory Provisions of our Constitution, something like that when we shall have drawn up another treaty with America, hopefully more favorable than the treaties are, as far as we are concerned. This treaty will be presented to the Filipino people for their decision on whether or not to allow the retention of the American bases in this country.

Allow me to close with two or three more paragraphs, Madam President. In this endeavor, Philippine leaders cannot afford to be parochial or insular. While our primary responsibility is to the people, we cannot discharge that responsibility unless we deal objectively and justly with the interests of other countries that may be affected by our decisions, especially our ASEAN partners and Asian-Pacific neighbors, and the countries with whom we have friendly relations.

Madam President, I deeply appreciate the privilege and the honor the Chair and my respected colleagues have accorded this humble Representation so that he could contribute his bit to this debate on such an issue that will, for good or ill, conduce to ultimate survival or ruination of our country.

We pray to God Almighty that we will be guided in the right path.

Allow me to say in summation that I am for the retention of American military bases in the Philippines provided that such an extension from one period to another shall be concluded upon concurrence of the parties, and such extension shall be based on justice, the historical amity of the people of the Philippines and the United States and their common defense interest.

I base my stand on two reasons: practical nationalism and economic realism.

But I join Commissioner Francisco "Soc" Rodrigo and others that nary a word about this issue should be written into the Constitution we are framing.

As former Ambassador Melchor Aquino wrote in his column last July 16 in The Manila Bulletin:

If the bases do not conduce to the self-interest of the Philippines, the bases must go.

If, on the other hand, the bases demonstrably serve the ends of the mutual security arrangements between the Philippines and the United States, the bases must stay.

Public opinion surveys, which conclusively show that majority of the people favor the maintenance of U.S. military presence, should give pause to the Constitutional Commission. A constitutional ban on U.S. bases could very well lead to rejection of the draft Constitution in a national plebiscite.

Senator Rodrigo has raised a resounding voice of wisdom. Other Members of the Constitutional Commission who adhere to the paramount order of reason should follow suit.

Lord, give us even men on this issue — Filipinos with hearts ablaze, with all rights to love and all wrongs to hate. For, O God, these are the Filipinos our country needs. These are the bulwark of the State.

Thank you, Madam President.

MR. RAMA: Madam President, I ask that Commissioner Alonto be recognized.

MR. GASCON: Madam President, before Commissioner Alonto begins his speech, I would just like to inform the whole body that this week is the "International Week of Peace" and tomorrow, September 16, is the "International Day of Peace." One of the projects of the United Nations which we are requesting all of the world to follow is the

"Million Minutes of Peace" to begin at twelve noon everyday. It is but coincidental that as we are celebrating the "International Year of Peace" and the "International Week of Peace" we are discussing such very important topics as neutrality, bases-free and nuclear-free country.

So, I would like to make a motion that at twelve noon today, we begin that minute of peace.

THE PRESIDENT: Will the Commissioner please check that because the communication we received is September 16.

MR. GASCON: Yes, it begins tomorrow, Madam President. I was suggesting that we begin it today, Monday.

MR. TINGSON: Madam President, may I gladly and joyfully second that motion.

MR. RAMA: Madam President, I ask that Commissioner Alonto be recognized.

THE PRESIDENT: Commissioner Alonto is recognized.

SPEECH OF COMMISSIONER ALONTO

MR. ALONTO: Madam President, I was requested by one of our distinguished Commissioners to start and begin at 12:01 and with the Chair permitting, I will do so. (There was silence for a minute of peace.)

Now I can begin, with the Chair's permission. Madam President, I am not going to take much of the time of this august body. I rise to add my feeble voice to those of the distinguished Members of this Commission who opted to leave the issue of U.S. military bases to the government of the Republic to judge and dispose of. I am one with all correctly concerned Filipinos that the ideal state of affairs would be the absence of any foreign military bases within the territorial limits and jurisdiction of the country. However, under the present state of world affairs coupled with the unstable state of things in our country, to saddle our present government — and for that matter, future ones — with a constitutional provision that will not give them a sufficient ground to maneuver in the interest of the security and well-being of the country will be fatal to the sacrifices of our people to achieve a respectable place in the concept of free and independent nations.

Madam President, allow me to digress from the main theme of these remarks by quoting portions of an article entitled, "Con-Comedy of Errors," published in the September 20, 1986 issue of the resurrected Philippines Free Press, whose author, I have no doubt, is as patriotic as any Filipino worth the name, and I quote:

Squabbles, walk-out, irrevocable resignation — These have, so far, characterized the deliberations of the Constitutional Commission created by President Aquino to draft a new Constitution to replace the provisional Freedom Constitution of the People Power Revolution under which she governs.

That there would be disagreement over provisions of the proposed Charter should surprise no one. Unanimity of opinion is not human. It smacks of dictation. But to resign from the Commission because one's views do not prevail or walk out in a huff is to violate the basic term for one's appointment to the body: to argue one's case as well as one can but, if in the minority, to abide by the decision of the majority. Unless, of course, one could prove that the majority has been coerced or bought. Let the minority express its views, coherently if possible, and if overruled, ventilate them in the press. Thus, they may be heard and influence, if not the deliberations of the commission, the people in the plebiscite that would be held for the approval or disapproval of the draft. If their views remain those of a minority, however passionate and vocal, and the majority of the voters approve the draft just the same, would the minority then walk out on the people? The minority may be right; it need not be a jerk one . . .

I had always been in the minority in the past process of nation-building in this country, but I have never been a jerk, Madam President.

I have suffered for my views as a minority in the course of our nation-building, but because I am in the minority and the majority has a better position than I have, I endured those repressions and sufferings because that is democracy.

The writer continued:

There are the anti-U.S. bases proponents, but if they seriously believe in their position, why not submit it to a plebiscite, a separate one, where it could be properly debated instead of being sneaked in like a congressional rider? That is legislative swindle. Fool most of the people this time?

That is precisely what I am appealing to the distinguished Members of this august body, because the subject for which we have been giving a so passionate discussion is a subject which may very well and actually be dispensed with in the Constitution. We have other distinguished Members in this august body who have said that this can be left to the wisdom of the executive and the forthcoming legislative departments of this country.

Madam President, sometime ago after this Commission started with this task of framing a constitution, I read a statement of President Aquino to the effect that she is for the removal of the U.S. military bases in this country but that the removal of the U.S. military bases should not be done just to give way to other foreign bases. Today, there are two world superpowers, both vying to control any and all countries which have importance to their strategy for world domination. The Philippines is one such country.

Madam President, I submit that I am one of those ready to completely remove any vestiges of the days of enslavement, but not prepared to erase them if to do so would merely leave a vacuum to be occupied by a far worse type.

Our experience in the world history for the last two centuries has proven that there is no such thing as fence-sitting in international relations. And if, God forbid, by an act of this august body that is now framing the fundamental law of this country upon which we are going to build the future of this country we will choose to embody in this Constitution an abrupt and an unreasonable pronouncement to do away with the present military bases in this country, then, Madam President, I am afraid that we might be following the fate of some other countries.

Several countries in South and Central America, Asia and Africa have been cited by previous distinguished Members of this Commission, but nobody has ever thought of the fate that happened to one of our neighbors here in Asia, and that is Afghanistan. Madam President, Afghanistan has been a Muslim country from the early era of Islam. Its geographical position is very strategic and this is an important point to remember.

The people of Afghanistan, it is happy to note, are staunch Muslims. For the past 200 years Afghanistan served as a buffer state between Russia and Britain. They defended the British thrice and preserved their independence.

It was from the time of King Mohammed Zahir Shah that Afghanistan started some leanings towards the Union of Soviet Socialist Republics but the ties of working to keep the balance between USSR and USA did not go for long when King Zahir's brother-in-law, Sardar Daud Khan, under USSR inspiration, overthrew him with the help — how big, it is difficult to say — of the Russians. Interestingly when Daud started showing some independence, the Russians got a stooge, Taraki, and virtually ransacked Daud's palace in Kabul and butchered most of the royal family members. But soon, not fully satisfied with Taraki's achievements as a communist leader, the Russians encouraged Hafizullah Amin, Taraki's first deputy, to take over, and the story goes through the Russian sources that Amin invited the Russian troops to come to Afghanistan and in what number? Nearly a hundred thousand strong, fully equipped with the most lethal and modern weapons complete with tanks and armored helicopters. This was on the 27th of December, 1979. And the first thing that the communists' so-called invitees did was to kill

Amin, the very person who was supposed to have invited them. Interesting and unexplainable indeed.

And the forces in Moscow then chose a more dependable stooge, one Barbrac Karmal who was a stern leader of the State and, perhaps, a dependable communist stooge who had no love nor any other consideration for either his people or his country. He was a robot who acted on the orders of others. He only wanted to please his masters and he spoke their language and faithfully carried out their orders, however bitter.

The Russians were killing the people right and left — they used napalm bombs, lethal gases and chemicals to poison their water; burned and destroyed their fields and did not hesitate to commit any inhuman act. The whole land was becoming a wasteland, a place of terror and fright, where there was nothing but darkness. The people were either compelled to bow to power or to flee from the land of their ancestors. There were more than 2.5 million refugees in Pakistan, about a million in Iran and thousands had dispersed all over the world.

Madam President, if we will not be more cautious, if the Filipino people will not realize the realities of world politics today, God forbid, we might suffer the same fate that these countries had in the past.

With this, I pray that we be properly guided in the deliberation on this very important subject of military bases in this country. I am against any foreign bases in this country, but we have to take into consideration the realities of the time.

May God guide us in our deliberation.

Thank you, Madam President.

SUSPENSION OF SESSION

MR. RAMA: Madam President, I move for a suspension until after lunch at 2:30 p.m.

THE PRESIDENT: The session is suspended until 2:30 p.m.

It was 12:16 p.m.

RESUMPTION OF SESSION

At 2:53 p.m., the session was resumed with the Honorable Hilario G. Davide, Jr. presiding.

THE PRESIDING OFFICER (Mr. Davide): The session is resumed.

The Floor Leader is recognized.

MR. RAMA: Mr. Presiding Officer, I ask that Commissioner Gascon be recognized.

THE PRESIDING OFFICER (Mr. Davide): Commissioner Gascon is recognized.

SPEECH OF COMMISSIONER GASCON

MR. GASCON: Thank you, Mr. Presiding Officer.

