

Rizal opposed the approval of this bill. I expected that no Filipino, catholic or non-catholic, would find any objection to making compulsory the reading of these books, the Bible of our patriotism, in all our schools and colleges, particularly when catholic teachers in any catholic school or public school are allowed to dissent from the opinions laid down by Rizal in his books, and make their own comments and conclusions even to the extent of telling the students to pay no heed to Rizal's opinions in his books, and merely read them if only to avoid committing any injustice to them like a certain professor who made pronouncements against these books without having read them, according to his own admission—the most glaring example of bigotry. We want to give our children an opportunity to be acquainted with, not necessarily to accept, not to follow blindly, the doctrines of Rizal, so that if anyone should come, like that professor of a Catholic school, to indict these books, our children might stand up in their defense. Such is the opportunity that I want for our children: to know Rizal that they may not forget him and what he did for our country.

In the midst of all this material comfort which we are enjoying, we are apt to forget the sacrifices of our heroes, particularly Rizal, because the patriotism of Rizal does not consist only of having given his life for his country but in having written these books, in having bequeathed to us this great spiritual legacy, and he did it with full knowledge that he was inviting death upon himself, which he actually suffered at the hands of his enemies, the oppressors of his country and people. And to show that he was ready to die, for his apostolate, for what he wrote and preached, he came to the Philippines, abandoning the freedom and asylum of Europe and faced his persecutors and executioners. Who knows if the present crisis of the nation's morale, the breakdown of nationalism, the gathering clouds that threaten to envelope our civic consciousness, can be traced partly to our having forgotten ourselves and banned to our children the knowledge of the lives and writings of our patriots, heroes and martyrs, particularly Rizal and his *Noli* and *Fili*. What is the use of preserving and erecting monuments to Rizal, of making floral offerings to him every 19th of June and every 30th of December? We might as well tear down those monuments if we fail to pass this legislation. In his "Último adiós" written perhaps days or hours before his execution, Rizal told us that he cared not if we forgot him to oblivion, because his spirit would fill our valleys and our mountains and our space constantly repitiendo la esencia de mi fe", that is, the principles for which he gave his life; what

should be our answer to that except to acquaint our youth, whether bigoted sectarians want it or not, with these books of Rizal, "the essence of his faith"? (*Applause.*)

SUSPENSIÓN DE LA SESIÓN

Senator PRIMICIAS. Mr. President, I ask for a suspension of the session for a few minutes.

The PRESIDENT. If there is no objection to the motion on the part of the Senate, the session is suspended for a few minutes. (*There was none.*)
Eran las 11:25 a.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 11:35 a.m.

The PRESIDENT. The session is resumed.

CONSIDERACIÓN DEL S. NO. 438

(*Continuación*)

Senator PRIMICIAS. Mr. President, I ask now that we resume consideration of Senate Bill No. 438.

The PRESIDENT. Resumption of the consideration of Senate Bill No. 438 is now in order.

Senator PRIMICIAS. Mr. President, the distinguished chairman of the Committee on Education, the gentleman from Batangas, Senator Laurel, will resume his sponsorship of this bill.

The PRESIDENT. The gentleman from Batangas has the floor.

ENMIENDA LAUREL POR SUSTITUCIÓN

Senator LAUREL. Mr. President and gentlemen of the Senate: I have introduced an amendment by substitution to this measure, and before I present any motion or any observation, I would like the Secretary to read this amendment by substitution of the bill whose title has been read and which is now under consideration.

The PRESIDENT. The Secretary will please read the amendment by substitution.

The SECRETARY:

AN ACT TO INCLUDE IN THE CURRICULA OF ALL PUBLIC AND PRIVATE SCHOOLS, COLLEGES AND UNIVERSITIES COURSES ON THE LIFE, WORKS AND WRITINGS OF JOSE RIZAL, PARTICULARLY HIS NOVELS *NOLI ME TANGERE* AND *EL FILIBUSTERISMO*, AUTHORIZING THE PRINTING AND DISTRIBUTION THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, today, more than any other period of our history, there is a need for a re-dedication to the ideals of freedom and nationalism for which our heroes lived and died;

WHEREAS, it is mete that in honoring that national hero and patriot, José Rizal, we remember with special fondness and devotion their lives and works that have shaped the national character;

WHEREAS, the life, works and writings of José Rizal, particularly his novels *Noli Me Tangere* and *El Filibusterismo*, are a constant and inspiring source of patriotism with

which the minds of the youth, especially during their formative and decisive years in school, should be suffused;

WHEREAS, all educational institutions are under the supervision of, and subject to regulation by the State, and all schools are enjoined to develop moral character, personal discipline, civic conscience and to teach the duties of citizenship; Now, therefore,

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Courses on the life, works and writings of José Rizal, particularly his novels *Noli Me Tangere* and *El Filibusterismo*, shall be included in the curricula of all schools, colleges and universities, public or private; *Provided*, That in the collegiate courses, the original or unexpurgated editions of the *Noli Me Tangere* and *El Filibusterismo* or their English translation shall be used as basic texts.

The Board of National Education is hereby authorized and directed to adopt forthwith measures to implement and carry out the provisions of this section, including the writing and printing of appropriate primers, readers and textbooks. The Board shall, within sixty (60) days from the effectivity of this Act promulgate rules and regulations, including those of a disciplinary nature, to carry out and enforce the provisions of this Act. Said rules and regulations shall take effect thirty (30) days after their publication in the Official Gazette.

