

De los Senadores Primicias, Delgado y Locsin (S. No. 467, 3.^{er} C. R. F.), titulado:

El SECRETARIO:

An Act to prevent dumping, impose an additional duty therefor and, for this purpose, to repeal Act Numbered Four thousand and thirty-five as amended by Republic Act Numbered thirty-two.

El PRESIDENTE. Al Comité de Comercio e Industria.

El SECRETARIO:

Del Senador López (S. No. 468, 3.^{er} C. R. F.), titulado:

An Act limiting the size and manner of development of agricultural public land which may be acquired through sales application.

El PRESIDENTE. Al Comité de Agricultura y Recursos Naturales.

El SECRETARIO:

Del Senador López (S. No. 469, 3.^{er} C. R. F.), titulado:

An Act to penalize the survey made by any public or private land surveyor in the public forest without prior authority from the Director of Forestry.

El PRESIDENTE. Al Comité de Agricultura y Recursos Naturales.

El SECRETARIO:

Del Senador Lim (S. No. 470, 3.^{er} C. R. F.), titulado:

An Act to provide for the limitation of ownership and establishment of retail drug store or retail pharmacy to registered pharmacists who are Filipino citizens and to prescribe penalties for any violation hereof.

El PRESIDENTE. Al Comité de Comercio e Industria.

El SECRETARIO:

Del Senador Lim (S. No. 471, 3.^{er} C. R. F.), titulado:

An Act to protect the retail drug business from unfair competition.

El PRESIDENTE. Al Comité de Comercio e Industria.

El SECRETARIO:

De los Senadores Primicias, Delgado y Locsin (S. No. 472, 3.^{er} C. R. F.), titulado:

An Act to abolish the safety inspection fund and credit the fees charged for safety inspections to the general fund making the appropriation for this service through regular budgetary processes.

El PRESIDENTE. Al Comité de Hacienda.

Senator PRIMICIAS. Mr. President.

The PRESIDENT. Gentleman from Pangasinán.

Senator PRIMICIAS. Yesterday while the distinguished gentleman from Batangas was using the privilege hour, the gentleman from Bulacán was interpellating him, and due to lack of time, we had to suspend the session, reserving the right of the distinguished gentleman from Bulacán to continue asking some questions of the gentleman from Batangas. I ask now that we resume during the privilege hour such questioning as the gentleman from Bulacán may desire.

Senator RODRIGO. Mr. President and gentlemen of the Senate: Before I proceed with my questions, I would like to make a résumé of the points taken up yesterday in order to give continuity to this interpellation. The points brought out in the interpellation yesterday were the following:

First, that in the Pastoral of the Philippine hierarchy, the words "heretic" and "impious", and the words "heretical" and "impious" as attributed to the "Noli" and the "Fili" and already as attributed to Dr. Rizal were not used. Those two words do not appear at all in the Pastoral. I made that clear, because there is a difference between my telling a friend, for example, that he wrote something objectionable or against the dogmas and teachings of the Catholic Church and telling him outright, "You are heretical and impious." I want to avoid that misunderstanding in the minds of our people, in fairness to the Philippine hierarchy, because if those who have read the Pastoral will just have the impression that in this Pastoral our Filipino bishops used the terms "heretic" and "impious" against our national hero, Dr. Rizal, and against his two books, our Filipino people might have a poor impression of the members of the hierarchy who are Filipino patriots like all Filipinos. That was the first point, Mr. President.

The second point was about the allegation or insinuation by the gentleman from Batangas and Quezon to the effect that the Filipino bishops in issuing this Pastoral merely repeated the pronouncement made by a committee of Spanish friars during the Spanish times, first condemning Rizal as a traitor to the country, and secondly, stating that these two books contained passages, and I will use the words of the Spanish friars then, "heretical" and "impious."

Now, as regards the first point, the pronouncement by the Spanish friars that Rizal was a traitor to the country, the present Pastoral issued by Filipino bishops states just the contrary. The present Pastoral states that Rizal is without doubt our greatest national hero.

As regards the second point, and that is, the finding regarding parts in these two novels against certain religious teachings and dogmas, they are the same in substance. The findings of the present Pastoral by the Filipino bishops is the same in substance with the findings of the Spanish friars during the Spanish times, and I raise the point that this is not unusual; this is the most natural thing because while our political situation has changed, the Catholic religion has not changed, and these two books have not changed.

The third point regarding the allegation by the gentleman from Batangas and Quezon that this Pastoral of the Filipino bishops is even worse and even harder on Dr. Rizal than the pronouncement by the Spanish friars, the following points were taken up and were conceded that while in the pronouncement by the Spanish friars then Rizal was branded as a traitor, in the present Pastoral of the Filipino bishops, he is hailed as our No. 1 hero. Second, while in the pronouncement by the Spanish friars then the harsh words "heretic" and "impious" were used, in the present Pastoral by the Filipino bishops those two harsh words are not used. Very respectfully the Filipino bishops enumerated the portions of the two novels which in their considered opinions are against Canon No. 1399, but in that same Pastoral the Filipino bishops stated that Dr. Rizal retracted and came back to the faith, the crowning glory of his life, and so while for a while Dr. Rizal drifted away from the faith, in the end he came back to the fold of the Catholic religion.