I rise in support of the committee's proposal for a commitment to a zone of peace, freedom and neutrality, and a bases-free and a nuclear-free Philippines. I would like to begin by sharing with the body a story about an old man who was known as a staunch nationalist. He was also known world-wide to harbor anti-American sentiments. He had produced some articles that were published locally and internationally, calling for genuine national independence. An American journalist who had read this nationalist's articles decided to write a whole book in answer to these. She compared the Philippines to a young infant playing with a pair of scissors, and America to

the mother whose responsibility it was to take that pair of scissors away, lest the child got hurt. It was a typical white-man's-burden argument. And she had come all the way to the Philippines to show this Filipino nationalist her book. She saw the Filipino in an occasion held in Luneta. The National Anthem was being played, yet this Filipino nationalist had his hat on. She went up to him and introduced herself. Then she asked him why he, a nationalist, still had his hat on with the National Anthem being played. He turned to her and said, "How can I remove my hat if I lost both my hands fighting your war in Vietnam?" With that, the American took her book and threw it into Manila Bay.

My dear colleagues, how many more limbs do we have to lose fighting other people's wars before we decide we have had enough? By the way, in a nuclear war, one loses more than just a pair of limbs. The effects of a nuclear war are devastating, such that the living actually envy the dead. There would be a nuclear winter — the smoke, the soot, the dust, debris and other particles produced by nuclear explosions and nuclear fires will encircle the globe and cause the blocking out of the sun for months. There would be no daytime, only twilight at noon. The darkness and absence of sunlight would stop or adversely affect the life-sustaining process of photosynthesis normally performed by plants. The world's temperature, especially in the interiors of continents, will drop to a freezing degree and kill most life forms on earth. Nuclear blizzards will scatter deadly long-lived radioisotopes released from a worldwide detonation of fission bombs. After several months of cold, darkness and lethal radiation, the sun will gradually reappear, but with a few survivors remaining, the living envying the dead. Already ravaged by malnutrition and radiation, injuries will now face bombardment by intense ultraviolet light because the preceding nuclear war had already destroyed a large portion of the ozone layer of the atmosphere that protects us from ultraviolet light.

All the existing nuclear arsenals will make this nuclear winter very possible. Worldwide nuclear arsenals contain 50,000 to 60,000 weapons capable of destroying all life on earth many times over. The total explosive force, at present, is equivalent to 1,500 to 2,000 megatons. One megaton, by the way, is one million tons of TNT — one million Hiroshima bombs or four tons of TNT for each person on earth. A one-megaton nuclear explosion can cause radiation, death and incapacitation to people within an area of at least 2,000 miles. The total energy yield of the United States' strategic weapons alone will amount to 7,000 megatons. It has been calculated by scientists using computer models that a minimum nuclear exchange of only 100 megatons, targetted at major cities, military bases, fuel depots and ammunition dumps, can trigger a nuclear winter.

Let us consider the bombing of Hiroshima, which would not be nearly as devastating as the nuclear winter. What had happened there? The city was annihilated in an instant; damage was exemplified by the composite effect of thermal radiation blast and radiation. Hiroshima was instantly levelled to the ground, the whole city turned into an inferno with the dead and wounded lying everywhere; almost all died in the flames. Countless people were burned to death or trapped under collapsed buildings and other materials; the rivers which flowed through the city were full of dead bodies of people who jumped into the river to extinguish the flames. The destructive power of the blast was so strong that people who were quite distant from the city were injured by flying glass. Throughout the whole day of August 6, 1945, a monstrous, tower-shaped, cumulonimbus cloud hung over the city. It brought rain showers from 9:00 a.m. to 4:00 p.m. In the beginning, the rains came in large, muddy, sticky, pitch-black drops, coarse enough to cause pain to the naked bombing victims. The "black rain" lasted for one to two hours; then normal rain followed. The "black rain" contained the muddy dust which was produced at the time of explosion and went in black smoke and soot resulting from the fires.

Since the rain contained very strong radioactivity, people who were exposed to it showed the same symptoms as those who were in the immediate vicinity but had survived the explosion. Also fish such as carp in ponds and catfish and eels in the rivers died and floated on the ponds and rivers. The cattle that ate the grass wet by the

muddy rain developed diarrhea. Many people also suffered from the same symptoms because the city pipes were broken and the people had to drink well water. At the termination of the war, there were some seriously wounded bomb victims who committed suicide because of great pain or because of their frightful scars.

The population of Hiroshima when the bomb was dropped was 400,000; by the end of December 1945, it was 140,000. The civilians exposed to the A-bomb were 320,000. People within the radius of approximately four kilometers of the blast were seriously affected by the radiation.

The first signs of the body being affected were those of disturbances in blood-producing tissues of the bone marrow, the spleen and the lymph glands. Later on, the internal organs such as the lungs, the stomach, the intestines, the liver and the kidneys were also affected. Those with high degree of radioactivity were dead within a few weeks — a few days to two weeks. Those who were moderately affected by radioactivity developed severe symptoms after four weeks. There were no official relief measures for these victims until January 1953, eight years after the bombing of Hiroshima.

One must not forget that the United States unleashed the atomic bombs on Hiroshima and Nagasaki at a time when Japan was already on the verge of surrendering. There was no plausible military reason for the dropping of the bombs. The only reason could be political — to emphasize the strategic supremacy of the United States over its allies and to cow any opposition to it in the cold war. This was the beginning of the American tactics of negotiating from a position of strength, of utilizing weapons for mass destruction as a coercive instrument to secure American political and economic objectives. The bomb was used when there was no nation that could retaliate against the United States. The situation is different now. Even if the United States uses a minor part of its nuclear arsenal, escalation would surely follow and the consequence would be the destruction of the world.

Let us consider the consequences of a nuclear attack on the Philippines. There are four major targets in the Philippines: the San Miguel Communication Center, Clark Air Base, Subic Naval Base and the JUSMAG here in Quezon City. Simultaneous explosions in all port targets would leave 2.4 million Filipinos dead; 2.5 million injured from the immediate effects of the blast; 1.2 million dead from severe burns; 1.3 million dead from acute radiation sickness; 250,000 cases of benign thyroid nodules; 27,000 to 270,000 cases of spontaneous abortions of developing human embryos due to chromosomal damage by radiation; 184,000 to 840,000 cases of genetic disorders such as congenital cataracts, deafness, mental retardation and muscular dystrophy.

Let us reflect on these possibilities very deeply, my colleagues. Let us also remember that tomorrow, September 16, 1986, is the International Day of Peace and that 1986 itself is the International Year of Peace. Let us also reflect on the words of United Nations Secretary-General Javier Perez de Cuellar who, speaking on the demands of our times, said:

We all constitute a global family. We are in this beautiful planet together. In these difficult times, the genius, labor and resourcefulness of the world's people should be directed towards the building of a better, safer, more stable and tranquil world. Civilization can only develop in an environment of peace.

Let us consider the situation of peace in our world today. Consider our brethren in the Middle East, in Indo-China, Central America, in South Africa — there has been escalation of war in some of these areas because of foreign intervention which views these conflicts through the narrow prism of the East-West conflict. The United States bases have been used as springboards for intervention in some of these conflicts. We should not allow ourselves to be party to the warlike mentality of these foreign interventionists. We must always be on the side of peace — this means that we should not always rely on military solution.

An article in today's issue of The Manila Times says, and I quote:

It seems that our dream of peace has never been as elusive as it is today. Nevertheless, these are the times when we must seek encouragement and inspiration from God's divine words in Matthew 5:3-10.

Happy are those who know they are spiritually poor, the Kingdom of heaven belongs to them;

Happy are those who mourn, God will comfort them;

Happy are those who are humble, they will receive what God has promised;

Happy are those whose greatest desire is to do what God requires, God will satisfy them fully;

Happy are those who are merciful to others, God will be merciful to them;

Happy are the pure in heart, they will see God;

Happy are those who work for peace, God will call them His children;

Happy are those who are persecuted because they do what God requires, the Kingdom of heaven belongs to them;

Happy are you when people insult you and persecute you and tell all kinds of evil lies against you because you are my followers;

Be happy and glad for a great reward is kept for you in heaven because this is how the prophets who lived before you were persecuted.

But what about the Americans' view of our security being their personal responsibility and personal burden? Randolph David in his article, "The Meaning of Peace in Asia," exposes this type of thinking well. He says, and I quote:

From the American point of view, it is they, the superpowers alone, who have the right to determine the requisites of global security. Accordingly, all other nations must align their respective national visions to the last larger perspective that is supposed to inform the superpowers' behavior.

Furthermore, what type of security and peace have the superpowers produced? Peace that is perched precariously on the balance of terror, a peace that is fuelled by the nonstop production of nuclear weapons and by period exhibitions of calculated recklessness and superpower machismo.

I agree with Professor David's views. I firmly believe that we cannot and should not attempt to preserve peace through violence. That is much like attempting to preserve one's virginity through marriage.

Before any of my colleagues attempt to counter this view, claiming that we have had peace and security in our midst for the past years, I hope these colleagues first ask themselves these questions: What kind of peace was it? And what security did we have and for whom? I hope my colleagues do not refer to the deathly silence that the majority of our people were threatened into by the repressive Marcos regime, and which was cruelly termed "peace." I hope these colleagues do not refer to the protection given foreign and local elements in enjoying their incredible wealth appropriated from systematic exploitation of workers as "security." Yet, this is what these self-imposed guardians of our destiny have helped to create in our country.

In order to stage this zarzuela, the United States government showed its support for the martial law regime by heavily increasing United States economic and military aid to the Philippines after the imposition of martial law. Before the imposed dictatorship, United States military assistance totalled \$80 million. In the three years after the imposition of martial law, this total was \$166.3 million. It continued to increase after that by 106 percent. The United States bases, therefore, are springboards for intervention in our own internal affairs and in the affairs of other nations in this region.

On September 22, 1983, in the wake of the massive demonstrations following the Ninoy Aquino murder, the New York Times reported that the Pentagon now considered the Philippines an area that might require United States troops for direct military intervention, perhaps something like what they did in Granada. As I recall, there were not just communists or extreme leftists out in the streets at that time. There were also social democrats and democratic socialists like myself. There were also centrists, liberal democrats and right-of-center adherents out there. And the United States was ready to pounce on all of them, all of us in fact, at that point in time.

