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Monday, June 2, 1986

PROCESSIONAL

At 10:01 a.m., the proceSSIONAL began with the entry into the Session Hall of the Members of the Constitutional Commission of 1986.

Then, preceded by the Acting Sergeant-at-Arms bearing the Mace, the Vice-President of the Philippines entered the Session Hall followed by the Acting Secretary-General of the Commission.

The National Color and the Constitutional Commission color accompanied by honor guards entered the Session Hall.

CALL TO ORDER

At 10:05 a.m., the Vice-President of the Philippines, the Honorable Salvador H. Laurel, called the session to order.

OPENING REMARKS OF THE VICE-PRESIDENT

The Vice-President declared open the inaugural session of the Constitutional Commission of 1986 pursuant to Proclamation No. 9.

For the purpose, he announced the previous election of the officers in an acting capacity: Mr. Napoleon G. Rama, Floor Leader; Mr. Jose D. Calderon, Assistant Floor Leader; Prof. Florida Ruth P. Romero, Secretary-General; and Mr. Roberto M. San Andres, temporary Sergeant-at-Arms.

Adverting to his duty as temporary Presiding Officer for the inaugural session to enable the Commission to elect its permanent President, Mr. Laurel underscored the role of the Members of the Commission who were all chosen by President Corazon C. Aquino for their probity, independence of mind, nationalism and patriotism. He stated that while their probity, independence of mind and nationalism are yet to be reaffirmed, the Members have already demonstrated their patriotism by agreeing to the disqualification from being elected or appointed to office in accordance with the prescriptions under Proclamation No. 9. He noted that such self-denial had already earned for them the necessary credibility essential to the writing of a constitution that will truly reflect the sentiments, ideals and aspirations of the people, a task that will place the nation, derailed by 14 years of martial misrule, back on the tracks of constitutional democracy which is the key to both political stability and economic recovery.

Mr. Laurel invited attention to the fact that the entire proceedings will not only be recorded but will also be broadcast live on radio and television for the nation and the entire world to watch how the Constitution of the future will be fashioned. Using the language of a great jurist, Mr. Laurel stated that the Constitution that the Commission will write will henceforth bind equally, in war and in peace, both rulers and people, and it will cover

all classes of men at all times under all circumstances.

Finally, Mr. Laurel enjoined the Assembly to bow in prayer to ask the Lord to enlighten the Members as they proceed to write the new Constitution, so that they may pour out into the writing of the fundamental law the noblest thoughts of a valiant race.

THE NATIONAL ANTHEM AND THE INVOCATION

Thereafter, the National Anthem was played, followed by the Invocation led by five religious leaders who were invited for the purpose, to wit:

God, our Father
We, the sovereign Filipino people,
stand in Your presence to pray.

We pray especially and exclusively
for each and for all of the
forty-eight distinguished Members of the
Constitutional Commission of 1986.

These forty-eight Filipino men and women,
these forty-eight national, regional and
sectoral representatives of the
more than fifty million Filipinos,
have solemnly sworn to faithfully
and conscientiously fulfill their duties,
and each one of them has prayed
"So help me God".

As we watch them begin "to hasten
the return of normal constitutional
government",
we pray You, O God, to help them.

We firmly believe that without Your help,
they shall find it extremely difficult
to draft a fundamental law that is
"truly reflective of the ideals and
aspirations of the Filipino people"
because we, the Filipino people,
are Your people
whom You love and who love You.

As they go to work day after day,
as they endeavor to complete their
work within the period provided by law
help them, O God, to frame a constitution
for our land,
a constitution that promotes the good
of every Filipino and of the whole

Filipino man and woman,
a constitution that binds all Filipinos
together as Your sons and daughters,
a constitution that preserves and
perfects the state of our Filipino culture . . .
that recognizes and respects our sense
of Filipino values . . .
that defines and directs our set of
religious traditions,
a constitution that serves the common
good and shares it equitably with the common
tao,
a constitution that builds bridges of love and
justice and peace,
and breaks down walls of self-seeking
and image-building,
a constitution that helps make the Philippines
a more beautiful place to live in as it makes
the Filipinos a better people to live in it,
a people with a better chance to survive
and a chance to survive better.

This, we know, is a tall order
that is why we call to You, O God,
and count on You.
We trust that You will not fail us now
as You have never failed us before.

And so,
we thank You in advance
for this one blessing we obviously need
even as we thank You
for the countless blessings
that we have received from Your bounty,
through Christ, our Lord.

Amen.