Now the fourth point. The gentleman from Batangas stated that while in the pronouncement by the Spanish friars then only the *Noli Me Tangere* was condemned in the present pastoral of Filipino bishops, both the "Noli" and the "Fili" were considered as objectionable under canon 1399. The gentleman from Batangas seems to imply that because of that, the Filipino bishops are harder and harsher on Rizal than the Spanish friars. But, then, Mr. President, during the interpellation it was brought out that when the *Noli Me Tangere* was submitted to the committee of Spanish friars for study and recommendation, only the *Noli Me Tangere* then was in existence. The *Filibusterismo* was not yet in existence. And so, that was the reason why at that time only the *Noli Me Tangere* was declared as objectionable.

But I will not go into a discussion of the pastoral because that will take very much time. I just want to reiterate my appeal to all that the best proof, the best evidence on whether this pastoral

is really harder or harsher on our national hero is the pastoral itself. And so, before judging either side of this case, before judging the members of our Philippine hierarchy who are Filipino patriots of ours and, as I said, one of them Archbishop Rufino Santos suffered imprisonment in Fort Santiago for ten months during the Japanese occupation; before passing judgment on them, may I request everybody to please read the pastoral.

And now, Mr. President, may I proceed to a few more questions which I like to propound to the gentleman from Batangas and Quezon.

Senator RECTO. For a matter of privilege, Mr. President.

The PRESIDENT. The gentleman from Batangas has the floor.

Senator RECTO. I ask the permission of the Senate to make my own preliminary remarks in reply to those just made by the gentleman from Bulacán. I am amazed at the apparent insistence of the gentleman from Bulacán in denying that in this controversial document we have been calling a "pastoral," the Filipino bishops have branded the books of Rizal heretical and impious. I insist, Mr. President and gentlemen of the Senate, that the bishops did so brand these books of Rizal. Not because the bishops did not use the words "heretic" or "heretical" and "impious", the gentleman from Bulacán can reasonably deny that the bishops did call these books heretical and impious. If I say, for instance, of anyone that he has been telling falsehoods, I have called him a liar, without having had to use the word "liar." Just by saying that one has told falsehoods, I have called him a liar. If I say that a man is the son of a woman who lies with any man for pay, I have called him the son of a prostitute without using these particular words.

Well, Mr. President, gentlemen of the Senate, and gentleman from Bulacan, that is what the Filipino bishops have said in this "pastoral". They have not used the words "heretic" or "heretical" or "impious", but they intended to say that. They said that the books of Rizal contain heresies and impieties, as I shall presently show, and that amounts to saying that the books are heretical and impious.

In par. 10, of the pastoral the following appears:

"In these two novels we find passages against Catholic dogma and morals where repeated attacks are made against the Catholic religion in general, against the possibility of miracles, against the doctrine of Purgatory, against the Sacrament of Baptism, against Confession, against the Holy Mass, against the doctrine of Indulgences, Church

prayers, the Chatechism of Christian Doctrine, sermons, sacramentals and books of piety. There are even passages casting doubts on or covering with confusion God's omnipotence, the existence of hell, the mystery of the Most Blessed Trinity, and the two natures of Christ."

From this paragraph alone any sensible person, as I said yesterday, any person who has devotion to truth, and is free from the influence of bigotry, who reads this passage will come to the conclusion that what the Filipino bishops meant by it is that these two novels of Rizal contain heresies and impieties, that is, attacks against Catholic dogma and morals, and are, therefore, impious and heretical.

Paragraph 11 of the "pastoral" says:

"Similarly, we find passages which disparage divine worship, (13) especially the veneration of images and relics, devotion to the Blessed Virgin and the Saints, the use of scapulars, cords and habits, the praying of rosaries, novenas, ejaculations and indulgenced prayers. Even vocal prayers are included, such as the Our Father, the Hail Marry, the Doxology, the Act of Contrition, and the Angelus, Mass ceremonies, baptismal and exequial rites, worship of the Cross, the use of holy water and candles, processions, bells and even the Sacred Sunday obligations do not escape scorn."

Here again the bishops charge that the books of Rizal are heretical and impious, containing, as they do, in their opinion, heresies and impieties.

Paragraph 12 says:

"We also find passages that make light of ecclesiastical discipline, especially in what concerns stole fees, alms to the Church, alms in suffrage for the dead, authority of the Pope, ex-communication, education in Catholic schools, Pontifical privileges, Catholic burial, the organization of monasteries, Confraternities, Third Orders, etc."

In this paragraph the Filipino bishops have reiterated their charge that the books of Rizal are impious.