Thus, I firmly believe that a self-respecting nation should safeguard its fundamental freedoms which should logically be declared in black and white in our fundamental law of the land — the Constitution. Let us express our desire for national sovereignty so we may be able to achieve national self-determination. Let us express our desire for neutrality so that we may be able to follow active nonaligned independent foreign policies. Let us express our desire for peace and a nuclear-free zone so we may be able to pursue a healthy and tranquil existence, to have peace that is autonomous and not imposed.

It is argued that declaring these principles would tie the executive department's hands to the mandated Constitution. If that statement means that it should be very difficult to commit our country to a nuclear holocaust, then so be it. Others argue that such principles mean nothing. They claim the Philippines has such geopolitical importance that if the bases go, it shall be invaded by the Russians. So much for neutrality or so, they say. But let me pose these questions: Why was Thailand who had also kept a United States base once upon a time not invaded despite her being a neighbor to Kampuchea and Vietnam? And why have studies done even by the Foreign Affairs and National Defense Divisions of the United States Congressional Research Services show that the functions of the RP bases can be relocated and, therefore, redeployment options have been considered by the United States?

Let us stop harboring such degrading illusions of the Philippines as nothing but a valuable piece of military real estate for the United States. We have already unshackled the chains of a native dictatorship. Let us unshackle those of the foreign one as well.

Why does it seem that a lot of us fear freedom? Do we not realize that there are a lot of things beneficial to the Filipinos which we can do once we have been freed? For instance, we can begin to use these base areas for other more productive means. We have incurred so much opportunity costs by extending this land for American military use. According to Patricia Ann Paez, author of *The Bases Factor*, we have lost the opportunity of producing about 8,400,000 cavans of husked rice based on the conservative production estimate of 35 cavans per acre and two harvests per year. At the cost of \$13 per cavan — this is the 1978 market price — the Philippines lost an estimated possible earning of \$109 million.

Aside from this, several case studies and project analyses have strongly recommended converting the bases into either a commercial complex, an international airport, or the site of maritime-related industries and others.

As revealed in a study by Maria Socorro Diokno, the largest share of total contributions that the Philippine economy receives from Subic Naval Base comes from entertainment and recreation services. These are the so-called base-dependent industries, such as prostitution, drug trafficking, smuggling, et cetera. This is neither the type of economic development we Filipinos need nor want.

Why should we be accomplices to such immorality, economic wastage or a nuclear holocaust? How can we even conceive of framing a whole constitution and simultaneously avoid the relevant issue of the United States military bases? What good will a nicely made Constitution do, when there will be no one around, no survivors to enjoy it or remember it?

I would now like to appeal to the other Members of this Commission. If the Members would like to bequeath

something to the youth, to their children and their children's children, let it not be a fear of freedom. Let it instead be a strength and courage to make that first step towards achieving genuine national independence and international peace. The solution, my friends, is unity. The Filipino people must join other peoples of the world in condemning as irrational and criminal the astronomical wastage of billions of dollars in military expenditures. In 1981 alone, the world military budget was \$750 billion which could, by the way, wipe out unemployment in five years, feed 200 million hungry children for one year, send 800 million illiterates to school and provide clean drinking water for the whole world.

Given the real dangers of a nuclear holocaust, the struggle for independence, progress and development must be buttressed by a strong antiwar consciousness, for unless war is prevented, the progressive struggle of people will be meaningless. It is, therefore, imperative that all movements against imperialism be informed and motivated by a firm antiwar program. Only by combining the anti-imperialist issues with the movement against weapons of mass destruction can we all be assured of a future wherein different groups can work to attain their goals.

Let us remember the statements made by former Con-Con Delegate Tom Benitez who, by the way, sponsored Resolution No. 268, calling for the neutralization of the Philippines in 1971. The Philippines could be one peaceful country at peace and friendly with all nations, and the Filipinos could be the peacemakers of the Pacific. It is our reasonable and realizable national goal within our lifetime or within the succeeding generations. Mr. Benitez went on to say that the youth of our land do not want to become common fodder for conventional wars or organic matter for nuclear wars. They want to live their own lives and they want to live in peace.

My friends, we must stand firm and make our resounding commitment to peace a genuine commitment to life. We must definitely say "yes" to life and, therefore, we must necessarily say "no" to that madness called war and the foolishness of violence. Let us remember the words of Don Claro M. Recto on the primacy of survival:

We must avoid war or at least involvement in one from which we cannot expect to survive.

My teachers, my mentors, my fathers, my elders, my friends, all we are saying is give peace a chance.

Thank you.

MR. RAMA: Mr. Presiding Officer, I ask that Commissioner Tadeo be recognized.

THE PRESIDING OFFICER (Mr. Davide): Commissioner Tadeo is recognized.

SPEECH OF COMMISSIONER TADEO

MR. TADEO: Ginoong Presiding Officer, mga kagalang-galang kong kasama, ang sambayanang magbubukid ay kaisa ng iba pang nagnanais na manatili ang Section 3 at Section 4 sa ating Declaration of Principles o Pamamahayag ng Paninindigan o Simulain.

Para sa magbubukid, ano ba ang kahulugan ng U.S. military bases? Para sa magbubukid, ang kahulugan nito ay pagkaalipin. Para sa magbubukid, ang pananatili ng U.S. military bases ay tinik sa dibdib ng sambayanang Pilipinong patuloy na nakabaon. Para sa sambayanang magbubukid, ang ibig sabihin ng U.S. military bases ay batong pabigat na patuloy na pinapasan ng sambayanang Pilipino. Para sa sambayanang magbubukid, ang pananatili ng U.S. military bases ay isang nagdudumilat na katotohanan ng patuloy na paggahasa ng imperyalistang Estados Unidos sa ating Inang Bayan — economically, politically and culturally. Para sa sambayanang magbubukid, ang U.S. military bases ay kasingkahulugan ng nuclear weapon — ang kahulugan ay magneto ng isang nuclear war. Para sa sambayanang magbubukid, ang kahulugan ng U.S. military bases ay isang salot.

Kapag inalis natin ang Section 3 at Section 4, nangangahulugang ayaw pa nating humulagpos sa tanikala ng

pagkaalipin; ayaw pa rin nating alisin ang tinik sa dibdib ng sambayanang Pilipino; ayaw pa rin nating alisin ang batong pabigat na patuloy nating pinapasan; ayaw pa rin nating alisin ang gumagahasa sa Inang Pilipinas; ayaw pa rin nating alisin ang panganib ng ating bansa; ayaw pa rin nating alisin ang salot.

Kapag inilagay natin sa Saligang Batas ang Section 3 at ang Section 4 na nauukol sa abrogation ng military bases at ng nuclear-free country, ang ibig sabihin nito'y kinakalag na natin ang gapos ng tanikala ng pagkaalipin. Kapag pinanatili natin ang Section 3 at Section 4, binunot na natin ang tinik sa dibdib ng sambayanang Pilipino. Kapag nanatili ang Section 3 at Section 4, inalis na natin ang batong pabigat, inalis na natin ang gumagahasa sa sambayanang Pilipino, sa Inang Pilipinas, Inalis na natin ang salot ng sambayanan kapag ang Section 3 at Section 4 ay inilagay natin sa ating Saligang Batas.

Makatuwiran lamang, sapagkat pahayag ng paninindigan o simulaing ito ang isang prinsipiyo, at napakagandang prinsipiyong dapat mailagay sa Saligang Batas na mag-aalis ng salot.

Nais kong basahin ang tungkol kay Ginoong Tomas Benitez na, sang-ayon sa ilang Constitutional Convention delegates, nagkaroon ng karamdamang tulad din ng naging karamdaman ng isa nating kasama. Ngunit bago siya binawian ng buhay ay isinulat niya ang tungkol sa neutrality na nais kong basahin sa inyo na sa palagay ko ay naaangkop na paksang basahin bilang parangal kay Con-Com Delegate Tomas Benitez.

Naaalaala ko pa ang sinabi ni Tom na mayroon daw tayong mga kababayang nagtatanong sa kanya kung bakit kailangan pang ilagay sa ating Saligang Batas ang tungkol sa neutrality. "Hindi ba iyon ay pagtatali sa ating mga kamay?" ang tanong daw nila. Ang pangangatuwiran ni Tom ay ang sumusunod:

Katunayan nga ay pag-alis ng tali sa ating mga kamay kaya kinakailangang ilagay iyan sa Saligang Batas. Tayo ngayon ay nakatali sa Estados Unidos hanggang sa taong 1991, humigit-kumulang. Ito ay lubhang matagal. Ang daigdig ay mabilis na kumikilos at dapat tayong maging malaya sa pagharap sa buhay sa bawat sandali.

Ang ating pagiging koloniya ng U.S.A. sa ilalim ng Commonwealth noong 1941 ay hindi nakapigil sa Hapon upang sakupin ang Pilipinas. At kung mananatili ang mga base militar ng U.S.A. dito sa atin, ano ang katuwiran natin at ano ang makapigil sa mga makapangyarihang bansa kung sila ay gagamit ng mga bombang nuclear laban sa atin?

Binanggit ni Commissioner Chito Gascon and tungkol sa Resolusyon Blg. 268. Nais kong basahin ito ngayon, gaya noong sinasabi ko, upang buhayin ang alaala ng isang nagbigay ng isang napakamakabuluhang resolusyon noong 1971 Constitutional Convention.

KOMBENSYONG PANG-SALIGANG BATAS NG TAONG 1971

Republika Ng Pilipinas
RESOLUSYON BLG. 268
Ini harap ni Delegado Tomas Benitez
Junio 8, 1971

PALIWANAG

Likas sa mga Pilipino ang magmahal sa kalayaan at pambansang karangalan, at ang gumagalang sa pundamental na mga karapatan ng alin mang bansa o mamamayan. Umaasa rin tayo na ang ibang mga bansa'y igagalang ang ating mga karapatan at kalayaan at hindi lalapastanganin ang ating mga pambansang kalupaan.