SEC. 2. It shall be obligatory on all schools, colleges and universities to keep in their libraries an adequate number of copies of the original and unexpurgated editions of the *Noli Me Tangere* and *El Filibusterismo*, as well as of Rizal's other works and biography. The said unexpurgated editions of the *Noli Me Tangere* and *El Filibusterismo* or their translation in English as well as other writings of Rizal shall be included in the list of approved books for required reading in all public or private schools, colleges and universities.

The Board of National Education shall determine the adequacy of the number of books, depending upon the enrollment of the school, college or university.

SEC. 3. The Board of National Education shall cause the translation of the *Noli Me Tangere* and *El Filibusterismo*, as well as other writings of José Rizal into English, Tagalog and the principal Philippine dialects; cause them to be printed in cheap, popular editions; and cause them to be distributed, free of charge, to persons desiring to read them, through the Purok organizations and Barrio Councils throughout the country.

SEC. 4. Nothing in this Act shall be construed as amending or repealing Section 927 of the Administrative Code, prohibiting the discussion of religious doctrines by public school teachers and other person engaged in any public school.

SEC. 5. The sum of three hundred thousand pesos is hereby authorized to be appropriated out of any fund not otherwise appropriated in the National Treasury to carry out the purposes of this Act.

SEC. 6. This Act shall take effect upon its approval.

The PRESIDENT. The gentleman from Batangas may proceed.

Senator LAUREL. Mr. President, I could speak at length on this amendment by substitution, but I

feel that this subject has been debated ably by the distinguished members who participated in this debate. On the other hand, I realize we lack time to consider so many important measures that are pending. I have distributed copies of this amendment to each and every member of this body, and with this measure they are already familiar, so that I will limit myself by asking, if there are no amendments, that we vote on the substitute amendment, with the recommendation on my part, as chairman of the Committee on Education, that this be approved, if possible, unanimously.

Senator RODRIGO. Mr. President, I would like to propose an amendment to that amendment by substitution.

The PRESIDENT. We are now in the period of amendments. The gentleman from Bulacán may proceed with his amendment.

Senator RODRIGO. This amendment that I will read later is proposed not only by myself but by Senators Briones and Rosales as well. Before I specify my proposed amendment to the amendment, I would like to announce to the members of the Senate that this amendment to the amendment which I am proposing, was approved by a majority of the members of the Committee on Education, constituting a quorum, which met yesterday.

Mr. President and gentlemen of the Senate: You will remember that last Saturday the distinguished sponsor of this Senate Bill 438, Senator Laurel, suggested a procedure of amendments which was adopted by this body. The procedure was for any Senator who wishes to submit an amendment to submit that in writing to the Committee on Education and then the Committee on Education would meet here to consider the different amendments submitted by the members of the Senate. Well, the Committee on Education, met last Monday in the Office of the distinguished gentleman from Batangas, Senator Laurel. There are nine members of the Committee on Education. Last Monday there was a quorum of the Committee and at that meeting four different amendments were discussed, one amendment was by Senator Sabido, another by Senator Briones, another by eight Senators headed by the President of the Senate and another amendment by Senator Cuenco. The Committee decided on certain policies and we decided to leave or entrust the drafting of the committee amendments to our Chairman, Senator Laurel. Yesterday the committee met again to pass upon, study and discuss the draft of the proposed committee amendments as prepared by the Chairman, Senator Laurel. Mr. President, there are nine members in all of the Committee on Education.

including the two ex-officio members. The members are the following: Senators Primicias and Briones as ex-officio members, Senator Laurel, Chairman and Senators Púyat, Tañada, Sumúlong, González, Rosales and Rodrigo, members. At the meeting yesterday of the committee six out of the nine members of the committee were present. Those who were present at the meeting yesterday were Senators Primicias, Briones, Laurel, Púyat, Rosales and Rodrigo. Six out of the nine members were present thereby at the meeting yesterday we constituted a quorum. Now, at the meeting of the committee yesterday the draft that was prepared by our chairman was discussed and that draft was the draft read by our Secretary. But the committee deliberated and Senator Rosales and I proposed amendments to the amendment by substitution prepared by Senator Laurel. Our proposal was very simple. We accepted practically all the provisions and sections in the draft submitted by our Chairman, but we proposed the following amendment only in section 1. We did not seek to amend, as a matter of fact, we agreed to all the other sections of the proposed committee amendments. Our amendment was as follows: On page 1, from line 4 to line 7, delete everything from the word "Provided" on line 4 up to the period (.) after the word "texts" in line 7. And on page 2, line 2, after the word "textbooks" change the period to a comma (,) and add the following words: "and to determine the pedagogical and academic level in which the studies of Rizal in the schools, colleges and universities shall be given and the kind of books and courses which are to be used in each level." These words which we proposed to be inserted were taken from the proposed amendment by Senator Briones. Well, the six members of the Committee on Education who were all at the meeting yesterday deliberated upon our proposed amendment to the amendment and we came to a vote and the vote was four against two in favor of our amendment to the amendment. Those who voted in favor of our amendment to the amendment were Senators Primicias, Briones, Rosales and Rodrigo.

Senator PÚYAT. Mr. President, when the gentleman from Bulacán is through, I would like to take the floor to clarify this particular part of the proceedings in the Committee on Education yesterday.

The PRESIDENT. The Senator's request is being noted.

Senator RODRIGO. So that these four members of the Committee on Education voted in favor of our amendment to the amendment i.e., Senators Primicias, Briones, Rosales and Rodrigo. And two voted against our amendment to the amendment.

