

...illary reservation, it was our own Secretary of Foreign Affairs, who took up the cudgels for the United States, so that we had the spectacle of senators of the Philippines having to defend the right of the Philippines to this land against the stand of our own Secretary of Foreign Affairs. It is time that we put a stop to this! It is time that we should listen to the members of Congress who are the policy makers.

Senator CUENCO. Mr. President, just for an acclamatory question, if the gentleman will yield.

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

Senator PELÁEZ. With pleasure.

Senator CUENCO. Considering the actuations of the incumbent Secretary of Foreign Affairs, and considering it is recorded as stated by Your Honor, would you sponsor a resolution requiring that this high official be required to resign?

Senator PELÁEZ. If Your Honor please, that is a very serious question that you propose. I would like to seek understanding between the Senate and the Department of Foreign Affairs, and I would like to give the Department of Foreign Affairs the benefit of the doubt. I am still willing to make a proffer of cooperation.

MOCIÓN CUENCO

Senator CUENCO. I move that the speech delivered by the gentleman from Misamis Oriental be indorsed or be referred to the Committee on Foreign Affairs for such action as it may deem proper.

Senator PELÁEZ. I concur in that motion and I would also wish to add that the speech be indorsed officially to the Department of Foreign Affairs, if the members of the Senate believe that what I have said reflects the sentiment of the Senate.

Senator CUENCO. I agree with Your Honor, and I think that we should take some drastic action because as we observe, the actuation of this high official is inimical to the interests of our country.

The PRESIDENT. Is there any objection on the part of the Senate that the speech delivered by the gentleman from Misamis Oriental be indorsed to the Department of Foreign Affairs and to the Committee on Foreign Affairs of the Senate? (*Silence.*)

The Chair hears none. The motion is approved.

Senator PELÁEZ. Thank you, Mr. President.

Senator PRIMICIAS. Mr. President, the distinguished gentleman from Negros Occidental, Senator Locsin, would like to make use of the privilege hour.

The PRESIDENT. The gentleman from Negros Occidental has the floor.

MANIFESTACIONES DEL SEN. LOCSIN

El PRESIDENTE. El caballero de Negros Occidental tiene la palabra.

El Sen. LOCSIN. Señor Presidente y caballeros del Senado: Objeto de una innecesaria provocación, espontáneamente os habéis puesto a mi lado para defenderme. Me siento sumamente agradecido a esta prenda de compañerismo que me demuestra cuán sinceros sois en vuestra amistad. Pero temo desengañar al distinguido caballero de Batangas y Quezon, Señor Recto. No podré ofrecer lucha, en el tablero de la política, contra un Obispo de mi Iglesia. Sería una lucha desigual entre la paloma y el águila.

Acepto la realidad de mi pequeñez tan abusivamente entregada a la tiranía multitudinaria de diez mil almas que, llamadas para una fiesta de amor a la Virgen, recibieron, sin embargo, la admonición de castigar, no a un mercader en la puerta del templo, sino a un hermano-creyente que en estos últimos años de su vida se está entregando más y más a la oración, a la penitencia, a las obras de caridad en un esfuerzo de adquirir cierta perfección espiritual para así conocer y amar mejor a Dios.

Vuestra simpatía, espontáneamente expresada, hace rebosar de gratitud mi corazón y me consuela en mis ensimismamientos de filipino. Todavía vive en vosotros Rizal porque aún tenéis,

"Un canto para el que gime
Y un reto para el que oprime."

Señor Presidente y caballeros del Senado, aun concediendo que mi interpretación de mis deberes de católico sea errónea para los católicos ortodoxos de Bacolod, todavía puedo esperar de ellos una piadosa concesión: reconociendo mi buena fe y concediendo la determinante influencia en mis decisiones de un nacionalismo rizalista fuertemente arraigado en mi corazón para acallar mi conciencia de creyente, merecer de ellos, como oveja perdida en el camino, aquella plenitud de misericordia que brotó de los labios denegridos por el dolor de muerte del que siendo Dios se hizo hombre para satisfacer en la Cruz el precio de la reconciliación de la humanidad con Dios Padre: ¡Señor, perdónale, porque no sabe lo que está haciendo! En estos últimos días, muchas veces me he preguntado si el materialismo reinante ha despojado de su valor espiritual el ejemplo de un Francisco de Asís, que en larguezas de amor llamaba al lobo, hermano-lobo. Confrontado por estas realidades, veo más claramente la necesidad de que el Noli Me Tangere y El Filibusterismo se lean para que todos los filipinos, jóvenes y viejos, den valor a estas hermosas palabras del Padre Florentino: "Sólo el amor lleva a cabo obras maravillosas . . . Sólo la virtud puede salvar!"