Ang pagkakasakop sa atin ng mga Kastila at sinundan ng mga Amerikano, at ang patuloy na kalagayang kolonyal ng ating pamahalaan kahit na tayo ay naturingan nang malaya ay siyang nagtulak sa ating gobyerno upang pumasok sa mga taliwas na mga kasunduang militar sa gobyerno ng Estados Unidos na nagpapahintulot

ng paglalagay ng kanilang mga base militar, nagkaloob ng mga labis na karapatan sa mga Amerikano at dahil dito'y nasangkot tayo sa pakikipagkasundong panlabas, kabit sa mga Amerikano upang makialam sa mga alitang militar ng ibang bansa — ang lahat ng ito'y salungat sa ating maalamat na kasaysayang mapagmahal sa kapayapaan at kalayaan.

Ang mga makapangyarihang bansa na ngayon ay interesado sa Timog-Silangang Asia ay ang Estados Unidos, ang Hapon, ang Unyong Sobyet, at ang Republika ng mga Mamamayang Intsik. Ngayon ang lalong tumpak na pagkakataon upang ang Pilipinas ay gumawa ng isang saligang pagpapahayag sa kanyang nilalayon na maging isang estadong neutral o walang kinakampiyan at upang higit na madaling makuha natin ang unawa, pagsang-ayon at garantiya ng malalaking bansang iyan.

Maraming hira ang ating haharapin, ngunit ang ginintuang pagkakataon ay narito na. At ang unang hakbang na dapat gawin ay ang pagdedeklara sa likas na karapatan ng Bansa Pilipino o sa kanyang kalayaan at pamamahala sa sarili. Ito ay dapat ipahayag sa ating bagong Saligang Batas.

Ang ibang mga Estado rito sa Timog-Silangang Asia, gaya ng Malaysia, Indonesia at Singapore, ay nagpahayag na rin sa pamamagitan ng kani-kanilang Ministryong Panlabas ng kanilang hangad na maging neutral. Ito ay magiging sagka sa kanilang "balkanization" o pagkakahigop sa panig ng alin man sa mga malalaking bansang interesado sa rehiyong ito.

Ang Pilipinas ay isang kapuluang malapit sa lupalop ng Tsina, ngunit nakahiwalay dahil sa namamagitanag dagat. At lalong malawak na dagat din ang namamagitan sa kaniya at sa lupalop ng Hilaga at Timog Amerika. Dahil dito, ang Pilipinas ay may higit na katuwirang manindigang neutral o walang kinakampiyan dahil sa may likas siyang tanggulan sa paglusob ng mga sandatahang lakas sa katihan ng alin mang bansang magbalak niyan.

Ang pagsulat ng isang Saligang Batas na tunay na malaya at Pilipino ay kasalukuyang ginagawa ng Kombensyong ito — parang pinagtiyap ng pagkakataon. Kaya't tumpak at napapanahong dapat ipahayag sa Saligang Batas ang marubdob na nais ng ating mga kababayang sila ay naghahangad sa lahat ng mga bansa sa daigdig at dahil dito, ang ating bansa ay dapat manindigan sa prinsipyo ng niyutralisasyon sa habang panahon.

Dahil dito, iminumungkahi namin ang kagyat na pagpapatibay sa resolusyong ito upang ilakip sa bagong Saligang Batas ng Pilipinas.

(Lagda): Tomas E. Benitez
Delegado

KOMBENSYONG PANG-SALIGANG BATAS NG TAONG 1971

Republika ng Pilipinas
RESOLUSYON BLG. 268
Iniharap ni Delegado Benitez

ISANG RESOLUSYON NA NAGNANAIS MAGLAKIP SA PAMAMAHAYAG NG SIMULAIN NG ISANG PATAKARANG NAGTATAKDA NG PANG-HABANG PANAHO NG NIYUTRALIDAD NG REPUBLIKA NG PILIPINAS.

Dapat pagpasiyahan ng Kombensyong Pang-Saligang Batas na ngayon ay nagpupulong:

Sapagkat kung isasaalang-alang ang kalagayang pangheograpiya, pampulitika, pangkabuhayan, pangmilitar, at pangdiplomasya ng Pilipinas, gayun din ang kasaysayan at pag-uugali ng mga Pilipino, ang kalagayang panghabang panahong niyutralidad, na ginagarantiyahan ng lahat ng mga bansa sa daigdig, ay siyang nararapat na katayuang panlabas ng Pilipinas upang manatili siyang malaya at nagsasarili;

Sapagkat ang ideyang panghabang panahong niyutralidad ay hindi bago, bagkus ito ay nakatakda sa Seksyon 11 ng Philippine Independence Act at ang Pangulo ng U.S.A. ay hinilingan ng Kongreso ng U.S.A. upang makipag-usap sa mga ibang bansa sa daigdig upang makipagkasundo ukol sa panghabang panahong niyutralidad ng Pilipinas;

Sapagkat ang isang Pilipinas na niyutral, na nakikipagkaibigan sa lahat ng mga bansa sa daigdig, ay nasa higit na mabuting katayuang humanap at tumanggap ng tulong buhat sa alin mang panig ukol sa kanyang kaunlarang pangkabuhayan, at maging sa kaanyuang lakas militar ukol sa pagtatanggol sa sarili;

Dahil dito, dapat pagpasiyahan, at ngayon ay pinagpasiyahan, na ang sumusunod na patakaran ay dapat na maisama sa PAHAYAG NG SIMULAIN ng Bagong Saligang Batas:

ANG MGA MAMAMAYANG PILIPINO AY MATAIMTIM NA IPINAHAHAYAG ANG KANILANG MALAYA, MATATAG AT WALANG KATAPUSANG MITHIING MAKIISA SA KAPAYAPAAAN SA LAHAT NG MGA BANSA AT HINDI MAKIDIGMA SA KANINO PA MAN LIBAN LAMANG KUNG IPAGTATANGGOL SA SARILI AT DAHIL DITO PANGANGALAGAAN NAMIN ANG PANGHABANG PANAHONG NIYUTRALISASYON AT PAKIKIPAGTULUNGAN SA LAHAT NG MGA KAIBIGANG NASYON.

Ano ba ang batayan ng sambayanang magbubukid tungkol sa U.S. military bases? Hindi kami abogado ngunit sa simpleng pagbabasa ng ating kasaysayan, ang kalagayan ng Con-Com sa kasalukuyan ay tulad sa isang doktor na sumusuri sa isang maysakit. Upang malaman niya ang pinag-ugatan ng karamdaman ng maysakit, kinakailangang alamin niya ang kasaysayan nito. Gayundin ang ginagawa natin sa paksa ng foreign military bases. Inaalam natin ngayon ang pinag-ugatan nito. Sinasabi nga: No investigation, no right to speak. Dahil dito ano ang mga batayan ng mga magbubukid? Una, ito ay null and void — ang military bases agreement ay illegal and immoral.

Hindi maipagkakailang alam na nating noong October 17, 1933, nilikha ang Hare-Hawes-Cutting Act na tinanggihan mismo ng ating lehislatura — ng Philippine Congress. Nais kong sabihin sa inyong halawin natin ang sinabi tungkol sa alaala ni Manuel L. Quezon. President Quezon recalled that President Roosevelt agreed to the fact that the maintenance of American military reservation after independence would make independence a farce. Habang naririto ang U.S. military bases, ang kalayaan ng Pilipinas ay isang huwad na kalayaan.

Naaalaala ko ang sabi ng isang political detainee sa akin: "Jimmy, mayroong mga malaya, mayroong mga nasa labas ng piitan ngunit sila'y bilanggo pa rin. Oo, kami'y nakakulong, ngunit kami'y malaya na."

Pagkaraan ng Hare-Hawes-Cutting Act, dumating ang Tydings-McDuffie Law na nagsasabing maaari lang maging reserbasyong nabal ang Pilipinas. At pagkaraan ng dalawang taon, ipaiiral na ang niyutralidad. At ang Tydings-McDuffie Law ay naging bahagi ng Konstitusyon ng 1935.

Ngunit noong June 29, 1944, sinabi ng U.S. Congress, sa pamamagitan ng Resolution No. 93, na dapat manatili ang U.S. military bases sa Pilipinas. At pagkaraan nito, noong July 28, dumating naman ang Philippine Congress Resolution No. 4 na nagbibigay ng karapatan sa Pangulo ng Commonwealth ng Pilipinas na makipagnegosasyon para sa Amerika.

Isinasaad nang malinaw sa Section 1 ng ating Declaration of Principles ang ganito:

Sovereignty resides only in the Filipino people. The consent of the people is indispensable for the validity of the bases agreement.

That consent had never been given or even sought. Pagkaraan ng digmaan, ang sabi ng Amerika: "Hindi namin kayo bibigyan ng kalayaan; hindi namin kayo bibigyan ng war damage payment kapag hindi ninyo pinanatili ang

U.S. military bases sa inyong bansa." Pagkaraan nito, hindi pa rin tumigil ang kanilang kasamaan.

Pinatanggap sa atin ang Bell Trade Act na pinairal na mula pa noong 1909. Pagkatapos isinama pa ang parity rights, ngunit makikita natin sa simpleng pagbabasa lamang, bagamat hindi kami abogadong magbubukid, na ang mga ito ay illegal at immoral. Ngunit paano tumagos ang kamandag ng salot ng U.S. military bases sa ating political system? How do these bases affect our political life? The desire to retain the bases has led the U.S. government time and again to interfere in our internal political affairs.

U.S. Senator Fulbright foresaw this years ago when he said:

Is it not inevitable that because our presence there and with this purpose, we would always use our influence for the preservation of the status quo? We will always resist any serious change in the political and social structures of the Philippine government, a policy which is very likely to be in the long run detrimental to the people of the Philippines.

In fact, the \$500 million in military aid given to the Marcos government has resulted in greater militarization of our society. As long as we allow the U.S. to maintain bases here, we will never have full sovereignty; we will never be able to institute the reforms and changes that our people need and demand.

Mga kasama, alam ba ninyo ang ulat ng Task Force Detainees? Iniulat nila ang bilang ng mga political arrest mula 1977 hanggang 1984 upang ipakita lamang ang militarisasyon. Bago ideklara ang martial law, mayroon tayong 62,000 mga kawal; ngayon, 300,000 na, kasama ang paramilitary. Ngunit tingnan ninyo kung sinu-sino ang apektado sa kabuuang bilang ng mga political arrest at salvaging mula 1977 hanggang 1984: 14,308 ang bilang ng mga political arrest — 71 percent na mga magsasaka at manggagawang bukid. Dalawang libo apat na raan at animnapu't pitong mga magbubukid o 52 porsiyento sa kabuuan ang apektado ng "salvaging." Kayat makikita ninyo kung paano apektado ang sambayanang magbubukid.