ROLL CALL

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

Abubakar, Yusup R.
Alonto, Ahmad Domocao
Aquino, Felicitas S.
Azcuna, Adolfo S.
Bacani, Teodoro C. .

Bengzon, Jose Jr., F.S.
Bennagen, Ponciano L.
Bernas, Joaquin G.
Rosario Braid, Florangel
Brocka, Lino O.
Calderon, Jose D.
De Castro, Crispino M.
Colayco, Jose C.
Concepcion, Roberto R.
Davide, Hilario Jr., G.
Foz, Vicente B.
Garcia, Edmundo G.
Gascon, Jose Luis Martin C.
Guingona, Serafin V.C.
Jamir, Alberto M.K.
Laurel, Jose Jr., B.
Lerum, Eulogio R.
Maambong, Regalado E.
Monsod, Christian S.
Natividad, Teodulo C.
Nieva, Ma. Teresa. F.
Nolledo, Jose N.
Ople, Blas F.
Padilla, Ambrosio B
Muñoz Palma, Cecilia
Quesada, Minda Luz M.
Rama, Napoleon G.
Regalado, Florenz D.
De Los Reyes, Rustico Jr. F.
Rigos, Cirilo A.
Rodrigo, Francisco A.
Romulo, Ricardo J.
Rosales, Decoroso R.
Sarmiento, Rene V.
Suarez, Jose E.
Sumulong, Lorenzo M.
Tadeo, Jaime S.L.
Tan, Christine
Tingson, Gregorio J.
Treñas, Efrain B.
Uka, Lugum L.
Villacorta, Wilfrido V.
Villegas, Bernardo M.

With all 48 Members present, the Chair declared the presence of quorum.

OATH-TAKING OF MEMBERS

The Members of the Constitutional Commission took their oath of office before the temporary Presiding Officer of the Constitutional Commission.

COMMITTEE ON NOTIFICATION

On motion of Mr. Rama, duly seconded and there being no objection, the Chair appointed a Committee of Five composed of the Honorable Jose Luis Martin C. Gascon, Christine Tan, Hilario G. Davide, Jr., Ahmad Domocao Alonto and Crispino M. de Castro, to inform the President of the Philippines that the Constitutional Commission was ready to receive her message.

SUSPENSION OF SESSION

The Chair suspended the session.
It was 10:22 a.m.

RESUMPTION OF SESSION

At 10:25 a.m., the session was resumed.

ENTRY OF THE PRESIDENT

Upon resumption of session, the Acting Secretary-General announced the entry of the President of the Philippines.

The Body gave the President a standing ovation.

On motion of Mr. Rama, there being no objection, the Chair recognized the President who delivered her address.

ADDRESS OF THE PRESIDENT

The President underscored the full authority granted to and the complete independence vested in the Constitutional Commission to write the country's new Constitution, a great task in which nobody, not even the President herself can interfere with or overrule.

The President stated that her presence was only to honor the convening of the Body and, apart from wishing the Commission well and saying the hopes and prayers of the nation, to make only two points: first, to be quick in responding to the nation's eagerness for a new Constitution and subsequent elections, with the people expecting a constitutional draft for their acceptance or rejection within three months so that they may have, in the shortest time possible, a full-blown democratic republic; and second, to limit the task to the constitutional mission which is to design a constitution that will provide for a new legislature, to define and protect individual freedoms and rights, and to decide how the different institutions of state will relate to each other, without being distracted by political debates and matters of policy that do not belong to the constitution-making exercise.

The President urged the Members to bear in mind that they shall be writing a constitution not only for their contemporaries with their present concerns but also for succeeding generations of Filipinos whose first concerns could not be presumed to be known beforehand. She stressed that future Filipinos must be free to decide how to address these concerns as they arise because even the wisest cures for present maladies should not be imposed on succeeding generations that will have their own unique problems and priorities.

Adverting to the words of a wise justice, the President stated that true and long-lived constitutions should be

broad enough to be able to meet every exigency and specific enough to stoutly protect the essentials of a true democracy. She stated that constitutional changes are not safe or easy to come by, the experience being that the first attempt at constitutional revision was followed by a dictatorship and the current endeavor was preceded by a revolution.

The President also stated that future Filipinos and their legislatures and Supreme Courts can best assess and meet the challenges if they enjoy the widest latitude of thought and action. Thus, in writing a constitution, she enjoined the Members to have the fullest confidence that "the wisdom of our race has not exhausted itself in us".

Finally, the President expressed the hope that the Constitutional Commission will always concern itself with the needs of the people who have suffered much.

SUSPENSION OF SESSION

On motion-of Mr. Rama, the Chair suspended the session.