In other words, these two members voted in favor of the original text as prepared by our distinguished Chairman of the committee: Senators Laurel and Púyat. So that if we were to follow the rules of procedure considering that we had a quorum at the meeting yesterday, a quorum of the Committee on Education, and that of the six members constituting a quorum four voted in favor of the amendment to the amendment and two voted against, therefore, the Committee yesterday can be considered as having officially adopted our amendments to the amendment. However, our distinguished Chairman stated during our meeting that since there were three members who although notified of the meeting were not present that we better give them a chance to give their votes even not in the meeting but in some other way. The three members who were absent yesterday were Senators Tañada, Sumúlong and González. Mr. President, we did not want to stick to technicalities and so we agreed with our Chairman that he should contact these three absent members to ask them for their opinion or for their votes. Up to now I do not know what happened to that. I do not know if these three members voted for or against, but I just want to narrate here what transpired in our Committee on Education yesterday, that we voted four against two in favor of these amendments to the amendment. Mr. President, that is all about the procedure. And now I am going to my explanation and to my arguments in favor of our amendments to the amendment, but I understand that the distinguished gentleman from Manila and Pampanga wants to make certain clarificatory remarks regarding what happened yesterday in the Committee on Education.

The PRESIDENT. The gentleman from Manila and Pampanga has the floor.

OBSERVACIONES DEL SEN. PÚYAT

Senator PÚYAT. Mr. President, I noticed that the gentleman from Bulacán started with a premise and then wound up with a different conclusion. He stated there was a formal voting on the part of the committee but later on he ended that the members of the present committee gave the Chairman the privilege of contacting the three absent members to find out how they would have voted. Since the voting yesterday was 2 to 4, if after contacting the three members absent they would have voted for the draft prepared by the Chairman, the result would be 5 to 4. Contrary to the statement of the gentleman from Bulacán, there was no formal voting yesterday. What happened was that the other day there was a discussion of the

different amendments presented and after considering the good points of these different amendments, the Committee decided to adopt provisions which were found to be all present in almost all the amendments introduced. So, the Committee explored the areas of agreement and agreed to incorporate in this amendment by substitution those areas of agreement. Now, the Chairman, in accordance with the resolution approved the other day, presented a draft because at the end of the meeting the members present authorized the Chairman to present a composite draft embodying all of those points over which there was agreement. The Chairman, Dr. Laurel, presented this draft yesterday and there was discussion and, during the discussion, this amendment referred to by the gentleman from Bulacán was introduced. Now, it is true that there were six members present, and what was done was to find out how the members present would vote. That was how the polling took place, and the indicated result was 4 to 2. But at the end of the deliberations, it was agreed that in view of the importance of this bill, the Chairman was authorized to contact the three absent members and to report to us the result of the voting. I think that is as near correct as I can recall the proceedings.

Now, Mr. President, I see that two of the members absent in the Committee yesterday are present on the floor. That will give us opportunity to query them. But irrespective of the voting that took place yesterday, the draft presented by the Chairman, Dr. Laurel, and the draft as amended by our colleagues have been distributed. I think that we should not be bound by the Committee report and we should leave the Senate to discuss this. We have been discussing this for the past three or four weeks. So, I would not want to take advantage of that technicality to deprive the members of the Senate of their judgment or limit the judgment of the members of the Senate in deciding on this important measure. That, Mr. President, is my factual report of the proceedings yesterday.

Senator LAUREL. Mr. President.

The PRESIDENT. Gentleman from Batangas.

Senator LAUREL. I did not want to say much because I thought this bill had been debated upon, in the first place, sufficiently and, in the second place, I wanted to save time. I have always thought that I have always acted in the open and, as I told people and colleagues in the Senate, I wanted to avoid misunderstanding and, if possible, establish harmony, peace and concord not only among the membership of this honorable body but

also among our people. Probably, that is due to the fact that I am tired of dissension, I am tired of misunderstanding, I am tired of bickering, I am tired of war, although, if there is any war, I have got to fight that war. That is understood of course.

It is not necessary for me to explain how, because everybody knows that until finally, we reached a point where it turned out to be my work to try to bring about a situation where there could be no more agreement than disagreement. And this body will remember that when I got up one day, I said, in order to save the time of all, that I would prefer to have all these amendments in writing, turn them over to me, and I will go over all these amendments, and then try to present a measure which might be less objectionable and that was approved I understand, I think, unanimously by this body. I received all these proposed amendments to the then pending measure as originally drafted and which was being debated before this body. I received written proposals from Senator Cuenco, Senator Briones, Senator Sabido and from a group of senators headed by our beloved President and beloved Floor Leader, and other senators. I had all these drafts. Then, I spent plenty of time going over these drafts, but tried to contact people, inside and outside of this body, for the purpose of seeking help so that I might perhaps illumine my way in trying to find out a satisfactory solution to this problem which I consider is of vital importance because it affects vitally the system of our education and it also affects the Filipino youth, and I had to be very careful and I did so. I spent about two or three sleepless nights trying to contact people, contact many of my colleagues. And finally, as I had to do some work, the result was this draft of the substitute bill which has just been read by the Secretary of the Senate. Now, after this authorization by this body, and these are facts because these are matters of record, I immediately, almost immediately, called a meeting. After going over the proposals on Sunday or a part of Sunday, Sunday night until two o'clock in the morning, I thought that on the following day I would call a meeting of the members of the Committee on Education which I did, and I think that the members of the Committee on Education will bear me out that all of them received the notification that there was to be a meeting at four o'clock in the office of the Chairman of the Committee on Education, and accordingly, there was a meeting. This meeting was attended by Senators Cuenco, Rodrigo, Rosales and other members. Senator Tañada had a very important appointment and was