Tingnan naman natin kung paano gumapang ang kamandag ng U.S. military bases sa ating economic life. Do the bases contribute to our economy? No, they contribute to the maldevelopment of our economy. Marahil makabubuting basahin natin kung saan napupunta yaong \$900,000,000 na rental ng U.S. bases. Ito ay isinulat ni Luis Mauricio noong Huwebes, ika-3 ng Hulyo, 1986, sa kaniyang pitak sa Pahayagang Malaya, na may pamagat na "Who Needs Enemies? " Ang sabi niya:

The "assistance"/rental package of \$900 million promised by the U.S. in connection with the bases agreement, as amended in 1983, was broken up into three component parts, namely:

- (a) \$300 million as foreign military sales credit;
- (b) \$125 million as military assistance;
- (c) \$475 million as economic support fund.

Only the second and third components, involving a total of \$600 million, may be considered effective "assistance" or rentals.

The first component is credit available to the Philippines if she wanted to buy military weapons, planes, tanks and the like. But that is a debt to be paid, and to be paid with interest. By no means can it be deemed assistance or rental. If anybody is being assisted at all, it is the U.S. military arms and suppliers manufacturers.

The second component consists of assistance in kind (outmoded guns and military transport used in or surplus from the Vietnam War) and pay and allowances of American military advisors and weapons training officers.

The third component is intended to finance social and economic projects to improve the living conditions in Angeles and Olongapo cities and other areas surrounding the U.S. bases. This money is subject to the joint

control of the Philippine and American governments, through their respective representatives . . .

In essence, therefore, it is this (and only this) third component — the economic support fund — which is the rental for the bases; and even then the supposedly independent Philippines does not have the final say on how it could be spent. That is why, when \$200 million of the total \$475 million of this third component was delivered by Shultz recently, Doy Laurel had to sign the agreement containing the terms governing its availment, as dictated by the U.S. Congress.

Thus, as earlier stated, the "security assistance" under the military bases pact is not only a misnomer; the amount involved in the package is pure deception, too.

Nais ko lamang basahin sa inyo ang isang sulatin tungkol sa employment:

The U.S. Embassy claims that American facilities in 1985 employed 20,581 full-time workers, 14,249 contract workers, 5,064 domestics and 1,746 concessionaires for a total direct employment of 41,680. It also said that annual salaries of the Filipino workers total \$82,885,042 or about P1.658 billion, the second largest payroll in the Philippines after the Philippine government.

The number of Filipino employees and workers in the bases does not even amount to 5 percent of the 1.18 million persons employed by the Philippine government. It is therefore misleading to say that the U.S. base ranks second only to the Philippine government as the biggest employer. The bases also employ less than 1 percent of the Philippine non-agricultural labor force. (Paez, p. 165)

The U.S. pays Filipino base workers less than foreigners working in other American bases in other countries. Ito ang napakalungkot sa Filipino. Hindi ko maunawaan ang sovereignty na sinasabi sa mga librong binabasa ko. Ito raw ay supreme, uncontrollable power, absolute, comprehensive, indivisible, inalienable — nandoon nang lahat, walang hanggan. Ngunit ang napakasakit, ang Filipino rito ay parang isang baboy-damong pinapatay. Hindi mo maintindihan ang sobereniya — kung paanong ang Filipino ay tulad ng isang baboy-damo sa kaniyang sariling bayan. The U.S. pays Filipino workers in the bases only one-half of what it pays Korean workers, one-fourth of what it pays Japanese workers, and one-eighth of what it pays U.S. workers doing the same kind of work with the same productivity.

Marahil makabubuting tingnan natin ang lupain; nais kong ipakita sa inyo ang kabuuang lupaing sinasakop ng bases upang makita natin ang relasyon nito sa agrikultura. Narito ang kabuuan:

1,000 hectares Camp O'Donnel
20,000 hectares Crow Valley Weapon's Range
55,000 hectares Clark Air Base
150 hectares Wallace Air Station
400 hectares John Hay Air Station
15,000 hectares Subic Naval Base
1,000 hectares San Miguel Naval Communication
750 hectares Radio Transmitter in Capas,
Tarlac
900 hectares Radio Bigot Annex at Bamban,
Tarlac

Ang kabuuang sukat ng lupa ay 94,200 hectares; ang sukat ng lupa sa Central Luzon ay 1.2 to 1.6 hectares. Gawin na nating 1.5 hectares ang sinasaka ng bawat isang pamilya. Ang maaaring bigyan ng hanapbuhay ng lupain sa mga baseng ito ay 62,800 farmers; ang bilang ng nagtatrabaho sa base ay humigit-kumulang sa 42,000. Ang bilang ng magbubukid sa Central Luzon ay 17 percent kung gagawin itong lupang sakahan. Napakayaman ng

lupang ito sapagkat ito ay tinatawag na laman ng lupa, nandirito ang magagandang lupa.

Ginang Pangulo, bilang ina ng Con-Com, ipinaaabot ko sa inyo ito: Sabi nga ni Father Cullen, sa quarter million na mamamayan ng mga baseng ito, 16,000 ang prostitutes, aged 9 to 14 — 16,000 institutionalized prostitutes; 71 percent ng mga kabataang kalalakihan sa base militar ay drug addicts; 18 percent ng mga kabataang kababaihan ay drug addicts. Ang sabi nga ni Father Cullen, ito ay isang "economic disaster, dehumanization." Anong dolyar ang maaari mong ipalit dito? Ang mga bata rito ayaw maging Filipino; hindi malaman kung sino ang ama. Ang nakikinabang ay ang mga kapitalista at club owners. Anong dolyar ang maaari mong ipalit sa isang dehumanization?

Noong panahon ni Ginoong Marcos, napoot tayo sa paglabag niya sa karapatan ng tao. Ngayon, pinaganda natin ang Bill of Rights sa pagsasama ng panukalang ipagbabawal ang torture, hamletting at pagpapanatili ng mga safe houses. Kung ang isang tao ay may paniniwalang pulitikal, hindi na siya puwedeng ikulong. Ngunit hindi pa tayo nasiyahan; lumikha pa tayo ng Commission on Human Rights. Mga kagalanggalang na kasama sa Constitutional Commission, ang nilalabag ng foreign military bases ay ang karapatan ng buong sambayanang Pilipino. Ang iba nating kasama ay ibig tanggalin ang Sections 3 and 4. Baka isumpa tayo ng kasaysayan sa gagawin nating ito. Hindi ba't hindi natin malaman ang gagawin sa human rights, pagkatapos karapatan ng buong sambayanang Pilipino ang nilalapastangan, ibig pa nating tanggalin? Inuulit ko, mga kasama, isusumpa tayo ng kasaysayan.

Tagahanga ako ng aking kababayang Francisco "Soc" Rodrigo. Noong siya ay kumandidato sinundan ko ang lahat ng pinuntahan niya. Noong siya ay nakipagtalo kay Ginoong Claro M. Recto tungkol sa Noli Me Tangere at El Filibusterismo, binatikos siya ni Damian Soto sa radyo. Lumaban ako at ipinagtanggol ko ang aking kababayan. Kaya noong ako ay mapunta dito sa Commission, agad ko siyang binati nang kung ilang beses sapagkat ako ay tagahanga niya.

Para sa akin, ang tilamsik ng diwa ay pagkahulagpos sa pagkaalipin sa panahon ng diktadura. Ngunit alam nating hindi na gawa ng diktadura ang pagkaalipin sa sambayanang Pilipino. Ayon kay Commissioner Nollado, ang nasa likuran ng diktadura ay si Uncle Sam. Ito ang nagpalubha sa kanya; ito ang kumunsinti at sumuporta sa kanya. Inuulit ko, ang ibig sabihin ng tilamsik ng diwa ay pagkahulagpos sa pagkaalipin sa mga dayuhan.

Mr. Presiding Officer, nang sabihin ng Kasamang Rodrigo na tanggalin ang Sections 3 and 4, bilang taga-Bulacan ako ay nalungkot sapagkat nakasaad sa Balintawak billboard ang mga sumusunod: "Tuloy kayo sa Bulacan, lalawigan ng mga dakilang bayani, naggagandahang mga dilag at mayayamang bukirin." Labis akong nalungkot dahil ang tilamsik ng diwa ay baka mauwi sa bula. Ito ay sarili kong opinyon.

Mga kasama, gagawi naman ako sa national security. Nakalulungkot ang ating bansa, Mr. Presiding Officer. Ang sabi ng aking kaibigang taga-Israel napakayaman daw ng bansang Pilipinas, samantalang ang kanilang bansa ay puro disyerto, walang tubig, pero hindi nila sinasapit ang sinasapit natin ngayon. Napakayaman daw ng ating bansa: 30 billion tons and likas na yaman, 12 billion tons ang metallic at 18 billion tons ang non-metallic. Tayo ay panlima sa ginto at tanso sa buong mundo; naririto nang lahat ang likas na yaman. Napakayaman ng ating ilog, 400 million hectares. Tayo ang may pinakamahabang baybayin sa buong mundo. Humuhuli tayo ng uri ng isdang pinakamarami sa buong mundo, 2,400, at humuhuli tayo ng 85 kilos na isda sa bawat pamilyang Pilipino. Subalit ang isang pamilyang Pilipino ba ay kakain ng kahit isang kilong galunggong samantalang ang nakalaan sa kanila ay 85 kilos? Napakayaman ng ating mga lupa. Mayroon tayong tag-ulan, tag-araw at wala tayong taglamig. Mayroon tayong Peñaranda Dam, Pantabangan Dam, Pampanga River, Angat River at Polangui River. Talagang napakayaman ng ating lupa — kapag itinanim natin ang buto, tutubo agad. Ngunit ang bayan ng aking kaibigan ay puro disyerto, walang tubig. Ang sabi niya kapag ibinigay daw natin ang Pilipinas sa Israel, sa loob ng limang taon gagawin daw nilang pinakamakapangyarihang bansa ang Pilipinas sa buong Asya at sa buong mundo.