It was 10:33 a.m.

RESUMPTION OF SESSION

At 10:42 a.m., the session was resumed.

The Chair announced that the Body would proceed to the first item in the Order of Business which is the election of the President of the Constitutional Commission.

At this juncture, Mr. Rama moved for suspension of the session to enable the Body to meet in a caucus aimed at expediting the election.

In reply to the inquiry of Mr. Abubakar, Mr. Rama stated that the caucus would involve the entire membership.

SUSPENSION OF SESSION

Thereupon, there being no objection, the Chair suspended the session.

It was 10:45 a.m.

RESUMPTION OF SESSION

At 12:10 p.m., the session was resumed.

ELECTION OF THE PRESIDENT OF THE CONSTITUTIONAL COMMISSION

The Chair announced that pursuant to paragraph 3, Section 9 of Proclamation No. 9, the first order of business is the election of the President of the Constitutional Commission.

The Chair declared the table open for nominations.

Upon request of Mr. Rama, Mr. Guingona was recognized to make a nomination.

Mr. Guingona then nominated Mrs. Cecilia Muñoz Palma for President of the Constitutional Commission.

Mr. Alonto seconded the nomination. There being no further nomination, on motion of Mr. Rama, the Chair closed the nomination.

Thereupon, on motion of Mr. Davide, there being no objection, the Chair declared the unanimous election of Mrs.

Cecilia Muñoz Palma as President of the Constitutional Commission of 1986.

On motion of Mr. Rama, the Chair appointed a committee of three composed of Mrs. Nieva and Messrs. Abubakar and Bengzon who escorted Mrs. Muñoz Palma to the rostrum.

OATH-TAKING/ASSUMPTION OF OFFICE

Mrs. Cecilia Muñoz Palma took her oath of office in the presence of the members of her family, after which the Vice-President turned over the gavel and a seven-volume set of books which he edited on the proceedings of the 1934-35 Constitutional Convention based on the collection of the late Justice Jose P. Laurel, for use as reference of the Constitutional Commission.

ACCEPTANCE SPEECH OF MRS. MUÑOZ PALMA

Mrs. Muñoz Palma stated that the honor a responsibility bestowed upon her and the Members of the Constitutional Commission of 1986 is a rare gift from the Almighty who rules the destinies men and nations.

The Presidency of the Constitutional Commission, she said, is a gift from the Filipino people who find themselves in the threshold of a new era of liberation after more than a decade of authoritarian rule. She accepted the Presidency "as a testimony to the cause of truth, justice and freedom which broke the shackles of bondage and brought us to this Assembly".

She expressed confidence that the diverse creed social, economic and political persuasions will ensure the formulation of a fundamental document enriched by new concepts born from the social complexities and changes of the times, and strengthened by a recapture of the values for truth, justice and morality, and glorified by love for country and faith in the Divine.

Mrs. Muñoz Palma stated that despite the clouds of doubt and mistrust generated principally from its appointive character and the alleged inadequacy, representation of all sectors of society, the Members of the Commission nonetheless accepted the trust and mission given to them by the President because they see in the creation of the Commission a vital and crucial step in the attainment of a permanent social, economic and political stability and normalization for the nation. The members, she said, shall contribute their talents and expertise, and whatever they may lack in wisdom and expertise shall be compensated with their unquestioned love and loyalty to the Filipino people.

She pledged that the Commission's work shall not be obsessed and controlled by biases and inclinations but that the Members shall labor together with open minds and hearts motivated by a consuming desire to establish a just and humane society and create a free people in the international community of free nations.

Mrs. Muñoz Palma urged the Members of the Commission to do their duty with dedication by giving their utmost to attain the highest ideals of the Filipino people.

She stated that the people throughout the land are praying for the success of the Constitutional Commission, that it may draft a basic law that will serve the good of all the Filipino people, preserve its territorial integrity, respect human dignity and protect human rights and freedoms, and build a nation founded on truth, love of God and one's fellowmen.

Finally, she enjoined the Members to pledge to themselves and to the Filipino people that in the spirit of unity, wisdom and self-sacrifice, they shall draft a constitution founded on equality, justice, liberty, and peace; reminding, however, that it is the people themselves who will have the final responsibility to give life to the words written in the Constitution, and to defend it with their lives, if necessary.

SUSPENSION OF SESSION

On motion of Mr. Rama, the session was suspended.

It was 4:45 p.m.

RESUMPTION OF SESSION

At 4:48 p.m., the session was resumed.