not able to do so. Senator Sumulong came quite late, and Senator Pacita González was not able to attend. That meeting was also attended, although they were not regular members, by *ex-officio* members—the President Pro-Tempore of the Senate, Senator Briones, and the Floor Leader, Senator Cipriano Primicias. And in addition, I want to add that while there were members of this body who were present and who are not members of the Committee on Education, like Senator Cuenco and Senator Sabido, I invited them because they had presented amendments or proposals and I wanted to hear their views to show that I wanted to hear everybody not only in the public hearings but also all those interested. In fact, I would not want to reveal that I have seen many more people than those people in my effort to bring about a better understanding and, if possible, have a bill that could be unanimously approved by the members of this body. Now, we discussed there proposed amendments and I, accordingly, incorporated some of them. And then, when I was through with this, I thought of a well-developed plan, at least in my mind. The following day, that was yesterday, I had another meeting of the Committee on Education, attended again by Senator Primicias, Senator Briones, and other people. We were six in all. I distributed what I thought would be a bill which would be fair and just in reality, giving something to one group but retaining something there which would be for another group and which I considered would enhance and promote public interest and probably will give rise to less controversy in the Senate, considering the fact that so many things had already been said pro and con, and in fact plenty of digressions also on this and that. Now when I saw that there were six members including myself, I thought that it was a bill of great importance that I should have the whole committee *en banc*, all the members, because Senator González was absent, Senator Tañada could not come, Senator Sumulong was not there; and on the question of the amendment that they introduced, I thought I should not deprive the other members to hear the point of view of the oppositors of this measure, and at least I was determined that if there could be no agreement, at any rate I should not deprive the whole Senate from deciding this important question as to whether a given amendment should be introduced in this draft or as to whether certain portions of my draft should be eliminated therefrom. After that it was not my purpose to submit this to a vote. In reality I did not, as everybody present there saw. My purpose was purely for myself. It was not even on motion of anybody. It was

for the purpose of satisfying myself, how the members would react, and for the purpose of enabling me of course to contact also the other members of the Senate who were members of the Committee on Education. I tried individually and personally to find out from Senator Primicias and Senator Briones what their reaction was. Now it was not a formal vote, because I had announced in fact that I would like to hear the views of all the members of the Committee on Education on this important measure, and on the other hand I was determined, deep in myself, to have the Senate act on this, because neither the President nor the chairman of the Committee on Education, nor the Committee on Education, should assume complete responsibility on a matter so important and so vital, at least in the field of education.

Now when I sized up the situation, I knew that agreement was not possible, and so as the members of this honorable body will note, while this was intended as introduced by the Committee on Education as a substitute bill, when I submitted it here I erased the words "Committee on Education" and amended it by introducing the words "Introduced by Senator Laurel." In other words, it was not a measure introduced by the Committee on Education but introduced by me, not even as chairman of the Committee on Education but as Senator.

Now I also intend to speak on the substitute amendment, but my purpose is always to gain time and to give no reason or no cause for anything that might be interpreted as a provocation, and so I have submitted this as a bill presented by me individually as a Senator as a substitute measure. That is all.

SUSPENSIÓN DEL REGLAMENTO

Senator PRIMICIAS. Mr. President.

The PRESIDENT. Gentleman from Pangasinan.

Senator PRIMICIAS. In view of the matters brought before the Senate this morning relative to this amendment to the bill and for the reason that we are dealing here with a matter of very great importance to the people, in order to obviate all technicality and so that we may proceed immediately to the consideration of the amendment by substitution presented by the distinguished chairman of the Committee on Education, I ask that insofar as any technicality is concerned on that matter, we suspend the rules of the Senate so that we may proceed at once to consider the draft presented by the gentleman from Batangas, Senator Laurel.

The PRESIDENT. Is there any objection to the motion? (*Silence.*) The Chair hears none. The motion is carried.

Senator LIM. Mr. President, will the gentleman from Batangas, Senator Laurel, yield for some questions on this amendment by substitution?

The PRESIDENT. The gentleman from Batangas may yield, if he so desires.

Senator LAUREL. Very gladly, gentleman from Zamboanga.

Senator LIM. This is just for the purpose of clarifying in my mind certain points regarding this amendment by substitution submitted by Your Honor. Has the compulsory nature of the original bill been eliminated in this amendment by substitution?

Senator LAUREL. The bill that will be considered will be this bill which I have the privilege of presenting as a substitute measure.

Senator LIM. In accordance with the provisions of the amendment by substitution, particularly sections 1 and 2, has the compulsory nature of the original bill been eliminated?

Senator LAUREL. That depends upon the interpretation that Your Honor wants to give. I call Your Honor's attention particularly to the last proviso that in the collegiate courses the original or unexpurgated edition of the *Noli Me Tangere* and the *El Filibusterismo* or their English translation shall be used as basic text.

Senator LIM. So this may be compulsory in nature as far as the collegiate students are concerned?

Senator LAUREL. It is included as that section says "in the curricula of all schools", so that it is part and parcel of a university or college course.

Senator LIM. That is as far as that portion of Section 1 is concerned. How about the portion in Section 2 which states, "shall be included in the list of approved books for required reading"? Is that not also compulsory in nature?

Senator LAUREL. They shall be in the libraries in the list of approved books for required reading in all public and private schools, the unexpurgated edition of the two novels.