Now, Mr. President, I am sorry I have not brought with me the complete text of the charges formulated by Father Font, the Agustinian friar who prepared the opinion requested by General Terrero on the *Noli Me Tangere*, because in that complete report the gentlemen of the Senate and the gentleman from Bulacán will see that all the charges of heresy and impiety appearing against the *Noli Me Tangere* in the "pastoral" of the Filipino bishops had been already formulated in that opinion of Father Font, with the difference that the charges of the Filipino bishops appear to be even graver compared to the charges formulated by Father Font. I was expecting the gentleman from Bulacán in the course of his preliminary remarks to make some reference to the point I raised yesterday that while the Filipino bishops, constituting the Catholic hierarchy in the Philippines, have gone as far as issuing a "pastoral" against the books

of Rizal, the Catholic hierarchy in the days of Rizal, composed of the Archbishop of Manila, the bishop of Nueva Segovia and the bishop of Nueva Caceres, refrained from issuing any "pastoral," or even a public statement similar to the one issued by the Filipino bishops, and that was due perhaps to the fact that the Archbishop of Manila and the two bishops of Nueva Segovia and Nueva Caceres had for adviser that wise theologian and virtuous Filipino priest, Father Vicente García, who defended the *Noli*, in an article published by him in *La Solidaridad*, of Madrid, under a *nomme de plume*, against the charges of heresy formulated by the Agustinian friar, Salvador Font. The tragedy of Dr. Rizal, Mr. President, is that both in life and in death he has been persecuted mercilessly by the Catholic clergy. In his life he was persecuted by the foreign Catholic clergy, by the Spanish religious orders, something we can understand because Rizal had exposed in his two novels the unworthy behaviour of some of their members. Now, half a century after his death, Rizal is being persecuted again by the clergy, but no longer by a foreign clergy, not by the Spanish religious orders which he had made his enemies and from which retaliation was to be expected but by the Filipino clergy itself—this Filipino clergy for whose dignification he had fought and died in martyrdom. And these are the people that are hurling merciless attacks at his memory, at his sacred memory, with the slanderous charge that his books, those very books he wrote for the freedom of our country and the dignification of the Filipino Catholic clergy, are but compilations of heresies and impieties disguised as treaties on civic virtues and patriotism. Because they can no longer execute him anew they now try to blacken his memory by forever proscribing his writings, as they and their predecessors in the hierarchy had done and have been doing for the last sixty years.

Mr. President, coming again to this "Pastoral," may I be permitted to say that if the Filipino bishops or whoever prepared for them the draft of said "pastoral," had only wanted to be a little bit just and fair to the memory of Dr. Rizal, they would not have made against these books the charge that appears in paragraph 9 of the "pastoral," because they could not have possibly ignored Rizal's letter of August 18, 1888, addressed to Don Mariano Ponce, appearing in Volume II of the "Epistolario Rizalino" edited by the National Library. With reference to this letter, let me inform the Senate that it was written partly in answer to Father Font, when this Agustinian friar charged Rizal with the responsibility for the statements

made in his novel by its fictional characters. Rizal, acting in self-defense wrote to Mariano Ponce and said the following:

LONDRES, 18 de agosto de 1888

"Mi querido amigo:

Tantas gracias por su amabilidad enviándome la crítica analítica del bendito P. Font. Qué padre y qué crítica! Si el autor de una novela tuviese que ser responsable de los dichos de sus personajes, Santo Dios, a qué conclusión iríamos a parar. Porque siguiendo este sistema las opiniones del P. Dámaso serían mías, la educación del alferez mía, la religiosidad de Cpn. Tiago, mía. El P. Font debía acordarse de un poco de Retórica en que se dice que la novela es un género mixto en que hablan personajes introducidos y además el autor; claro está que el autor sólo es responsable de las palabras que él dice como suyas, y los hechos y las circunstancias justificarán los dichos de los personajes, pues de lo contrario sería un tiquis-miquis si se atribuyen al autor opiniones diferentes como son las de sus personajes."

The author of the "pastoral," in fairness to our national hero who is not in a position to defend himself, should have taken into consideration this letter of Rizal which shows why he should not be made answerable, as author, for the utterances made by the characters in his novels. Yet the "pastoral" not only has disregarded this letter of Rizal, but formulated the following conclusion that appears in paragraph 9, which says, reiterating the charges of Father Font: "It is true that most of the teachings against the Catholic Faith . . ." Parenthetically, let me call the attention of the Senate to the improper use of the word "teachings." Rizal never pretended to teach religion or against the Catholic faith. ". . . most of the teachings"—the "pastoral" says—"against the Catholic Faith in the novels are put in the mouths of either 'liberal' Catholics of the type of Don Rafael Ibarra, Don Custodio and possibly Elias, or of Catholics who have lost their faith, as Tasio the Philosopher. Such persons existed in the Philippines and it is obvious that they thought and spoke as Rizal makes their fictional counterparts think and speak, viz., in terms of anti-Catholic ideas with jeers at Catholic doctrine with impieties, etc. If the author would not in any way suggest that these were his own opinions which he proposed to his readers as true, it could be said that he was merely making use of the novelist's right to portray people as they are. But this is not the case"—the "pastoral" continues—

"Evidently the author here shares these ideas and offers them to the reader as his considered and approved opinions." This statement in the "pastoral" is most unfair to Rizal, because there is no such thing, there is no suggestion anywhere in the two novels that Rizal shared the ideas expressed by the characters in said novels.

Father Vicente García, the great theologian of Rizal's days, counsellor and adviser in ecclesiastical matters to the Archbishop of Manila, and the bishops of Nueva Segovia and Nueva Caceres, did not make this finding about the *Noli*. On the contrary, he said that there was no such thing, as is now contended in the "pastoral." He said that Rizal should be congratulated for having exposed the truth about those practices of religious fanaticism and bigotry as they existed at the time. The "pastoral" proceeds: "One gathers this from the seductive allure with which they are presented because of the favorable light in which said criticism is set forth, or because of their utterance by noble characters, or on account of their being supported by seemingly unanswerable argument which can in no way be contradicted."