Napakayaman daw natin at kahit na raw 200 milyong mamamayan man ang ilagay sa Pilipinas, walang magugutom kahit na isang pamilya, pero sa 55 milyong tao raw nagugutom na ang ating sambayanan. Ang dahilan daw ay wala tayong tiwala sa ating sarili. Sinasabi daw nating nasyonalismo, pero hindi naman daw nananalaytay sa dugo natin iyon sapagkat tayo raw ay "dependent." Wala raw tayong tiwala sa ating kakayahang umunlad at magpakadakila.

Ipakita natin ang isang konkretong pangyayari, Mr. Presiding Officer. Sino ang tumalo sa Amerika, na pinakamakapangyarihang bansa sa buong mundo, sa Vietnam? Ang mga Vietcong na gumamit ng guerrilla warfare ang tumalo sa kanila. Ngunit tanungin natin ang ating sarili: Saan natuto ng guerrilla warfare ang mga Vietcong? Sa Pilipinas sila natuto, Mr. Presiding Officer.

Noong panahon ng giyera, sinabi ni Sir Winston Churchill na ang Pilipinong gerilyero ang pinakadakilang gerilyerong nabuhay sa balat ng lupa. Panginoon kong Diyos, pinakadakila raw tayong gerilyerong nabuhay sa balat ng lupa. Alam ba ninyo kung saan simulang natuto ng guerilla warfare ang mga Vietcong? Sa Sorsogon, Mr. Presiding Officer. Sa tunog lamang ng kampana, alam na nila ang posisyon ng kaaway. Ngayon, sinasabi nating hindi natin kayang pangalagaan ang ating bansa. Bakit kailangan natin ang U.S. military bases? Ang tumalo sa Amerika ay ang ating pamamaraan. Heto na naman tayo, walang tiwala sa sarili.

Mga kasama, kapag naririnig ko ito, labis akong nanlulumo. Binibigyan kong diin lagi sa inyo: ang ibig sabihin ng nasyonalismo ay ang pananalig at pagitiwala natin sa kakayahan ng Pilipinong umunlad at magpakadakila.

Dito ko tatapusin ang aking mga salita. Kung mapapansin ninyo, wala akong binabanggit dito kung hindi ang ating mga bayani at si Hesukristo. Ano ang sabi ni Dr. Jose Rizal? Aniya, upang ang mga Pilipino ay sumulong, kinakailangang tumulo sa kanilang mga ugat ang diwa ng paghihimagsik sapagkat ang pagsulong ay ang pagbagsak ng nakaraan sa pamamagitan ng kasalukuyan, ang pagwawagi ng bagong kaisipan sa ilalim ng matandang kinamihasan.

Sinasabi sa revolutionary verse ng Lukas 4:11 ang ganito: "Ang mga api ay lalaya na, ang mga bihag ay liligtas na." Kapag inilagay natin sa Saligang Batas ang panukalang wala nang military bases at nuclear weapons na ilalagay dito sa Pilipinas, ang api, ang sambayanang Pilipino, ay lalaya na. Ang sambayanang Pilipino ay maliligtas na sa kuko ng mga dayuhan. (Applause)

MR. RAMA: Mr. Presiding Officer.

THE PRESIDING OFFICER (Mr. Davide): The Floor Leader is recognized.

MR. RAMA: I ask that Commissioner Quesada be recognized.

THE PRESIDING OFFICER (Mr. Davide): May we request the audience not to give any sign of approval or disapproval?

Commissioner Quesada is recognized.

SPEECH OF COMMISSIONER QUESADA

MS. QUESADA: Mr. Presiding Officer, distinguished Members of this Commission:

I wish to take advantage of the generosity of the Chair in allowing each one of us who cares to speak her or his piece on the very critical issues of neutrality, nuclear-free zone and foreign military bases in the Philippines.

However, I rise to speak without any illusion that most of my colleagues in the Commission will still change their minds come voting time. The drift in the voting on issues related to freeing ourselves from the instruments of

domination and subservience has clearly been defined these past weeks.

Here and outside, we have publicly made our stand on the issues now under deliberation. I have learned to be less emotional and feel more philosophical about many things and have adopted the line, "Madam, this is for the record only," knowing that many have already confirmed their positions and arguments. It does not matter, in any view, whether these positions defy logic and rationality and do not serve the interest of the majority of our people.

So for the record, Mr. Presiding Officer, I would like to declare my support for the committee's position to enshrine in the Constitution a fundamental principle forbidding foreign military bases, troops or facilities in any part of the Philippine territory as a clear and concrete manifestation of our inherent right to national self-determination, independence and sovereignty.

Mr. Presiding Officer, I would like to relate now these attributes of genuine nationhood to the social cost of allowing foreign countries to maintain military bases in our country. Previous speakers have dwelt on this subject, either to highlight its importance in relation to the other issues or to gloss over its significance and make this a part of future negotiations.

The social dimension of the military bases issue, however, is just as important as the other aspects, for here we are talking of people, tens and thousands of Filipinos, the quality of whose lives is directly affected by the presence of military bases. I am speaking of the degradation of human values, the loss of human dignity and self-respect, the slow wasting of human lives attributable to sex and drug abuse-related diseases that are the concomitants of military bases here or anywhere else. How can we be concerned about the right to life of the yet unborn and not be concerned with the living, those already certified as having souls, who are slowly being dehumanized and destroyed as a consequence of pandering to the baser instincts of man?

I cannot help but be emotional this morning when somebody said that the evil of prostitution is something like a necessary evil. The term "necessary evil" dates back to Spanish colonialism when Jose Rizal, in *Noli Me Tangere*, attacked the opportunist position of certain Filipinos, through Crisostomo Ibarra, in arguing that the tolerance for friar and military abuses should be seen as a necessary evil when the nationalist movement was rising. Also, I begin to question the words "common good" when they are used to be an excuse for many of the things that we enshrined in this Constitution. "Common good" has been so prostituted for self-serving interest, and it has totally lost its essence.

How much has it really cost the Filipinos to have these American bases in the Philippines? Can the claimed benefits justify or make up for the moral and social damages inflicted on our people? Not even the American authorities deny the sad fact that social and moral problems do develop in the areas close to their bases. But such problems are just unfortunate realities near any base, not just American bases. The situation reminds us of a young woman in Thailand who told an American soldier, "Joe, whenever yu gip me yuh dolah, yu gip me yuh syphilis and gonorrhea."

Prostitution, like any industry, thrives on the principle of supply and demand. Where there is high demand, the supply of prostitutes proportionally increases.

In Olongapo, prostitutes account for about 10 percent of the city's population. There are at present 16,000 registered hospitality girls, in addition to some 3,000 waitresses who work on the side as nonregistered prostitutes. Apart from adult prostitutes, the regional development council officials in Central Luzon reported that children aged 9 to 13 were also found engaged in the flesh trade.

In Angeles City, there are about 4,500 hospitality girls officially defined as "female workers in amusement centers," such as ago-go dancers, waitresses, hostesses, entertainers, chambermaids, show girls, masseuses and

barmaids. Most of these women, according to government surveys, come from the most depressed regions like Eastern Visayas and Bicol who were lured by the prospects of earning easy money from American servicemen.

One of the natural by-products of prostitution is the outbreak of venereal diseases in the Philippines which has already reached an epidemic proportion, with a prevalence rate of 15.22 percent registered, surpassing the first half of 1980, the tolerable 4 percent normal rate. Manila has the highest number of reported cases with 6,455, followed by Angeles City with 3,997 and Olongapo with 2,948. Of some 7,000 hospitality girls in Angeles City, 17 percent or a total of 1,190 were also reportedly suffering from sexually transmitted diseases. Health officials maintain that these venereal diseases or sexually transmitted diseases, including penicillin-resistant gonorrhea, were brought here in the country by the American GIs. American servicemen are rarely checked before they set foot on the city streets, unless they report some physical ailments beforehand. Few sailors, however, report sexually transmitted ailments because it would jeopardize their chances for rest and recreation after months at sea. According to regional development council officials, the number of hospitality girls seeking treatment for sexually transmitted diseases (STD) rises in proportion to the number of ships docking or servicemen on rest and recreation in the cities of Olongapo and Angeles. According to official figures, two million servicemen go through Subic Naval and Clark Air Bases every year.

Another consequence of the presence of foreign bases in our land is the increase of "Americans" or, in the Olongapo street lingo, "souvenir babies." These are the abandoned children of prostitutes and unwed Filipinas who consort with American servicemen. About one "souvenir baby" is born everyday. This does not include the babies born out of legitimate marriages who are loved and pampered by their grandfathers whose fair daughters they allow to marry foreigners. These children are bastards, products of an unjust situation, who are despised, teased, sneered at, oppressed and hidden. They are part of the growing number of the "wretched of the earth" in a country that prides itself as the only Christian country and bastion of American-style democracy in this part of the world.

Existing rehabilitation centers and social welfare agencies can hardly cope with the needs of these abandoned children, a problem that has become a permanent feature of American military presence.

The prevalence of drug-related problems around the bases has alarmed even the American authorities that it necessitated them to assist in its control.

From 1972 to 1975, a total of approximately U.S. \$1.1 million was extended by the U.S. International Development for Narcotics Control Assistance to the Philippines. According to the U.S. State Department, Manila, Olongapo and Angeles have the most acute drug addiction problem. This phenomenon, again, is directly attributable to the presence of the bases.

The Constabulary Anti-Narcotics Unit (CANU) of Region II, Central Luzon, reported that the U.S. naval and air facilities provide illicit drug traffickers with a lucrative market and a route for smuggling dangerous drugs in and out of the Philippines. In its 1982 year-end report, CANU disclosed that Clark Air Base had been used in shipping locally grown marijuana to Kadean Air Force Base in Japan.

Fr. Shay Cullen, a Columban priest who runs Prevention and Rehabilitation of Drug Abusers (PREDA), a drug rehabilitation center based in Olongapo City, cited a 1982 survey which revealed that 77.92 or 8 out of 10 fourth year high school boys in this city were using dangerous drugs which came from American servicemen.

Racketeering and organized crime also flourish in these base communities. The incidence of crime in the base communities is also quite high. A government study disclosed that in 1982, the crime rate in Olongapo City rose by 16.41 percent per 100,000 residents. Constabulary authorities said that the crime rate in the city increases by

15 percent when U.S. navy ships are in port.

In Angeles City, for example, a local gang engaged in the "protection" racket that preys on nightclub and brothel operators reportedly reaps an estimated U.S. \$1 million annually.