Senator LIM. In other words, by virtue of the provisions of sections 1 and 2, this amendment by substitution, if approved, would include some compulsory nature, at least some compulsion.

Senator LAUREL. These two books must be in the libraries of all schools, colleges and universities, public and/or private.

Senator LIM. Well, my point that I want to be clarified is whether aside from compelling the schools, colleges and universities to have copies of these books in their libraries, there will be in any case compulsion in their reading, and as Your Honor

answered I am made to understand that the compulsory nature still exists.

Senator LAUREL. No, no; compulsory as to these books being in the libraries. We cannot compel people to go to the libraries and read these books, but if they want to read these books, they are available in the libraries of the different schools, public or private.

Senator LIM. But then in the collegiate courses, inasmuch as these are to be used as basic texts, in that sense I say from that point that by requiring schools and universities to have copies of these books in their libraries, at least in the case of collegiate courses, it will be compulsory to use the *Noli* and *Fili* as basic texts.

Senator LAUREL. You will remember that the word "compulsory" has disappeared, but it must be included in the curriculum as part of the course in the university or college.

Senator LIM. In other words, because of that, am I correct in understanding that there is compulsion on that point?

Senator LAUREL. It depends on your interpretation.

Senator LIM. The original bill No. 438 requires only the compulsory reading of the *Noli* and the *Fili*, but I am tempted or inclined to conclude that under this amendment by substitution presented by Your Honor now, it is not the reading that is made compulsory but also the teaching. The teaching, studying, and reading are made compulsory because of the provision in section 1 which says: "Courses on the life, works, and writings of Jose Rizal, particularly his novels the *Noli* and the *Fili* shall be included in the curricula of the schools, colleges, and universities, public or private." That is the way I understand it, and I would like to be clarified before I can vote on this bill. Besides reading, the teaching and the studying and providing as courses are now made compulsory by this amendment by substitution and, in addition to that, section 2, lines 14-16, as well as other writings of Rizal shall be included in the list of approved books for required reading in all public and private schools, colleges, and universities." Am I right in interpreting this in this manner?

Senator LAUREL. There is no compulsory reading in the libraries of the schools. If you want to go there, and you want to read the unexpurgated *Noli*, and it can be found there, because they must have it there.

Senator LIM. I am asking these questions so that everything will be in the record of the Senate.

Senator LAUREL. Yes, and for further clarification, I think that section 1 is quite clear, "courses on the life, works and writings of Jose Rizal, particularly his novels the *Noli* and the *Fili* shall be included in the curricula of all schools." You will notice that courses and the like; suppose you and I would like to produce a joint work on the life of Rizal, we can go to the authorities, the board of education, and say: We want this to be adopted. We will fight for that, but most likely they might reject it. But if it is a text on the life of Rizal, and that is adopted as the official text, then that will be the textbook. That is to be a part of the curricula in all schools, having been adopted, but in the case of colleges and universities, pupils are supposed to be already sufficiently mature and sufficiently cultured. In order to serve the purpose, and a very important purpose of this bill, the unexpurgated edition must be used as basic text in colleges and universities.

Senator LIM. In other words, on that particular point, in the case of collegiate courses, they are required to study.

Senator LAUREL. Yes. That will depend on whether they really study, or the teachers make them study.

Senator LIM. I am asking these questions because I am really in doubt on this point, because if the original bill merely compels the reading, and this amendment does not merely compel the reading but the teaching and studying, that will affect my vote. I am not anticipating how I am going to vote.

Senator LAUREL. May I just give you further information. There is no compulsion as to the original text with reference to schools inferior to colleges and universities, because you will remember that one of the objections was, how could these immature minds absorb the teaching of Rizal? On the other hand, there is also the argument that if the parents may not want them to read these books and they are subject to "patria protestas" or parental authority, and I thought in bringing about this compromise, once a fellow is in the university and he wants to be a doctor of medicine, or to be a lawyer, I think that we should consider—this is merely a personal opinion—I would allow my son, if he is in the university, to read not only the *Noli* and the *Fili*, I would allow him to read perhaps all the books, including Voltaire. In that respect, perhaps, I am over-liberal, but there are some reasons why children in tender years and under parental authority and the parents object, there is some reason in that, and so we limit the com-

pulsory nature. If that is compulsion in your opinion, that is a repugnant word, and in the course of the discussion we only say that in the colleges and universities the original unexpurgated edition should be the basic text that should be read.

Senator LIM. In other words, Your Honor, that is precisely what I would like to be clarified on, because the original bill No. 438 does not compel the studying and the reading unlike in this bill by substitution. In the collegiate courses they shall be used as basic texts; whereas in the original bill, it does not compel even in the collegiate courses to study, but only to read. But in this amendment by substitution, they are compelled not only to read, but to read and study, because those will be used as basic texts. That is what I would like to be clarified.

I would like to pass to another point. With the permission of Your Honor, section 4 states: "Nothing in this Act shall be construed as amending or repealing section 927 of the Administrative Code, prohibiting the discussion of religious doctrines by public school teachers and other person engaged in any public school." However, in private schools and colleges, are we to understand that religious doctrines can be taught by the teachers, even the religious aspects of the *Noli* and the *Fili*, since we cannot doubt they are bound to be discussed between the teachers and the students?