The same charge made by the friars against which Rizal defended himself and Father García defended Rizal, is now being repeated, after the lapse of three quarters of a century, by whom? Certainly not by the friars, but by Filipino bishops constituting the Church hierarchy in the Philippines.

As I said, Mr. President, I am glad that the gentleman from Bulacan has pleaded today and yesterday with the Filipino people to read carefully this "pastoral." I am glad because I have full confidence in the patriotic people of the Philippines. I hope they read this "pastoral" very carefully, word for word, and there find who are the people who are exerting all their efforts, all their power in this country, to blot out the memory of Rizal, and the gospel of patriotism that he taught to his people.

Mr. President, I have prepared a resumé of the admissions made in the "pastoral" about the greatness of Rizal and the greatness of his books. It begins by saying that the highest place of honor in the service of our country belongs to Dr. Rizal. Of course, that is a postulate, an act of civic faith for every Filipino, even if the bishops do not proclaim it so. Says the "pastoral" further: "Rizal possessed to an eminent degree those virtues which together make up true patriotism." This is a very significant admission which destroys completely the attempt made later in the "pastoral" to depict Rizal as anti-Catholic because I remember very well that a distinguished member of the hierarchy, a bishop of a northern diocese, in a sermon delivered during the last Holy Week said that only Catholics can be true patriots, linking necessarily patriotism with the Catholic faith. In other words, according to that prelate there is no patriotism without Catholicism. If you attack any dogma of the Catholic church, you can not be a true patriot, which is at variance

with the theory of the gentleman from Bulacan who said the other day that even if Rizal were a protestant, a Buddhist, or a Moslem, he would still love him, venerate him, because of his patriotism. I repeat the "pastoral's" pronouncement that "Rizal possessed to an eminent degree those virtues which together make up true patriotism." Therefore, conversely, Rizal must have been a good and true Catholic in the sense that his writings do not offend the Catholic dogma, faith and morals, as otherwise, following Bishop Madriaga's line of reasoning, he would not have been a true patriot.

Third, "Rizal loved his country not in word alone but in deed," the "pastoral" says. What were the deeds of Rizal. He was a great crusader. When we speak of the deeds of Rizal, we mean primarily his writings, his teachings, and not necessarily his moral sufferings when he was in Dapitan, where he was exiled by General Despujol; nor his moments of agony while he was in Fort Santiago awaiting execution; not the anguish of his soul at that precise instant when he faced the firing squad at Bagumbayan. No, those were not the deeds, heroic as they were, for which, in the words of this "pastoral," he has been consecrated as our foremost national hero, because countless other Filipinos suffered and underwent the same martyrdom for love of country. His deeds were no other than his words, his writings, the *Noli Me Tangere* and *El Filibusterismo*, the gospel of patriotism which he preached and spread knowing that he would die for doing so, as indeed he died, a glorious death for his noble apostleship.

The PRESIDENT. It seems, Mr. Senator, that the gentleman from Bulacan wishes to propound questions to Your Honor.

Senator RECTO. I knew it, the trouble is that the Senator, instead of asking questions, made preliminary remarks, which I believe I am entitled to answer them.

The PRESIDENT. The gentleman from Batangas and Quezon may proceed.

Senator RECTO. Thank you, Mr. President.

Senator RODRIGO. Mr. President, of course, I would like the gentleman to proceed. I would like to make the request that in case the one hour is consumed, that I be given a chance to answer him.

Senator RECTO. Suppose the Senate extends my time?

Senator RODRIGO. Well, I would not have any objection to that, although I think in fairness to my side, I should be given a chance to answer the arguments tomorrow, although I realize that we

have important and pressing matters in the Senate. I leave it to the Senate to decide.

Senator RECTO. Mr. President, if I will proceed along this line, I will need perhaps, one and one-half hours more, so if the Senate is anxious to listen to the questions of the gentleman from Bulacan, I am ready to end my remarks at this juncture, hear the gentleman's questions and make an attempt to answer them.

The PRESIDENT. The gentleman from Bulacan may proceed.

Senator RODRIGO. Without prejudice, Mr. President, for my continuing these remarks tomorrow or Saturday.

Senator PRIMICIAS. Mr. President, I understand that the distinguished gentleman from Batangas has registered his turn to speak after the other two have finished.

Senator RECTO. Batangas and Tayabas.

Senator PRIMICIAS. It is Quezon now.

Senator RECTO. To avoid confusion, because our distinguished colleague Senator Tañada, is addressed here as the Senator from Quezon.

Senator PRIMICIAS. He has reserved a turn to speak in favor of the measure when his turn comes before the Senate, and if the distinguished gentleman from Batangas and Tayabas would consent, I have no intention to cut off his privilege. As far as I am concerned, I will ask for extension as many times as necessary. I would suggest that the distinguished gentleman from Batangas and Tayabas now go to the merits of the bill. He may continue his remarks when he consumes his turn to speak in favor of the bill.

Senator RECTO. I have no objection. It is unavoidable, notwithstanding his protestations that he would not touch on the merits of the bill, the Senator from Bulacan in fact did so.