This prevalence of crimes in the communities around the bases reflects the growing deterioration of moral and social values of the people in these cities.

Other serious problems that stem from the bases are: Illicit PX trading where consumer goods from the post commissary system enter the Philippine market in spite of customs barriers and illegal logging by unnamed American military officials whose operations have been repeatedly denounced in the past by the Ministry of Justice.

Mr. Presiding Officer, I feel that banning foreign military bases is one of the solutions and is the response of the Filipino people against this condition and other conditions that have already been clearly and emphatically discussed in past deliberations. The deletion, therefore, of Section 3 in the Constitution we are drafting will have the following implications:

First, the failure of the Constitutional Commission to decisively respond to the continuing violation of our territorial integrity via the military bases agreement which permits the retention of U.S. facilities within the Philippine soil over which our authorities have no exclusive jurisdiction contrary to the accepted definition of the exercise of sovereignty.

Second, consent by this forum, this Constitutional Commission, to an exception in the application of a provision in the Bill of Rights that we have just drafted regarding equal application of the laws of the land to all inhabitants, permanent or otherwise, within its territorial boundaries.

Third, the continued exercise by the United States of extraterritoriality despite the condemnations of such practice by the world community of nations in the light of overwhelming international approval of eradicating all vestiges of colonialism.

Fourth, a tacit approval to the validity of the military bases agreement contrary to historical data reflecting the fact that the Philippine government was pressured to consent to the same without the required consent of the sovereign people as reflected in a plebiscite (reference to Section 3 of the First Ordinance appended to the 1935 Constitution which, in effect, elevated the provisions of the Tydings-McDuffie Act to the level of constitutional provisions which can be amended only through the defined constitutional standards set forth in in the 1935 Constitution).

Fifth, the tacit approval to the acts of the deposed dictator Mr. Marcos in entering into negotiations regarding the bases by virtue of a self-serving provision found in the 1973 Marcos Constitution which permitted him to enter into treaties and similar international agreements for the sake of national security.

Sixth, the deification of a new concept called pragmatic sovereignty, in the hope that such can be wielded to force the United States government to concede to better terms and conditions concerning the military bases agreement, including the transfer of complete control to the Philippine government of the U.S. facilities, while in the meantime we have to suffer all existing indignities and disrespect towards our rights as a sovereign nation.

Seventh, that this Constitutional Commission will concede to the subtle blackmails of the Reagan administration regarding our economic recovery if we fail to maintain status quo particularly to that affecting the bases agreement.

Eighth, the utter failure of this forum to view the issue of foreign military bases as essentially a question of sovereignty which does not require in-depth studies or analyses and which this forum has, as a constituent

assembly drafting a constitution, the expertise and capacity to decide on except that it lacks the political will that brought it to existence and now engages in an elaborate scheme of buck-passing.

Ninth, failure to appreciate that a position of non-alignment and neutrality is, in fact, giving the Philippine government more options in defining our developing foreign relations as a newly born nation with other sovereign states and, to state otherwise, that a position of neutrality will place our foreign policy in a strait-jacket, which can be valid only if we have reached the conclusion that U.S. foreign policy should be the policy that must be adopted by the Philippines. Noteworthy is our country's selective posture to international incidents whereby we closely parallel the stance taken by the United States.

Tenth, a cavalier attitude of this Commission to treat the degrading social costs of the bases — prostitution, drug trafficking, "souvenir babies," sexually transmitted diseases (STD), discrimination in work and pay, et cetera as mere problems of law enforcement rather than base-related issues.

Mr. Presiding Officer, this is the truth, the unvarnished, unalloyed truth that many of us, in the comfort of our middle-class existence, refuse to confront directly. But we are framing a constitution and we can, if we have the political determination, write a new social contract that will rescue our society and bring order, justice and human dignity to our people.

Without any doubt we can establish a new social order in our country, if we reclaim, restore, uphold and defend our national sovereignty. National sovereignty is what the military bases issue is all about. It is only the sovereign people exercising their national sovereignty who can design an independent course and take full control of their national destiny.

Thank you, Mr. Presiding Officer.

BISHOP BACANI: Mr. Presiding Officer.

THE PRESIDING OFFICER (Mr. Davide): Commissioner Bacani is recognized.

BISHOP BACANI: May I just ask Commissioner Quesada whether she was referring to me when she said that somebody this morning stated that prostitution is a necessary evil?

THE PRESIDING OFFICER (Mr. Davide): What is the pleasure of Commissioner Quesada?

MS. QUESADA: I suppose Commissioner Bacani was the only one who talked about prostitution.

BISHOP BACANI: Mr. Presiding Officer, Commissioner Quesada was right there in front of all of us when I clearly denied having said that, and she can consult the record. I wish she would speak the whole truth because I told Sister Christine Tan that I never said such a thing, and she can verify the record for that.

MS. QUESADA: That was the message that reached many people.

BISHOP BACANI: If that was the message that reached Commissioner Quesada, maybe my parable in yesterday's mass applies to this.

MR. RAMA: Mr. Presiding Officer, I ask that Commissioner Padilla be recognized.

THE PRESIDING OFFICER (Mr. Davide): Commissioner Padilla is recognized.

SPEECH OF COMMISSIONER PADILLA

MR. PADILLA: Mr. Presiding Officer, on this issue of U.S. military facilities in the Philippines, many views have been expressed by the media through editorials, and many opinions have been restated by the Commissioners who preceded me. The alternatives seem to be:

- 1) immediate termination of the 1947 RP-US Bases Agreement and its successive renewals;
- 2) irrevocable removal of said bases after their expiration in 1991;
- 3) retention only until 1991;
- 4) renegotiation in 1988 for its continuance after 1991; and
- 5) keeping options open for negotiation even after 1991, which may be either removal or retention.

President Corazon Aquino stated her decision and made it public that our government will respect the bases agreement until its expiry date in 1991 and that she is keeping her options open.

Mr. Presiding Officer, in advocating the majority committee report, specifically Sections 3 and 4 on neutrality, nuclear and bases-free country, some views stress sovereignty of the Republic and even invoke survival of the Filipino nation and people.

Our common objective and fervent prayer to Almighty God is for the Philippines to be politically stable and economically progressive under an honest and responsive administration that will respect the Bill of Rights, encourage individual initiative and foster free private enterprise, with proper solution of the insurgency problems for peace and prosperity of all the people as one united nation.

The political miracle of February 1986, through the Divine Providence, has entrusted the national leadership to President Aquino as the clear choice of the sovereign people in toppling down a well-entrenched dictatorship since 1972 and in restoring the blessings of democracy, truth, freedom, justice and progress.

I believe that the national leadership of President Aquino is pro-Deo and pro-Patria, and we trust that her leadership for the next six years will direct the course of government authority to what is best for our country and people. This Constitutional Commission cannot claim national leadership. Despite varying views and contradictory opinions on the RP-US military facilities, let us strengthen the position of the national leadership under President Corazon Aquino. Can peace be achieved by prescribing as a fundamental principle or state policy a provision on the controversial issue of neutrality, nuclear- and bases-free country? Should we now enshrine in the 1986 Constitution, as our fundamental law for many years in the future, the majority or minority opinion of the 47 Members of this Constitutional Commission to bind the sound judgment of national leadership?

Mr. Presiding Officer, I concur with the views expressed by Commissioners Rodrigo, de Castro, Laurel and many other Commissioners that the Constitution we are drafting should not decide prematurely this very important and far-reaching issue, especially if it is not in accord with, but is contrary to, the wise decision of our sound national leadership.

Thank you.

THE PRESIDING OFFICER (Mr. Davide): The Floor Leader is recognized.

MR. RAMA: Mr. Presiding Officers there is a request by a member of the committee, Commissioner Nollado, to deliver his rebuttal. May I ask that he be recognized.

THE PRESIDING OFFICER (Mr. Davide): Are there no more speakers. Mr. Floor Leader? They are only for the rebuttal.

MR. RAMA: Mr. Presiding Officer. there are three more speakers: Commissioners Natividad and Azcuna who are not around, and Aquino who is here.

THE PRESIDING OFFICER (Mr. Davide): Without prejudice to the three speakers, the rebuttal may be allowed now.

Commissioner Nolleto is recognized.

REBUTTAL OF COMMISSIONER NOLLEDO

MR. NOLLEDO: Thank you, Mr. Presiding Officer and my dear colleagues in this Commission:

The anachronistic and ephemeral arguments against the provisions of the committee report to dismantle the American bases after 1991 only show the urgent need to free our country from the entangling alliance with any power bloc.

It was argued that we need the American bases for the security of our country and people. On the contrary, the existence of these bases imperils our national security because we have become a nuclear target by enemies of the United States, thus, making every Filipino live under the shadow of death. Military experts from the United States itself have admitted that there is no imminent threat of attack against the Philippines even in the absence of the American bases. Our Asian neighbors, Malaysia, Indonesia, Thailand and Taiwan which have no American bases, have enjoyed tranquility and peace and have not been seriously threatened by outside forces. The argument on security will make us appear like nervous children holding on to Mother America's apron for military protection or a group of cowards incapable of defending our country from internal as well as external aggression, a situation which makes us unworthy of independence which our fore-fathers had dreamed of and fought for thinking that we would carry the torch of freedom with a stout heart, dignity and honor. But alas, we find ourselves inadequately secured without the U.S. military facilities. The issue on the maintenance of foreign bases in our country for national security is truly embarrassing to contemplate and shameful to manifest before the eyes of the world for it pictures our countrymen as defenseless cowards who need a foreign army to stay in our shores after we have been, so they say, granted our so-called independence.

The argument that we need the American bases because of the increased insurgency in our midst is an argument that will never impress any right-thinking individual. The presence of the foreign bases in our country for the past 40 years has not contained but, in fact has increased internal aggression or insurgency in our country.

Another simplistic argument is that the American bases are needed to preserve democracy in our country. Must democracy be maintained by force or threat of forces Mr. Presiding Officer? That is not the democracy I know. For democracy to thrive, it must show its work-ability and value and must be subjected to an acid test of viability through open as well as clear manifestations that make it appear as favorable to the people. Only through leaders who are sincere, capable and honest can we make democracy truly work. Did the American bases prevent 14 years of Marcos dictatorship? I daresay that these bases provided support for this dictatorship.