Senator LAUREL. Your Honor, this section 4 has reference to section 927 of the Administrative Code. It is not the purpose to amend or to change it. Therefore, in referring to that, we refer to public school teachers and other persons engaged in public schools, because the only purpose of this measure is that this bill shall not affect in any manner this law as it is, because we don't want to propose any amendment, or do anything with the law. It is simply a statement that what the law is that is still the law, considering further probably that there is supposed to be a complete separation of Church and State and in the public schools, as it is provided now in Article 927 of the Administrative Code, it is prohibited to discuss any problems affecting dogmas and religious creed, and lest this bill might be interpreted in connection with this Article 927 we say this bill will in no way affect or modify what is presently provided in section 927 of the Administrative Code.

Senator LIM. Inasmuch as section 927 of the Administrative Code prohibits the discussion of religious doctrines only by public school teachers in public schools, will Your Honor accept an amendment to include not only public school teachers

but also teachers of private schools from discussing religious dogmas?

Senator LAUREL. No, we cannot do that because we will be modifying Article 927 of the Administrative Code and it is not my purpose to modify that.

Senator LIM. The discussion of these doctrines are in connection with the *Noli Me Tangere* and *El Filibusterismo* only, because my fear is that there might be really, although I am not very certain, the possibility that in some respects we might divide our people. So that perhaps we can insert that amendment that the religious doctrines that might be brought up in the *Noli Me Tangere* or *El Filibusterismo* may not be touched upon or discussed. In asking these clarificatory questions, I would like to assure the gentleman from Batangas that, while I do not want to anticipate how I shall vote on this amendment by substitution, I am sincere in saying that I wanted these points clarified for my personal satisfaction.

Senator LAUREL. We leave the law as it is.

Senator RODRIGO. Mr. President, will the gentleman yield for some clarifying questions.

The PRESIDENT. The gentleman from Batangas may yield, if he so desires.

Senator LAUREL. Very gladly.

Senator RODRIGO. I refer, to the statement made by the gentleman from Batangas and Quezon this morning in his privilege speech to the effect that this bill does not preclude teachers both in public and private schools from explaining certain religious aspects of the two novels. Now, the gentleman from Batangas, Senator Laurel, said that is not so. I just want to make that clarification for the record that the gentleman from Batangas then said that the statement made by the gentleman from Batangas and Quezon this morning to the effect, if I remember right, that teachers both in public and private schools are not precluded from explaining even matters of religion contained in these two novels, is that accurate or not?

Senator LAUREL. Well, properly the gentleman who should explain that, because I did not state it, is Senator Recto. I am not Senator Recto, unfortunately for me. But if I may make my own explanation without of course binding Senator Recto I say that when you use the novels of Rizal and a question was asked by a pupil and the teacher explains, well he is supposed to explain in his own way in accordance with his beliefs, but he is not supposed to engage in religious discussion in favor of any religious sect or denomination because there is separation of Church and State. On the other hand, it may

come within Article 927 of the Administrative Code if applicable to specific cases. Really, that is my interpretation. Of course, if there is some explanation had, as it is part of the curricula, you cannot prevent a teacher from giving his explanation of what Rizal meant or intended in giving such statement or interpretation to the passages of the *Noli Me Tangere* or *El Filibusterismo*.

Senator RODRIGO. Well, as a matter of fact, that idea mentioned by Senator Recto this morning came up for the first time upon interpellation by the gentleman from Quezon, Senator Tañada, if I remember right. Senator Tañada interpellated, I think, Senator Laurel during his sponsorship speech.

Senator LAUREL. Did I? I speak the least here.

Senator RODRIGO. Senator Tañada told me that is right. He asked the question from the gentleman from Batangas whether the original bill if enacted into law would preclude teachers both in private and public schools from explaining or even contradicting certain matters in the two novels which pertain to religion, and if I remember right, the answer of the gentleman from Batangas, Senator Laurel, was that the bill did not preclude such explanation or even contradiction.

Senator LAUREL. Well, if that is true, I could not improve on that question or could not improve on the answer either.

Senator RODRIGO. I would like to clarify that that question was asked in connection with the original Senate Bill No. 438. Now, we are discussing this proposed amendment by substitution. Now, maybe that answer was given by the gentleman from Batangas because that was the correct answer in the light of the original bill. My question in the light of this proposed amendment by substitution is: Is that still the answer to the question?

Senator LAUREL. Well, I will say that is a good question. I will say that the answer is correct in the sense that if there is some question raised to the teachers the teachers must explain and I do not think that may be considered as religious interference on sectarian activities by the teachers, in my humble opinion.

Senator RODRIGO. May I formulate my question by using specific example? If this amendment by substitution is enacted into law, especially section 4 thereof, and in a public school where the teacher is a devout Catholic they come to that portion where Filósofo Tasio speaks in a way that it creates doubts in the minds of the students about the belief of Catholics in purgatory, may a teacher who is a devout Catholic in a public school *motu proprio* explain to

the students that while this was said by Filósofo Tasio in the novel the real teaching of the Catholics is not this, and cannot the teacher explain that he was saying this about the purgatory in order that the students may not be misled?

Senator LAUREL. Your Honor, there is an assumption here on your part that the textbook speaks of purgatory. As you will notice, regarding the courses on the life, works and writings of Rizal, the bill does not require the use of the original as the basic text in the schools other than in the universities and colleges. Supposing that in the courses on the life, works and writings of Rizal you assume that there is something like purgatory which may not be there, because I do not think that in the preparation of a textbook for the inferior grades, the authors, in order to merit the approval of the government, would approve of any text book that would deal mainly on the religious aspects of the life of Rizal but would probably center on the moral virtues, patriotism and nationalism and all those things that are not controversial. But assuming that, assuming that to be the case, that there is something in the book or in the textbook, I think that the teacher can explain his opinion. Why not? I think this criticism of Rizal—I do not accept as a teacher, it disturbs my religious conscience or what not—would not be considered by our government as a violation of Section 927 of the Revised Administrative Code.