Senator PRIMICIAS. As a matter of fact, the distinguished gentleman from Batangas and Tayabas will agree also to finish his remarks when he consumes his turn in favor of the bill.

Senator RECTO. That is perfectly agreeable with me, Mr. Floor Leader.

Senator PRIMICIAS. So the distinguished Senator now will be willing to cut short his remarks and proceed to answer the questions of the gentleman from Bulacan?

Senator RECTO. I am.

Senator ROSALES. Mr. President,

The PRESIDENT. Gentleman from Samar.

Senator RECTO. The gentleman still remembers the sophistries he used to indulge in while studying epistemology in the Ateneo. The gentleman is assuming that the words of the "pastoral" are the same as the words of Dr. Laurel as he attempted to show to the Senate and to the audience. Even if the "pastoral" did not use the words heretical, heretic, impious and impiety, just the same the "pastoral" called the books of Rizal heretical and impious. But there is nothing in that statement of Dr. Laurel that will show that Rizal attacked the Catholic Church.

Senator RODRIGO. Is it not true that this Pastoral was issued in order to make definite pronouncements whether these two books of Rizal were objectionable in the light of the Canon Law?

Senator RECTO. Just a minute, Mr. Senator, I have not answered yet the previous question. What was it?

Senator RODRIGO. The primary purpose of this Pastoral is to make definite pronouncements by the Catholic hierarchy on these two books of Rizal which are violative of the Canon Law. Is that not true?

Senator RECTO. That is not my understanding of the "pastoral." My understanding is that its intention is to ban the books of Rizal, and if the gentleman will allow me, I will say this: That considering the tenor of the "pastoral," it must be admitted as a fact, that from the time religious Catholic schools were established in the Philippines after the overthrow of the Spanish regime, the said schools have been banning the books of Rizal.

Senator RODRIGO. I come back to my question, please. One of the purposes, as the gentleman will not admit that is the intention of the Pastoral, is whether these two books are violative of Canon Law 1399. In arriving at a legal conclusion the factual premises have to be laid down, and so does not the gentleman think that it was very natural, as a matter of fact inevitable, that in this Pastoral the factual premises for the legal conclusion should be laid down and that is what the bishops did when they enumerated the passages and said that they were against the Canon Law?

Senator RECTO. What are the factual premises?

Senator RODRIGO. The Catholic creed, dogmas and teachings of the Catholic Church.

Senator RECTO. That is not a factual premise, that is a conclusion. The Senator is talking of laying down factual premises but the statement that those passages of Rizal's books are violative of the Canon Law is a conclusion.

Senator RODRIGO. Mr. President, even in court decision, I will call them factual findings, findings of fact.

Senator RECTO. I interrupted the gentleman because if we are going to proceed with the discussion we must agree on certain principles, certain rules of the game. What the Senator calls factual premises are in fact conclusions.

Senator RODRIGO. I will go with the gentleman from Batangas and Quezon that these are factual conclusions of the members of the hierarchy.

Senator RECTO. Precisely they are not, and cannot be called, factual conclusions. When the bishops say that this and that passage of the *Noti Me Tangere* violated the Canon Law, they do not state a factual conclusion. That is an opinion, with which, by the way, Father Garcia, a great Filipino theologian of Rizal's time, disagreed.

Senator RODRIGO. I will go with the gentleman again. Let us not call it factual premises, let us not call it factual conclusions, let us call it opinion. But is it not true that before the bishops arrived at a decision based on the law they must at least first examine the facts to arrive at a decision?

Senator RECTO. What are the facts examined?

Senator RODRIGO. Those passages in the books examined by them as cited in the Pastoral.

Senator RECTO. Let us come to that later on.

Senator RODRIGO. If we follow our discussion in this way, Mr. President, we will consume a whole week.

Senator RECTO. That is not my fault. The Senator cannot formulate questions based on the findings of the "pastoral" because I disagree with those findings.

Senator RODRIGO. In order to save time, I will not proceed on that point. All I would like to reiterate is again for our good people to read the Pastoral. And, of course, anyone who reads the Pastoral can arrive at his own conclusion and does not necessarily have to follow the interpretation given by the distinguished gentleman from Batangas and Quezon regarding the real meaning of the Pastoral.

Senator RECTO. That is exactly the purpose of our bill—to have the books of Rizal read without necessarily accepting the opinions of Rizal. We agree on the same principle.

Senator RODRIGO. No, there is a difference, Mr. President, in the sense that in the bill the reading of the two books will be made compulsory, whereas in the case of the Pastoral I am requesting the people to read the Pastoral and I am not compelling them to do so.

Senator RECTO. Well, a request from the distinguished Senator is an order to the Catholic population.

Senator RODRIGO. Now, another point which I want to bring up. The gentleman from Batangas and Quezon stated that the Spanish friars or the Spanish religious authorities during the Spanish times did not issue a Pastoral like this.

Senator RECTO. No, the hierarchy. That is what I understand from that word—a body composed of all the bishops—if I am correct.

Senator RODRIGO. Yes. But is it not true that during that time, the Spanish government under its power as the government banned these books?

Senator RECTO. Well, the Spanish government was different from the hierarchy, unless the gentleman believes also that now the hierarchy here is the Philippine government, or the Nacionalista administration, or the state.

