



REPUBLIC OF THE PHILIPPINES

**S e n a t e**

Pasay City

# Journal

**SESSION NO. 5**

Tuesday, August 3, 2004

**THIRTEENTH CONGRESS  
FIRST REGULAR SESSION**

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**CALL TO ORDER**

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

**PRAYER**

Sen. Compañera Pia S. Cayetano led the prayer, to wit:

*Let us put ourselves in the presence of the Lord:*

Our God and our Father, God of all creation and the God of our nation, we come before Your throne not only to offer ourselves but also to seek Your guidance.

Mindful of our human frailty we seek Your approval to become Your instruments in bringing hope to a harassed nation, strength and a persevering attitude to a nation still recuperating from our national woundedness.

Allow the Senate to become a symbol of hope, purpose and unity during this critical period of our life as a nation.

We would also like to lift up to You the soul of our dear former Senate President Arturo Tolentino. We ask that You welcome him into Your kingdom of everlasting peace and joy. We pray that You surround his family and loved ones with peace in the knowledge that he is with You.

Let our nation cross our Jordan River and enter our promised land which is Your promise and gift to us. We ask this in Jesus' Name.

Amen.

**ROLL CALL**

Upon direction of the Chair, the Secretary of the Senate, Oscar G. Yabes, called the roll, to which the following senators responded:

Angara, E. J.	Lacson, P. M.
Cayetano, C. P. S.	Lapid, M. L. M.
Defensor Santiago, M.	Lim, A. S.
Drilon, F. M.	Madrigal, M. A.
Ejercito Estrada, J.	Pangilinan, F. N.
Ejercito Estrada, L. L. P.	Pimentel Jr., A. Q.
Enrile, J. P.	Recto, R. G.
Flavier, J. M.	Roxas, M.
Gordon, R. J.	Villar Jr., M. B.

With 18 senators present, the Chair declared the presence of a quorum.

Senators Arroyo, Biazon, Magsaysay, Osmeña, and Revilla arrived after the roll call.

**PROPOSED SENATE RESOLUTION NO. 29**

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 29, entitled

RESOLUTION EXPRESSING THE  
PROFOUND CONDOLENCE OF  
THE SENATE OF THE PHILIPPINES  
ON THE DEMISE OF HONORABLE  
ARTURO M. TOLENTINO, FORMER  
PRESIDENT OF THE SENATE.

The Chair directed the Secretariat to distribute copies of the resolution to the Members.

**SUSPENSION OF SESSION**

With the permission of the Body, the Chair suspended the session.

*It was 3:30 p.m.*

**RESUMPTION OF SESSION**

At 3:33 p.m., the session was resumed.

Upon resumption, Secretary Yabes read the text of the resolution, to wit:

**WHEREAS**, the nation just lost a great man and an outstanding leader. The Honorable Arturo M. Tolentino, a man of conviction and integrity, peacefully returned to his Maker on August 3, 2004;

**WHEREAS**, an outstanding and brilliant statesman, legal luminary, parliamentarian, scholar, diplomat, law professor, renowned author, and public servant, Honorable Arturo M. Tolentino devoted his life to public service;

**WHEREAS**, he exhibited academic excellence by consistently garnering top honors, namely, as valedictorian in high school; class Valedictorian and *Cum Laude* at the University of the Philippines College of Law in 1934; second place in the 1934 Bar examinations; *Cum Laude* in Bachelor of Philosophy at the University of the Philippines in 1938; Master of Laws (*meritissimus*) and Doctor of Civil Law (*meritissimus*) from the University of Santo Tomas;

**WHEREAS**, he distinguished himself not only in his scholastic endeavor but likewise in extracurricular activities by achieving numerous first places in writing competitions, garnering gold medals in debates, argumentation and oratorical contests, and winning the "Inter-Collegiate Oratorical Champion of the Philippines" in 1934;

**WHEREAS**, an intellectual whose heart was with the masses, he served as member of the Code of Commission in 1948 tasked to revise all existing substantive laws of the Philippines and codify them in conformity with the customs, traditions and values of the Filipino people;

**WHEREAS**, his exemplary service in Congress started when he was elected member of the House of Representatives for two (2) consecutive terms from 1949 to 1957, where he also served as Majority Leader from 1953 to 1957 and authored and/or sponsored over two thousand (2,000) bills. In 1949, after his nomination as Representative by the Nacionalista Party, he was offered a position in the Court of Appeals but he declined because he could not sacrifice principles for personal convenience.

