

## RECORD OF THE SENATE

MONDAY, OCTOBER 9, 2000

### OPENING OF THE SESSION

*At 3:27 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.*

**The President.** The 25th session of the Third Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Robert Z. Barbers.

After the prayer, the Philrice Choir will lead us in the singing of the national anthem. The Choir will also render another song, entitled *Isang Dugo, Isang Lahi, Isang Musika*.

*Everybody rose for the prayer.*

### PRAYER

**Senator Barbers.**

Ama naming makapangyarihan sa lahat, muli po naming hinihingi ang Inyong paggabay at basbas sa aming pagpupulong na ito upang ang lahat ng aming tatalakayin at pagpapasiyahan ay maayon sa Iyong kagustuhan.

Sa gitna ng mga nangyayaring iskandalo ngayon, bigyan po Ninyo kami ng katahimikan at pagkakasundo sa isa't isa at pairalin Ninyo ang katarungan at hustisiya sa aming bayan.

Maraming salamat, Panginoon, sa lahat ng mga biyayang patuloy Ninyong ipinagkakaloob sa amin, sampu ng aming buhay, gayundin sa pagkakaligtas ng mga bihag sa Mindanao.

Tulungan po Ninyo silang makapagsimula ng buhay na mapayapa at maligaya kasama ang kanilang mga pamilya. Samantala, dasal namin na matapos na ang paghihirap ng mga bihag ng Abu Sayyaf at sila ay makalaya na rin.

Hipuin sana Ninyo, Panginoon, ang mga kapatid naming hindi pa nagkakasundo sa Mindanao upang matunton nila ang landas tungo sa tunay na pagkakaisa at pag-ibig sa kapwa.

Amin ding hinihingi ang Inyong pamamagitan upang mahinto nang tuluyan ang patuloy na pagdanak

ng dugo sa Mindanao, dugong galing sa isang lahi at bansa, upang sa gayon ay maging tunay kaming karapat-dapat sa Iyong kaharian.

Ang aming bansa, Panginoon, ay kasalukuyang nahaharap sa suliraning pang-ekonomiya. Huwag po Ninyo kaming bitiwang, Ama, sa ganitong katayuan. Ituro po Ninyo sa amin ang tamang solusyon at paraan upang matagumpay naming maihahon ang bansang Pilipinas sa pagkakalugmok nito.

Muli ko pong hinihingi, Ama, ang Inyong patuloy na patnubay dito sa Senado upang kami ay manatili sa pagbalangkas ng mga batas na maka-Diyos tungo sa ikauunlad ng sambayanang Pilipino. Itinataas po namin ang kaligtasan ng aming mga kapatid sa Mindanao sa anumang kapahamakan.

Ang lahat ng ito ay isinasamo namin sa matamis na pangalan ni Jesus.

Amen.

### NATIONAL ANTHEM

*Everybody remained standing for the singing of the national anthem.*

**The President.** We thank the Philrice Choir for that beautiful rendition of the national anthem and a very nationalistic song, *Isang Dugo, Isang Lahi, Isang Musika*.

### ROLL CALL

The Secretary will please call the roll.

**The Secretary, reading:**

Senator Teresa Aquino-Oreta .....	**
Senator Robert Z. Barbers .....	Present
Senator Rodolfo G. Biazon .....	Present
Senator Renato L. Compañero Cayetano ...	Present
Senator Anna Dominique M.L. Coseteng ....	Present
Senator Miriam Defensor Santiago .....	Present
Senator Juan Ponce Enrile .....	Present
Senator Juan M. Flavies .....	Present
Senator Teofisto T. Guingona Jr. ....	Present
Senator Gregorio B. Honasan .....	Present
Senator Robert S. Jaworski .....	Present
Senator Loren B. Legarda-Leviste .....	Present

\*\* On official mission

enforcement agencies shall be transferred, absorbed and integrated to the PDEA, including their personnel complement. They may, however, opt to remain with their mother unit. (Art. VI, Sec. 78)

*The Call for the Approval of Senate Bill No. 2170*

Mr. President, Senate Bill No. 2170 is a result of so many hearings conducted by this committee with the help, of course, of almost all the members of this Chamber.

It is on this score that I earnestly request support from the members of this Chamber for the approval of Senate Bill No. 2170.

Thank you.

Senator Tatad. Mr. President.

The President. The Majority Leader is recognized.

Senator Tatad. We thank Senator Barbers for his sponsorship speech. To support the measure, I ask that Senator Sotto be recognized.

The President. Sen. Vicente C. Sotto is recognized.

Senator Sotto. Thank you, Mr. President.

We would just like to lend our voice in support of the proposed measure that was just sponsored by the distinguished gentleman from Caraga.

Mr. President, we congratulate him, and we would like to associate ourselves with the statements and the measure. I would be first in line to ask for the immediate passage of the bill. However, in the period of interpellations, we wish to be enlightened on one of the provisions of the bill. We will do that at the proper time.

Thank you, Mr. President.

The President. The Majority Leader is recognized.