Senator RODRIGO. My point is this. Is it not true that or is it not possible that during the Spanish times the Catholic hierarchy did not see any need of issuing a Pastoral such as this because there was already a government edict prohibiting the *Noli Me Tángere* at least, and so, maybe, they did not consider it necessary to implement or supplement that by a religious decree?

Senator RECTO. But that order banning the *Noli Me Tángere* and *El Filibusterismo* was issued by Despujol only in 1892, while the *Noli Me Tángere* had been circulating in the Philippines, although in a clandestine way, since 1887.

Senator RODRIGO. Yes, but it is possible that the hierarchy and the government did not see the danger of that book until it was widespread.

Senator RECTO. Because in the opinion of the hierarchy, not of individual bishops, but the hierarchy, in those days, the books were not heretical and impious.

Senator RODRIGO. Well, let me go to another phase. I will go farther than the gentleman from Batangas and Quezon and say that not only during Spanish times did the hierarchy not issue a Pastoral, but even after that and until now the predecessors of the present members of the hierarchy and they themselves who have been members of the hierarchy for many years did not issue a Pastoral, and it is only now that they issued a Pastoral.

Senator RECTO. May I ask again, does Your Honor mean to say that the highest authorities of the Catholic Church in the Philippines necessitated 80 years to find out that those books are heretical?

Senator RODRIGO. What I mean is this—that they did not see any necessity before for issuing a Pas-

toral, but now there is an occasion to issue a Pastoral and the occasion is this bill, Senate No. 438 which will make compulsory the reading of the two books in all private and public schools, colleges and universities.

Senator RECTO. Or the real reason is, that they have not found anything and they are trying now to find something heretical in these books because of the bill in question.

Senator RODRIGO. May I continue. As a matter of fact, the gentleman from Batangas himself further stated that the findings in the Pastoral at present seem to be the same as the findings in the Pastoral way back in the Spanish times.

Senator RECTO. There was no "pastoral" issued in the Spanish time.

Senator RODRIGO. No, the report or memorandum submitted during the Spanish times.

Senator RECTO. That is different, that was not a "pastoral," but an opinion rendered by a Committee of friars.

Senator RODRIGO. So that it is very clear that these religious objections were already present, but the members of the hierarchy did not . . .

Senator RECTO. Excuse me for interrupting, but I have to interrupt the gentleman in order to correct what the gentleman is trying to convey as my own thoughts and explanations.

Senator RODRIGO. But is it not possible for the gentleman to at least wait until I finish my sentence or statement and then he can make his corrections?

Senator RECTO. I want to be as gentle and fair as the gentleman from Bulacán, but I want to avoid the impression he conveys when he attempts to repeat what I say. Now, let us make things clear. Is the gentleman making a statement or remarks, or is he addressing questions to me, because if there are no questions I will just return to my seat.

Senator RODRIGO. I am making a statement and also asking questions, but sometimes the gentleman would shoot questions back at me.

Senator RECTO. You can answer a question by means of another question. The gentleman knows that rule in rhetoric that you can answer a question by making another question.

Senator RODRIGO. So that what the gentleman wants is he can make a direct statement answering my question, but when he asks me a question I can only answer by another question. I think, Mr. President, that will put me at a terrible disadvantage.

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Senator RECTO. There are times when one finds it necessary, in answering a question, to propound another question.

Senator RODRIGO. But please do not force me to do that. There might be cases or occasions for answering questions with another question, but there are times when I will be at a disadvantage if the only way I can answer a question is by means of another question.

Senator RECTO. The gentleman is free to answer my question in whatever way he pleases.

Senator RODRIGO. Now, Mr. President, I will come to my next question. The only point raised is that if the hierarchy did not find occasion to issue a Pastoral before, now there is that occasion in the filing of Senate Bill No. 438 making compulsory the reading of the two books. The gentleman made a statement yesterday that without the writings of Rizal, where would Rizal be? First of all, I would like to propound questions to clarify certain matters. Is it not true that the Catholic hierarchy does not condemn all the writings of Rizal by this Pastoral?

Senator RECTO. Are you propounding a question?

Senator RODRIGO. Yes.

Senator RECTO. The condemnation practically extends to the entirety of the books under discussion, because there is a statement in the "pastoral" to the effect that the attacks against religion and the teachings of patriotism are commingled in these books of Rizal. If that is the case, how could you separate the teachings of patriotism from those parts of the books that are considered impious and heretical? As I said the other day, there are nearly 150 pages of the *Noli Me Tángere* over which these passages condemned by the bishops are spread, and about 50 pages in *El Filibusterismo*. Now, if you attempt to purge those books of those passages, can you accomplish that without destroying the background of the books, the continuity of the narration and the circumstances and the events which were made by Rizal the basis of his teachings?

Senator RODRIGO. Is the gentleman through?

Senator RECTO. That was my answer to the Senator's question.

Senator RODRIGO. Mr. President, I don't think I made my question very clear. When I said that this Pastoral did not condemn all the writings of Rizal, I did not refer to these two books alone. But Rizal has other writings. He has his *Ultimo Adios*, he has his *Letter to the Women of Malolos*, he has *The Philippines One Hundred Years Hence*,

he has many other poems and he has many other works. Now, is it not true that this pastoral does not declare as objectionable all the works of Rizal, in the sense that this pastoral has reference only to these two books, the *Noli Me Tángere* and the *El Filibusterismo*?