Senator RODRIGO. Gentleman from Batangas, with your permission, I was not referring really to the high school. I am sorry I was not able to make my question very definite. I am referring to the collegiate courses. Suppose that a teacher or a professor in an A.B. course, first year course, let us say, is a devout Catholic, and considering the age level of the students, usually the age level of first year college students ranges from 16 to 17 years, at most 18 years on the average, and considering the age level of the students, the professor thinks that he should explain the real teaching of the church, like Purgatory, in order to save his students from a possible misinterpretation or a possible weakening of their belief in this doctrine of the church regarding Purgatory, I think that was accepted by the gentleman that the Catholic professor may explain this dogma.

Senator LAUREL. I would if I were a teacher.

Senator RODRIGO. May I ask another question on another example. Suppose that in a class of first year college students most of whom are Catholics, the professor happens to be of another religion

and the professor happens to be particularly anti-Catholic, may this professor, when he goes through this passage, say: "I think that Filósofo Tasio was right and this dogma of Purgatory is really wrong."

Senator LAUREL. If you give freedom to the other teacher denying Purgatory or defending Purgatory, whatever may be his opinion, you have to grant that to the rest of the teachers. I will give it to all. If it can be done and is permissible in one case, it should be permissible in all other cases. I mean, however we may disagree on that, that is part and parcel of what we call the real and popular institution of democracy.

Senator RODRIGO. So, it is possible then, gentleman from Batangas, that in a certain college, let us say there are three sections of first year A.B. class, that there is a section where the professor is a devout Catholic and so he explains the Catholic side. In another section, the professor happens to be a rabid anti-Catholic. So, he explains the anti-Catholic side. In the third section, he might be indifferent, and so he goes through it without any explanation. My question is, from the point of view of sound pedagogy, does not Your Honor think that such a situation will give rise to discussion and recriminations about religious doctrines among students and even among professors and, consequently, among the parents?

Senator LAUREL. I think that is a matter of implementation. We are not all pedagogues here, and I think it is better to leave that to a national board of education or textbook board. And in connection with the promulgation of rules and regulations, that could be taken up with people who are technicians and experts in the field of pedagogy. But if that is the result, as Your Honor imagines, and may arise really, if the Catholic explains it in his own way, we should have to give that right to the Aglipayans or to the Protestants. We cannot prohibit in one case what we grant in other cases. We must treat the people alike if we want it to be a good law.

Senator RODRIGO. Mr. President, those are all the questions that I want to propound at this stage.

I shall now formally file my amendment to the amendment, and after that, may I be permitted to sponsor it and give my arguments in favor of my amendment to the amendment tomorrow.

Senator PRIMICIAS. Mr. President.

The PRESIDENT. Gentleman from Pangasinán.

Senator PRIMICIAS. In order to follow rules of good practice, before the gentleman from Bulacán

presents his amendment, I would suggest that other members of the Senate be allowed to ask questions of the distinguished sponsor because as a result of the questions, the gentleman from Bulacán may even amend his own projected amendment.

Senator RODRIGO. I think that is a very wise suggestion. I think that is the correct procedure. I gladly accede.

Senator PRIMICIAS. Mr. President, I think the senior gentleman from Bulacán would like to ask questions of the distinguished gentleman from Batangas.

The PRESIDENT. The gentleman may yield if he so desires.

Senator LAUREL. With pleasure.

Senator DELGADO. I notice that in this substitute amendment there is no sanction and the sections or provisions in the original bill establishing sanctions and penalties have been entirely removed. Suppose some private schools do not comply with the requirements of this substitute amendment if approved and becomes a law, what is going to happen? If there is no sanction, if there is no penalty, anybody can disobey the law without risking anything. There is no sanction whatever. You have removed the penalties that you have in the original bill. Anybody can disobey. You will let them do what they please. And one may say: "I cannot be prosecuted. I cannot be disqualified from teaching. My recognition from the government cannot be removed because there is nothing here. So, I will just keep the unexpurgated versions from the library and I shall do what I please."

Senator LAUREL. Your Honor, may I call your attention to a portion of the bill which, although it is not exactly the same as it was in the original, also provides for the adoption of certain disciplinary measures, and that is the second paragraph of Section 1, page 2. It reads:

"The Board of National Education is hereby authorized and directed to adopt forthwith measures to implement and carry out the provisions of this Section, including the writing and printing of appropriate primers, readers and textbooks. The Board shall, within sixty (60) day from the effectivity of this Act promulgate rules and regulations including those of a disciplinary nature, to carry out and enforce the provisions of this Act. Said rules and regulations shall take effect thirty (30) days after their publication in the Official Gazette.

Senator DELGADO. What is there to compel the Board of Education to adopt any sanction? Supposing the majority of the Board of Education is of a mind to favor certain sects and they say, "Well, okay, let us approve an implementation but we will not put any sanction there." What will happen?

Senator LAUREL. What is the purpose of the gentleman? Does Your Honor want to provide for a penal sanction?

Senator DELGADO. I would like to reinsert the provisions of the original bill in this substitute amendment.

Senator LAUREL. After some discussion, we thought that ordering the closing of a school in case of non-compliance is a punishment heavier than any fine.

Senator DELGADO. I thank you. Just the same, I prefer the original bill.