**WHEREAS**, he was elected to the Senate for three (3) consecutive terms from 1957 to 1972, where he served as Majority Leader from 1963 to 1966 and from 1970 to 1972; and as Minority Leader from 1967 to 1969;

**WHEREAS**, he was elected during the sixth Congress as the Tenth President of the Senate from 1966 to 1967 during which he guided the passage of laws, vital to national development and public welfare;

**WHEREAS**, he served with distinction as Minister of Foreign Affairs from 1984 to 1985. As a noted constitutionalist, he fought for the right of every Filipino to travel and to a Philippine passport;

**WHEREAS**, as member of the Batasang Pambansa from 1978-1986, he was awarded the "Most Outstanding Member of the Batasang Pambansa (1978-1983)";

**WHEREAS**, in appreciation of his exemplary and committed public service, the nation again elected him Senator in 1992 where he served his term until 1995 with distinction. He was Chairman of the Committees on Electoral Reforms and Social Justice and member of the Commission on Appointments;

**WHEREAS**, in the Senate, he authored and/or co-authored landmark measures to promote national interest and

good government and to alleviate the plight of civil servants which includes among others, the landmark piece of legislation, Republic Act No. 3019 or the Anti-Graft and Corrupt Practices Act; Republic Act No. 1079 providing that Civil Service eligibility shall be permanent; Republic Act 1080 and 1844 which grant Civil Service eligibility to those who passed the bar and board examinations; and the law regulating the practice of optometry;

**WHEREAS**, as a top diplomat, he represented the Philippines in various international meetings and conferences, served as Chairman of the Philippine delegation to the First (1958), Second (1960), and Third (1973-1982) United Nations Conferences on the Law of the Sea, marked by a very significant achievement through the international recognition of the "Archipelago Doctrine" in the United Nations Convention on the Law of the Sea, thereby adding a total of 3,742,275 hectares to the seas as part of the national territory;

**WHEREAS**, a recipient of various awards and citations as a writer, professor, diplomat and legislator, among others, "Ka Turing" as he was fondly called, was a man of integrity and high principles and kept his reputation as vigilant fiscalizer, unstained with graft and corruption, impropriety or irregularity;

**WHEREAS**, respected for his sober and enlightened brand of politics, he was elected Vice-President of the Philippines in the snap elections of 1986.

**WHEREAS**, even after his retirement from public life, he maintained his interests in national issues and made himself available for advise, information and counsel on critical problems facing the country, thereby, continuing his public service to the Filipino people: Now, therefore, be it

**Resolved by the Senate**, To express, as it hereby expresses, the profound condolence of the Senate of the Philippines on the demise of Honorable Arturo M. Tolentino, former President of the Senate.

**Resolved, further**, That a copy of this Resolution be furnished to the bereaved family of Honorable Arturo M. Tolentino.

#### MOTION TO ADOPT THE RESOLUTION

Thereafter, Senator Pangilinan moved that the Body adopt the resolution.

#### ANGARA AMENDMENTS

On page 2, Senator Angara proposed the deletion of the penultimate "Whereas" clause because it might raise historical inaccuracies. He stated that in 1986, the Batasang Pambansa proclaimed Senator Tolentino as the Vice-President which, if accepted as a fact, would mean that the country had two vice-presidents at that time, the other one being the former late Vice-President Salvador H. Laurel.

Senator Angara believed that without detracting from his outstanding and sterling performance, the record of Senator Tolentino can stand without the said paragraph and no one can accuse the Body of misrepresenting history.

As proposed by Senator Angara and accepted by the Sponsor, there being no objection, the Body approved the following amendments:

1. On page 2, delete the penultimate "Whereas" clause;
2. On page 2, on the last "Whereas" clause, substitute the word "advise" with ADVICE; and
3. On page 1, on the fifth "Whereas" clause, delete the phrase "an intellectual whose heart was with the masses;" delete the preposition

"of" between the words "Code" and "Commission;" and insert the words WITH DISTINCTION between the words "served" and "as."

#### ENRILE AMENDMENT

On page 1, on the first "Whereas" clause, as proposed by Senator Enrile and accepted by the Sponsor, there being no objection, the Body approved the insertion of the verb HAS between the words "nation" and "just."

#### ADOPTION OF PROPOSED SENATE RESOLUTION NO. 29

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 29, as amended, was adopted by the Body.

#### ANNOUNCEMENT OF THE CHAIR

At this juncture, the Chair informed the Body that the necrological services for the late Senator Tolentino has been tentatively scheduled on Thursday morning. He said that the Secretariat

would give the appropriate notice once the plans shall have been confirmed by the family of the late senator.

#### ADJOURNMENT OF SESSION

In keeping with Senate tradition and to enable the Members to pay their respect to the late Senator Tolentino, upon motion of Senator Pangilinan, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of the following day.

*It was 3:45 p.m.*

I hereby certify to the correctness of the foregoing.

  
OSCAR G. YABES  
Secretary of the Senate  


Approved on August 4, 2004