Senator RECTO. But the gentleman from Bulacán knows that there has never been any dispute about that. Neither has it been contended here that the "pastoral" condemns the other works of Rizal. It deals exclusively with the *Noli Me Tángere* and *El Filibusterismo*.

Senator RODRIGO. The reason why I asked this question is that the gentleman from Batangas and Quezon made a general statement, "Without the Writings of Rizal, where would he be?"

Senator RECTO. When we speak of writings of Rizal, we mean fundamentally *El Filibusterismo* and the *Noli Me Tángere*.

Senator RODRIGO. Now, therefore, when the gentleman made that statement, he was referring only to the *Noli Me Tángere* and the *El Filibusterismo*. Now my question is, is it not true that the pastoral itself makes it very clear that the pronouncement contained therein that these two books fall under Canon 1399 does not constitute a complete ban on the reading of the books, that it only means that before a Catholic can read these books or should read these books, he must seek the permission of ecclesiastical authorities and that the permission is readily granted when the ecclesiastical authorities think . . .

Senator RECTO. Under what condition?

Senator RODRIGO. That he can read these books without danger of losing or weakening his faith.

Senator RECTO. So an examination is needed for every particular applicant. I am asking that question. I want to clarify the matter.

Senator RODRIGO. What was the question again?

Senator RECTO. That the procedure will necessitate the examination of each particular case.

Senator RODRIGO. Yes.

Senator RECTO. That is what I wanted to know. Then the 20 million Filipinos who are Catholics have to go to the ecclesiastical authorities to ask that permission, and the ecclesiastical authorities would have to examine them. I assume it must be a real examination, not a matter of form. They will have to examine word by word 20 million applicants before the reading of the *Noli Me Tángere* is permitted to a particular applicant. Within what time does Your Honor think the Catholic

authorities will be able to dispatch those 20 million applications?

Senator RODRIGO. I think the example given is a little exaggerated. It lays the premise that 20 million Filipinos will all at the same time read the book. And I would like to remind the gentleman from Batangas and Quezon that among these 20 million Filipinos there are babies, blind people, those who cannot read.

Senator RECTO. And persons below sixteen, as Your Honor said yesterday. Well, let us give allowance for the babies and for persons below sixteen. What will be the remaining figure? Let us say, 10 million Filipinos? Anyway we are at present about 22 million Filipinos.

Senator RODRIGO. Again, it is a little exaggerated to presume that the 10 million Filipinos will all at the same time read the book.

Senator RECTO. I did not say that at the same time. But you will have to process 10 million applications just the same.

Senator RODRIGO. As a matter of fact, I don't think that we have 10 million copies of the book. I don't think we have even one million copies now.

Senator RECTO. We are talking about applications. Copies of the book may be borrowed.

Senator RODRIGO. May I go to another point, because I said I wanted to bring out certain points.

Senator RECTO. How many applications have been filed so far with the ecclesiastical authorities for the reading of the *Noli Me Tángere*?

Senator RODRIGO. I would like to inform the gentleman that the ecclesiastical authorities do not keep records of that. They do not keep books where they will jot it down every time anybody asks for permission to read these books.

Senator RECTO. Then the approval of the applications is just pure formalism.

Senator RODRIGO. May I ask the gentleman another question? May I ask a hypothetical case. Supposing that Rizal did not write these two books. Suppose that the ideas contained in these books were spread by Rizal by means of mouth, going around the islands, telling the people, and because of that he was persecuted by the Spaniards, taken to Dapitan, executed in Bagumbayan; he suffered because of the offerings to the country that he made. Would not the gentleman consider him still our greatest national hero?

Senator RECTO. I deny the hypothesis because it is contrary to fact. I can only admit a hypothesis when there is not a fact against the hypothesis.

Senator RODRIGO. That is why I premised the question that I was going to make on the hypothetical case.

Senator RECTO. I decline to discuss hypothetical questions when the facts are different.

Senator RODRIGO. May I ask a factual question. The gentleman stated that without the writings of Rizal, where would he be? Meaning perhaps that he would be no hero at all. One of our heroes is Andres Bonifacio. Does Andres Bonifacio have any writings?

Senator RECTO. The Senator has misunderstood my argument. What I said, what would be Jesus without the Gospels? And then in connection with Rizal I asked, what would be Filipino patriotism without these books of Rizal?

Senator RODRIGO. Does the gentleman mean that . . .

Senator RECTO. What would be Jesus without the Gospels?

Senator RODRIGO. That is a question in theology. I would not want to answer that. I don't think I will be able to answer that. I think that is a theological question. I think without the Gospel, Jesus would still be God.

Senator RECTO. But Your Honor is stating a contradiction, because nobody would confess Jesus' divinity without the Gospels.

Senator RODRIGO. Well, I think we are getting out of the main point there. It is a little bit too philosophical. The only point I want to bring out is that in many particular cases, in my opinion, even if Rizal did not write these two books, I would still consider him our greatest national hero.

Senator RECTO. For what reason?

Senator RODRIGO. Because of his sacrifices, for having offered these sacrifices he made to our country, for having suffered indignities, and sufferings, and death.