APPROVAL OF THE PROVISIONAL RULES OF THE CONSTITUTIONAL COMMISSION

On motion of Mr. Rama, duly seconded, and there being no objection, the Body approved provisionally the draft Rules of the Constitutional Commission pending the review by the Committee on Rules. (Appendix 1)

ELECTION OF THE VICE-PRESIDENT

On motion of Mr. Rama, there being no objection, the Body proceeded to the next item of the Agenda which was the election of the Vice-President of the Constitutional Commission.

Thereupon, Mr. de los Reyes nominated Mr. Ambrosio B. Padilla.

Mr. Alonto seconded the nomination.

There being no other nomination, on motion of Mr. Alonto, duly seconded, and there being no objection, the Chair closed the nomination.

Thereafter, the Chair declared Mr. Padilla unanimously elected Vice-President of the Constitutional Commission.

The Chair then created a committee composed of Messrs. Bacani and Colayco and Mrs. Nieva to escort Mr. Padilla to the rostrum.

Mr. Padilla took his oath of office before the President of the Constitutional Commission.

ACCEPTANCE SPEECH OF MR. PADILLA

In his acceptance speech, Mr. Padilla expressed deep gratitude to all those who were responsible for elevating him to the high position of Vice-President of the Constitutional Commission, particularly to Mr. Rodrigo who generously yielded in his favor.

Mr. Padilla stressed that the Constitutional Commission is entrusted with the difficult, delicate and far-reaching task of formulating a permanent Constitution that will embody the ideals, dreams and aspirations of the Filipino people. However, he expressed confidence that with God's divine guidance, full cooperation of Members and leadership of the President, the Constitutional Commission will not fail in its task of formulating a Constitution that will ensure popular democracy with the blessings of truth, justice and freedom so that the country and people may enjoy lasting peace, political stability and economic prosperity.

DEFERMENT OF THE ELECTION OF FLOOR LEADER

AND ASSISTANT FLOOR LEADER

For the next item in the Agenda, upon request of Mr. Rama, the Chair recognized Mr. Davide.

Thereupon, on motion of Mr. Davide, duly seconded, and there being no objection, the Body deferred the election

of Floor Leader and Assistant Floor Leader until such time that the Body shall have decided on the matter of the Steering Committee.

Likewise, on motion of Mr. Davide, duly seconded, and there being no objection, the Body decided to allow the Acting Floor Leader and the Acting Assistant Floor Leader to continue as such until the election of a permanent Floor Leader and Assistant Floor Leader.

ELECTION OF THE SECRETARY-GENERAL

On motion of Mr. Rama, the Body proceeded to the election of the Secretary-General.

Mrs. Quesada nominated Prof. Florida Ruth P. Romero as Secretary-General of the Commission.

On motion of Mr. Romulo, duly seconded, and there being no objection, the Chair closed the nomination.

Thereupon, the Chair declared Prof. Florida Ruth P. Romero unanimously elected as Secretary-General of the Constitutional Commission.

ELECTION OF SERGEANT-AT-ARMS

Thereafter, on motion of Mr. Rama, the Body proceeded to the election of Sergeant-at-Arms.

Mr. Bengzon nominated Mr. Roberto M. San Andres for the position.

On motion of Mr. Rosales, duly seconded, and there being no objection, the Chair closed the nomination.

Thereupon, the Chair declared Mr. Roberto M. San Andres unanimously elected as Sergeant-at-Arms of the Constitutional Commission.

DEFERMENT OF CONSIDERATION OF ITEM NO. 3 OF THE AGENDA

On motion of Mr. Monsod, duly seconded, there being no objection, the Body deferred the consideration of Item 3 of the Agenda relative to the organization of the committees until after the Body shall have determined the scope of their responsibilities and membership.

RESOLUTION OF THANKS FOR VICE-PRESIDENT LAUREL

On motion of Mr. Rama, the Body proceeded to the consideration of an unwritten item in the Agenda and, upon his request, the Chair recognized Mr. Jamir.

Thereupon, on motion of Mr. Jamir, duly seconded, and there being no objection, the Body adopted a resolution of thanks to be prepared and transmitted to the Vice-President, the Honorable Salvador H. Laurel, for his services during the pre-caucus and opening session of the Constitution Commission.

ADJOURNMENT OF SESSION

On motion of Mr. Rama, duly seconded, and there being no objection, the session was adjourned until three o'clock in the afternoon of the following day.

It was 5:07 p.m.

I hereby certify to the correctness of the going.

(SGD.) FLERIDA RUTH P. ROMERO

Secretary-General

ATTESTED:

(SGD.) CECILIA MUÑOZ PALMA

President

Approved on June 3, 1986

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