Senator SABIDO. Mr. President, will the gentleman yield?

The PRESIDENT. The gentleman may yield, if he so desires.

Senator LAUREL. Willingly.

Senator SABIDO. I am sorry to bother the gentleman from Batangas at this advanced time of the day, but as very well observed by the distinguished gentleman from Bulacán (Senator Delgado), the penalties provided in the original bill have been eliminated in the amendment by substitution. Does not the distinguished gentleman from Batangas believe that said penalty or provisions containing penalties in the original bill were precisely the features of said original bill which made the reading of the unexpurgated texts of "Noli Me Tange" and "El Filibusterismo" compulsory and not the use of the word "compulsory"? Does not the gentleman believe that those penal provisions were the features of the original bill which made the reading of the "Noli" and the "Fili" in their original version compulsory and not the use of the word "compulsory"?

Senator LAUREL. Your Honor, I can only speak for myself as to this bill which I presented in my own name because of circumstances. But when I ran across this kind of penal provisions, I thought that some people considered that it was harsh enough to make the "Noli" and the "Fili" a compulsory reading and that it is even harsh enough to provide for the inclusion of these two subjects in the curricular courses of the university, and so I want to be liberal as regards any punishment or anything of that sort because this is an original attempt to bring about a policy on the part of the State. So I prefer this disciplinary measure which we authorize the National Board of Education to impose rather than specifically provide that the penalty is this or that. I mean we are just starting and we are encountering a great deal of opposition.

Senator SABIDO. Now my second question is that the elimination of said provision and the placing

the responsibility to enact rules and regulations including disciplinary rules in the National Board of Education means that this Senate, if it approves the amendment by substitution, has shifted the responsibility of establishing the sanction or providing the sanction on the National Board of Education.

Senator LAUREL. Decidedly not, because even if we should want to transfer or delegate or abdicate our function, it would not constitutionally be possible, but in so far as any administrative board of this character is concerned, it could require certain things, including the imposition of disciplinary measures. Why not grant that to the Board, because as I said, the trouble is we are encountering a great deal of difficulties because many people are objecting. Now, let us make it soft in the beginning and if we find it necessary to resort to our legislative powers for punishing people when we find people defiant, then that is the time when we should enact a penal provision, but not immediately.

Senator SABIDO. Is not the distinguished gentleman from Batangas delegating that power by providing that the Board of National Education is hereby authorized and directed to adopt forthwith measures to implement and carry out the provisions of this Act, including the writing and printing of appropriate primers, readers and textbooks, and that the Board shall, within sixty days from the effectivity of this Act, promulgate rules and regulations, including those of a disciplinary nature to carry out and enforce the provisions of this Act?

Senator LAUREL. No, that is not an abdication. That is really a function of the board because that is a technical work. Whether a textbook is good enough in point of style or substance, that is properly a matter to be passed upon by a board of technicians rather than by legislative authority.

Senator SABIDO. Does not the gentleman from Batangas believe that it is precisely in this provision wherein lies the wisdom of the amendment by substitution?

Senator LAUREL. Yes.

Senator SABIDO. Because perhaps, as very well stated here, the Board of National Education is in a better position to promulgate rules and regulations concerning the implementation of this bill?

Senator LAUREL. We are only authorizing the Board of National Education to promulgate rules and regulations, and as we are eliminating the penal provisions, I transferred that in a soft manner to this portion including those of a disciplinary nature. I think that is good enough in the meantime.

Senator SABIDO. And I think it is to be expected that the Board of National Education will not promulgate rules and regulations that will violate the Constitution.

Senator LAUREL. Yes, of course. That is assumed. On the other hand, I wish to call the attention of the distinguished gentleman from Albay that that board is a composite board. It includes not only the Secretary and Undersecretary of Education, but also the president of the universities, the Chairmen of the Committees on Education here; and all the representative elements of the community are represented on that board.

Senator SABIDO. Thank you.

SUSPENSIÓN DE LA SESIÓN

Senator PRIMICIAS. Mr. President, reserving the right of any member of the Senate to ask questions of the distinguished sponsor, in view of the advanced hour, I ask that we suspend consideration of this measure and also the session of the Senate until this afternoon at 5 o'clock.

Senator LAUREL. Unfortunately I cannot be here this afternoon because I have to be with Senator Tañada and others to be present in the signing of the reparations agreement.

Senator PRIMICIAS. In that case, while we are waiting for the distinguished gentleman from Batangas, we will take up other bills.

Senator LAUREL. We can do that.

The PRESIDENT. Is there any objection to the motion? (*Silence.*) The Chair hears none. The session is suspended until this afternoon at 5 o'clock.

Eran las 12:55 p.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 5:40 p.m.

El PRESIDENTE. Se reanuda la sesión.

DESPACHO DE NUEVOS ASUNTOS QUE ESTÁN SOBRE LA MESA DEL PRESIDENTE

Léanse los nuevos documentos recibidos.

El SECRETARIO:

MENSAJES DEL PRESIDENTE DE FILIPINAS

MANILA, May 9, 1956

Gentlemen of the Senate:

I transmit herewith, for appropriate action by the Senate, copies of the Reparations Agreement between the Republic of the Philippines and Japan, signed at Manila on May 9, 1956, of the Annex thereto and of the Notes exchanged between the two countries on the same date concerning the allocation of the amount provided in Article 1 of the same Agreement, which documents form integral parts thereof.

I also transmit, for the information of that Chamber, copies of the Notes exchanged between the two countries