Senator RECTO. He would not have suffered indignities and death if he did not write these books.

Senator RODRIGO. Now, limiting my question, the gentleman from Batangas and Quezon seems to imply that because the hierarchy has considered these two books as coming within the Canon Law and therefore objectionable on that ground, the hierarchy seems to have made a disservice to Rizal.

Senator RECTO. Disservice to our people.

Senator RODRIGO. Does the gentleman know that even a book of one of the greatest saints of the Catholic Church, St. Augustine, his book entitled *Confessions of St. Augustine*, is not given out by the church indiscriminately for Catholics to read?

Senator RECTO. Did he, St. Augustine, teach patriotism?

Senator RODRIGO. He taught religion. Rizal did not teach religion. He taught patriotism. Saint Augustine taught religion, and if in his book there

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was found by his Superiors something that was against the orthodox beliefs of the church, it could be prohibited by the church because his purpose in writing the book was to teach religion. But Rizal did not teach religion nor theology. His reference to objectionable church practices was casual, and the "pastoral" itself admits that those practices really existed in the Philippines in Rizal's time.

Senator RODRIGO. Mr. President, I just want to make this last statement, that the church does not allow indiscriminate reading of the *Confessions of St. Augustine*, even considering that St. Augustine, is one of the greatest saints of the Catholic Church. Now, the parallelism is this: the church does not allow indiscriminate reading of the book of St. Augustine. That does not mean that the church is disparaging St. Augustine, in the same way that the church does not allow indiscriminate reading of the *Noli and Fili*.

Senator RECTO. The conclusion of the gentleman is not well taken. The two situations are different. St. Augustine taught theology and religion. He was supposed to conform to the laws of the church, to the principles of orthodoxy, and if the church found something in his writings that did not conform with the laws of the church, the church had the power to prohibit those parts of the writings of the Holy Doctor that did not conform with what the church believed to be the orthodox view. But in the case of Rizal, I repeat that he did not teach either theology or religion; he did not pretend to do it. He merely taught patriotism, or as the "pastoral" itself says:

"He loved his country not in word alone but in deed. He devoted his time, his energies and the resources of his brilliant mind to dispelling the ignorance and apathy of his people, and combating the injustices and inequalities under which they labored. When these salutary activities fell under the suspicion of the colonial government and he was condemned to death as a rebel, he generously offered his blood for the welfare of his country."

"Rising above petty passions and prejudices, he disengaged from the concrete complexities of his time ideas regarding the function of government, the well-being of society, the dignity of the individual, the necessity of popular education, the native traits and possibilities of the Filipino character, and the special mission and destiny of our nation under God. (add to this: abhorrence of fanaticism, intolerance and bigotry); ideas which, because of their universal and timeless validity, are applicable even in our own times."

Senator PRIMICIAS. Mr. President, in view of the advance hour, I ask that we suspend the session until this afternoon at 5:00 o'clock.

SUSPENSIÓN DE LA SESIÓN

The PRESIDENT. If there is no objection, the session is suspended until this afternoon at 5:00 o'clock. (*There was none.*)

Eran las 12:10 p.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 5:30 p.m.

The PRESIDENT. The session is resumed.

APROBACIÓN EN TERCERA LECTURA DEL
C. R. NO. 1737

Senator PRIMICIAS. Mr. President, I ask that we vote on third reading on House Bill 1737, printed copies distributed on April 18.

El PRESIDENTE. La votación en tercera lectura del Proyecto de Ley Número 1737 de la Cámara de Representantes está en orden. Léase solamente el título del proyecto, si no hay objeción. (*No la hubo.*)

El SECRETARIO:

"An Act to amend section four of Commonwealth Act Numbered Four hundred forty-four, by providing additional remuneration for services rendered on Sundays and legal holidays."

El PRESIDENTE. Léase la lista.

El SECRETARIO:

| | | |
|---------------|--------------------------------|----------|
| Senador | Domocao Alonto | Sí. |
| " | Manuel C. Briones | Ausente. |
| " | Edmundo B. Cea | Ausente. |
| " | Mariano J. Cuenco | Sí. |
| " | Francisco A. Delgado | Ausente. |
| " | Ruperto Kangleón | Sí. |
| Senadora | Pacita Madrigal González | Ausente. |
| Senador | José P. Laurel | Ausente. |
| " | Roseller T. Lim | Sí. |
| " | José C. Locsin | Sí. |
| " | Fernando López | Sí. |
| " | Alejo Mabánag | Sí. |
| " | Quintín Paredes | Ausente. |
| " | Emmanuel Peláez | Ausente. |
| " | Cipriano P. Primicias | Sí. |
| " | Gil J. Púyat | Ausente. |
| " | Claro M. Recto | Sí. |
| " | Francisco Soc. Rodrigo | Sí. |
| " | Decoroso Rosales | Sí. |
| " | Pedro Sabido | Ausente. |
| " | Lorenzo Sumulong | Ausente. |
| " | Lorenzo M. Tañada | Sí. |
| " | José C. Zulueta | Sí. |
| El PRESIDENTE | | Sí. |

(*El Secretario informa a la Mesa del resultado de la votación*)

El PRESIDENTE. Por catorce votos afirmativos, queda aprobado el proyecto en tercera lectura.