The argument that adopting the principle of neutrality and nonalignment would foreclose our options in the conduct of foreign relations is simply non sequitur. Adoption of the policy of nonalignment liberates the Philippines from dependence on one power bloc and enables her to deal freely with all nations of the world regardless of ideologies. Thus, Mr. Presiding Officer, nonalignment is not being isolationist. It enables the country to have cooperation on economic, social and political affairs with every nation of the world. It does not foreclose

temporary alliances. It enables the non-aligned country to get economic aid from all power blocs. Nonalignment gives substance and meaning to the status of independence.

Mr. Presiding Officer, to the argument that if we declare the Philippines a nuclear-free nation we would be lagging behind other countries should nuclear power proliferate, I say: The atomic bombing of Nagasaki and Hiroshima, the Chernobyl incident and many incidents of lesser degree should sufficiently warn us of the catastrophic effects of nuclear power. Peoples of various nationalities are continuously demanding for destruction of nuclear weapons. The highly prohibitive cost of maintaining nuclear plants should discourage poor and even developing nations from building and operating the same. Proliferation of nuclear plants or weapons may not even come into being as this might convert the world into an international graveyard and provide for mankind's final war. Civilization cannot afford to reach that point of human devastation.

To the gratuitous contention that the Constitutional Commission is not adequately prepared to deal with the question of whether or not to dismantle the American bases after 1991, I say, Mr. Presiding Officer, that as early as 1953, debates on said bases have begun. Even pro-American Presidents Manuel Roxas and Ramon Magsaysay expressed apprehension on the existence of said bases. Mr. Presiding Officer, it is not necessary for us to possess expertise to know that the so-called RP-US Bases Agreement will expire in 1991, that it infringes on our sovereignty and jurisdiction as well as national dignity and honor, that it goes against the UN policy of disarmament and that it constitutes unjust intervention in our internal affairs.

The arguments against the American bases are grounded on fundamental and concrete reasons that are *res ipsa loquitur*. We do not need to overemphasize the importance of dignity and honor to our nation whose traditions are rooted on fervent love of freedom and adherence to the elementary tenets of justice. I would like to quote. Mr. Presiding Officer, an adjusted proverb in Pilipino:

Ang dangal ng bayan ay tulad ng tubig na nasa tapayan; kaunting langis na ito'y mapatakan, di na iinumina at pandirihan.

Thank you, Mr. Presiding Officer.

MR. RAMA: Mr. Presiding Officer.

THE PRESIDING OFFICER (Mr. Davide): The Floor Leader is recognized.

MR. RAMA: Subject to the reservations made by Commissioners Natividad, Aquino and Azcuna, I move that we proceed to the period of interpellations as agreed upon yesterday.

THE PRESIDING OFFICER (Mr. Davide): Subject to the reservations made, is there any objection to the motion to move to the period of interpellations?

MR. RAMA: Mr. Presiding Officer, may I withdraw my motion in view of the presence of Commissioner Aquino.

THE PRESIDING OFFICER (Mr. Davide): The motion is withdrawn.

MR. RAMA: I ask that Commissioner Aquino be recognized.

THE PRESIDING OFFICER (Mr. Davide): Commissioner Aquino is recognized.

SPONSORSHIP SPEECH OF COMMISSIONER AQUINO

MS. AQUINO: Mr. Presiding Officer, this sponsorship speech certainly took a long time coming, lost in the ganglia of en contra and pro. I am presenting this sponsorship speech for Section 3 on behalf of the committee.

The world today is in the vortex of swift historical change. The forces of peaceful coexistence are gaining on the forces of aggression, and the time is past when only one form of neutrality existed — the neutrality of war which was regulated by The Hague Convention.

In the world today, neutrality is a form of peaceful coexistence. It is the only way by which countries subjected to nuclear imperialism through military blocks attempt to achieve peace and independence.

Neutrality, therefore, in the contemporary world is a diplomatic position or attitude adopted by a considerable number of countries, which involves the refusal to participate in nuclear war, the disruption of military alliances, relaxation of the tensions of cold war and in the end makes an outbreak of war itself impossible.

Neutrality does not mean a middle-of-the-road position between war and peace, nor a different road altogether. It is a form of peaceful coexistence. It is the status or policy of a country advocating peace and opposing a policy of war and aggression, refusing to align itself with any military alliance and dedicated to the relaxation of tensions. This new concept is gradually gaining recognition in international law.

As we wallow in the nuclear age, nuclear war involves the danger of annihilating not only the actual parties to the conflict but also the neutral countries, both small and large, and indeed all humanity. In the nuclear age, atomic peace and cold war are the continuation of war in another form.

How can neutrality be defined in the context of positive peace as put forward in the UN Charter?

Positive peace must be distinguished from negative peace, the latter meaning the absence of war, but a genuine peace must be positive. To say that peace is the absence of war is to say that there is no peace. Positive peace means to eradicate the causes of war by creating the economic, cultural, social and political conditions that would eliminate tension and the objective causes of wars or conflicts.

In our time, military blocs and alliances subjugate countries to these Great Powers which are in possession of nuclear weapons and make satellites of them, both economically and politically. Consequently, they are a restriction on national independence and state sovereignty.

Neutrality, therefore, in emancipating these countries from the military blocs restores their sovereign rights, which eventually would lead to the following conclusions

1. Neutrality is a form of peaceful coexistence in the present times when the forces of peace are gaining on the forces of making war and, when it is possible and indeed historically necessary, for countries of different political systems to live in peace and cooperate with each other.
2. This new type of neutrality is, therefore, inseparable from peace and is a peace neutrality which contributes to world peace. This peace neutrality excludes participation in military blocs or military alliances, rejects all foreign military bases and opposes the stockpiling of nuclear weapons in the territory of the country concerned, the nuclearization of its army and the flight of aeroplanes armed with nuclear weapons.
3. In a period when countries adopting a policy of peace have made headway, neutrality may well take on new forms, including the conclusion of nonaggression pacts.
4. Particularly in the case of African and Asian countries who have gained their independence at the cost of

immense sacrifice and suffering in a fierce struggle against colonialism, neutrality is an essential guarantee of their independence.

Contrary to the opinion in the years from 1940 to 1945, we have witnessed a revival of neutrality in recent years which has not coincided with an increase in international tension and is not due to any weakening in the organization of the society of nations. This revival is based on a new definition of neutrality, which in essence is nonbelligerence and which finds itself in harmony with the UN Charter, if their twin characteristics of flexibility and precision are to be taken into consideration.

In Southeast Asia, the adoption of a pacifist and neutralist foreign policy is inexorable. The recently concluded ASEAN conference held in Manila in June this year has laid it clear that the basic security orientation of ASEAN and its individual members is one of neutrality and nonalignment with the superpowers.

5. The legal forms of neutrality may take the following: (a) the adoption of a neutralist policy by a unilateral declaration in the form of a law or a decree and (b) the recognition of the state or government presupposes the recognition of this law and decree. The permanent neutrality of Austria was established in this fashion in 1955. Also it may take the form of a multilateral treaty, such as those which recognized the permanent neutrality of Switzerland in 1815, of Belgium in 1831 and of Luxembourg in 1867.

The contemporary concept of neutrality is no academic abstraction. It is not a speculative theory raised by scholars, philosophers or jurists, nor is it a notion hammered out in the international conferences and given shape by international agreements. It is an idea which has sprung from below, formed by the peoples of the world who are unwilling to take part in the cold war and anxious to remain aloof from aggressive military blocs. It is, above all, dear to the hearts of the people from the young states who have gained their independence in heroic and desperate struggles, since they regard any effort to draw them into military blocs not only as attempts to drag them in the cold war, but also as an attack on their sovereign rights.

The great transformations now taking place in the structure of the international community in this period of peaceful coexistence open new vistas for the peoples of the world, especially for those who are still one way or the other subject to the exploitation of foreign monopolies.

A policy based on the balance of power is an obstacle to a world system of peace and international security. All this indicates the size and extent of the problem facing the international community at the decisive period of its history. We can thus realize the importance of the part to be played by the Asian nations in particular, in the sense that they must unite their efforts for the maintenance of peace by adopting an independent foreign policy, free from subjection to any given sphere of interest. Neutrality is closely linked to national sovereignty and independence and inconsistent with adherence to or membership in any military pact.

Neutrality, therefore, is a concrete product, not an abstract hypothesis of the community of nations. Leaving room as it does for the play of different ideological attitudes and various nonmilitary measures, neutrality can no longer be considered an expression of national egoism or indifference to a just cause.

On the contrary, neutrality is a position that seems to be entirely justified insofar as it represents the particular historical and geographical circumstances of the region. It presents a compromise between the ideals of a fully integrated organization and the political contingencies of today.

In this sense, neutrality serves the cause of peace. It is, in fact, a force of peace.

Thank you, Mr. Presiding Officer.

MR. RAMA: Mr. Presiding Officer.

THE PRESIDING OFFICER (Mr. Davide): The Floor Leader is recognized.

MR. RAMA: Subject to the reservations made by Commissioners Natividad and Azcuna, I move that we terminate the period of sponsorship and that we proceed to the period of interpellations.

THE PRESIDING OFFICER (Mr. Davide): Is there any objection? (Silence) The Chair hears none; the motion is approved.

We now proceed to the period of interpellations, subject to reservations.

SUSPENSION OF SESSION

MR. RAMA: Mr. Presiding Officer, the registered interpellators are Commissioners Bernas, Monsod Ople, Rigos, Jamir, Rodrigo and Sarmiento.

May I ask for a suspension of the session to enable these Gentlemen to come forward.

THE PRESIDING OFFICER (Mr. Davide): The session is suspended

It was 4:42 p.m.

RESUMPTION OF SESSION

At 4:48 p.m., the session was resumed with the Honorable Rene V . Sarmiento presiding.

THE PRESIDING OFFICER (Mr. Sarmiento): The session is resumed.

The Floor Leader is recognized.

ADJOURNMENT OF SESSION

MR. RAMA: Mr. Presiding Officer, there is a consensus that we take up the interpellations tomorrow. So I move that we adjourn until tomorrow at nine-thirty in the morning.

THE PRESIDING OFFICER (Mr. Sarmiento): Is there any objection? (Silence) The Chair hears none, the session is adjourned until tomorrow at nine-thirty in the morning.

It was 4:48 p.m.

[*]Appeared after the roll call.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.