**SUSPENSION OF CONSIDERATION OF S. NO. 2170**

Senator Tatad. Mr. President, to allow our colleagues time to prepare for the interpellation, I move that we suspend consideration of Senate Bill No. 2170.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

**BILL ON SECOND READING**

**S. No. 2129—Strengthening the ARMM Organic Act**  
(Continuation)

Senator Tatad. Mr. President, I move that we resume consideration of Senate Bill No. 2129 as reported out under Committee Report No. 393.

The President. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 2129 is now in order.

Senator Tatad. Mr. President, we are still in the period of interpellations. I ask that the distinguished sponsor of the measure, Sen. Aquilino Q. Pimentel Jr., be recognized; and to ask one or two questions, the distinguished Senate Minority Leader, Senator Guingona.

The President. Sen. Aquilino Q. Pimentel Jr., the principal sponsor, is recognized. To avail himself of the period of interpellations for one or two questions...

Senator Pimentel. Preferably two questions.

The President. The Chair prefers one. Senator Guingona is recognized.

Senator Guingona. With reservations for further questions, Mr. President.

Will the distinguished gentleman yield?

Senator Pimentel. With pleasure, Mr. President.

Senator Guingona. The distinguished sponsor said during the sponsorship speech that the ethnic tribes of the Muslim population are distinctly divided into three major groups. And this is evidenced by the fact that the governors circulate from Maguindanao to Sulu, to Lanao. We were wondering whether the distinguished sponsor, during the period of amendments, will accept a collective leadership instead.

Senator Pimentel. Meaning what, Mr. President?

Senator Guingona. Meaning, there will be a body of three governors—troika, where the governor assigned for Sulu and possibly Zamboanga, Basilan will concentrate his efforts there, and the governor for Lanao will do likewise in his area, so with Maguindanao, and probably also allocate already some sort of budgetary delineation in the process. Perhaps we can have one who will supervise on an alternative basis the entire

region but with designated areas. That is just a concept that I was toying with, but if the idea is acceptable to the distinguished sponsor, we can refine it.

**Senator Pimentel.** Mr. President, to my knowledge, the only time that more than one head of anything was able to work had to do with the multiheaded Hydra in mythology or the Holy Trinity, as Senator Tatad has suggested.

Therefore, it would be very difficult. Perhaps, there has to be one head and then maybe...

**Senator Guingona.** Deputies.

**Senator Pimentel.** Two deputies, that is quite possible, Mr. President.

**Senator Guingona.** No, one head with three deputies.

**Senator Pimentel.** I mean, that is a possibility, Mr. President. Sure.

**Senator Guingona.** All right, so we will try to refine that.

My second question which has been limited by the distinguished Chair, the Senate President, is: Is Shari'ah the heart and core of the demands of the Muslim population in Mindanao? Because it is a fulfillment of their religious expression—cultural and religious. However, they themselves understand that in many Muslim states, the Shari'ah law in its full exercise is not allowed by the Constitution. Malaysia, for example.

**Senator Pimentel.** Or is limited by the Constitution.

**Senator Guingona.** Is limited by the Constitution. Malaysia is a clerical state and even Indonesia. However, it is a desire that we should certainly try to accommodate as much as possible.

I was wondering whether we could have consultations with the justices of the Supreme Court and the religious leaders of the Muslim community so that the moderate system of Egypt, for example, could very well be adopted here without doing violence to the Constitution, and so that we can already incorporate that as a sign of sincerely extending our hand of friendship and brotherhood to our brother Muslims.

**Senator Pimentel.** The point of the Minority Leader is very well-taken. In fact, during our consultations, this matter had been brought to the attention of the Muslim community, particularly the more intellectual ones. And the

Muslims of Mindanao know that the Shari'ah can never be fully implemented in this country, because we have certain constitutional principles that will inhibit the application of the Shari'ah law fully, Mr. President, especially in criminal cases.

**Senator Guingona.** So, may we have this consultation with the justices of the Supreme Court and some Muslim religious leaders so that we can work out an acceptable solution?

**Senator Pimentel.** That is not a problem, Mr. President, but we will have to do that within the context of our current debates, meaning to say, it should not in any way result in the referral of this bill back to committee because we are still doing consultations.

**Senator Guingona.** No, not to the committee. In the context of our present debates.

**Senator Pimentel.** Yes, we will do that, Mr. President. No problem.

**Senator Guingona.** Mr. President, I have other questions but since I have been limited to two, I will graciously yield the floor for the time being.

**The President.** When will the next two questions come? [Laughter]

**Senator Tatad.** Mr. President, I would like to thank the Minority Leader for his two brilliant questions. I would like to thank Sen. Pimentel for his enlightening answers.

#### SUSPENSION OF CONSIDERATION OF S. NO. 2129

In the meantime, I move that we suspend consideration of Senate Bill No. 2129.

**The President.** Is there any objection? [Silence] There being none, the motion is approved.

#### ADJOURNMENT OF SESSION

**Senator Tatad.** Mr. President, there being no further business, I move that we adjourn the session until three o'clock tomorrow afternoon, Tuesday, October 10, 2000.

**The President.** Is there any objection? [Silence] There being none, the session is adjourned until three o'clock tomorrow afternoon, October 10, 2000.

*It was 5:56 p.m.*