Señor Presidente, he pasado noches en vela para determinar dónde empieza y dónde acaba mi respon-

sabilidad de filipino y de creyente. En cuantos soliloquios he tenido con mi conciencia siempre me vi confrontado por el hecho de que soy filipino y como tal debo pensar, sentir y obrar. La cuestión que se debate ha evidenciado que soy una creación de mi escuela. He encontrado que la labor formativa de la educación, de la observación, de la experiencia en la vida y los impactos del medio ambiente filipino y del acervo histórico del país con sus joyas de patriotismo y de sacrificio, etcétera, han dado a mi conciencia natural lo que llamaría su segunda naturaleza que hace posible la convivencia feliz en el corazón de dos amores: el amor a Dios y el amor a esta hermosa tierra que nos viera nacer donde es "amigo cuanto alumbra el sol". Exalto mi amor a Dios amando íntegramente a Jesús . . . Exalto mi amor a la Patria amando íntegramente a Rizal! Repetiré, otra vez, lo que Don Jaime C. de Veyra, conocido católico y jefe de una familia de sinceros católicos prácticos, ha dicho:

"Rizal nos dejó un legado moral y espiritual; la enseñanza de su vida, su ejemplo, sus escritos: el *Noli me Tángere*, las *Notas de Morga*, *El Filibusterismo*, . . . ahí, ahí está Rizal.

Constante repitiendo la esencia de su fe".

Cada vez que leo las dos novelas de Rizal vivo la tragedia de nuestro pasado y la total entrega del patriota-mártir a los ideales de libertad, justicia y progreso de nuestro pueblo. Leyéndolas el nacionalista hallará,

" . . . siempre flotando en cada página, un paño para el llanto del esclavo, para el tirano vengadora tralla."—(JOSÉ PALMA)

Señor Presidente y caballeros del Senado, mi nacionalismo está fuertemente arraigado en las páginas de las dos novelas de Rizal y fue robustecido cuando de estudiante el corazón se formaba al conjuro de tres devociones de la vida: Dios, Patria y Saber. Es un hecho conocido en mi pueblo que me destaqué como raro y único brote nacionalista en los predios de una numerosa e influyente familia de clásicos federales. Mis servicios al pueblo, de más de veinte años, llevan un timbre nacionalista. Es verdad lo que el distinguido caballero de Batangas y Quezon, Señor Recto, dijo sobre mi modesta contribución en la formulación del precepto constitucional que reserva la propiedad y la explotación de la tierra de Filipinas y de sus recursos naturales para los filipinos solamente. Aquí mismo, en este agosto Cuerpo, son muy contadas las ocasiones que me dejo oír. Fui, sin embargo, beligerante en la medida que instituía las ceremonias de la bandera en todas nuestras escuelas. Otra vez vuelvo a ser beligerante en esta medida que trata de prescribir la lectura de las dos novelas de Rizal en nuestras escuelas.

Lamento que mi actitud no alcancen a comprenderla el Señor Desiderio Miranda y sus seguidores.

"mas ¿qué importa? . . . Yo vivo pensando en lo pasado y lo pasado nadie me puede arrebatár. Él es mi fiel amigo que nunca me desdora, que siempre alienta el alma cuando triste la ve, que en mis noches de insomnio conmigo vela y ora conmigo, y en mi destierro y en mi cabaña mora, y cuando todos dudan sólo él me infunde fe. Yo la tengo, y yo espero que ha de brillar un día en que venza la idea a la fuerza brutal, que después de la lucha y la lenta agonía, otra voz más sonora, más feliz que la mía sabrá cantar entonces el cántico triunfal. (Rizal)

Señor Presidente y caballeros del Senado, el 4 de este mes recibí el siguiente telegrama:

"Senator José Locsin
Philippine Senate
Manila

To be able satisfy natural desire of forty thousand delegates and your other constituents from all over province to know your stand on Laurel Senate Bill 438 at Catholic Action rally Bacolod May 6 please wire collect your stand on said bill.

Emilio Y. Hilado President Catholic Action Bacolod"

Mi contestación fue la siguiente:

"Atty. Emilio Hilado
Bacolod City

As Filipino am convinced Laurel-Bill will enhance filipinism and as catholic my faith becomes stronger after reading Rizals books because Rizal personified by Simons confessed to Father Florentino the symbol of real priesthood

SENATOR LOCSIN

Con esta contestación me emplazaron. Yo estaba en Negros cuando la celebración anual del "Barangay sang Birhen" el domingo pasado, 6 del actual. De hecho, mandé a Bacolod un "truck" cargado de los devotos de la hacienda porque creía que la celebración iba a ser un homenaje de amor a la Madre de Dios. Ya en Manila, el lunes pasado, me enteré por los periódicos de las belicosas manifestaciones de Monseñor Yap y del Señor Desiderio Miranda—un oficial de rango del "Barangay" y Caballero de Colón—en dicha celebración.

Los despachos de la prensa sobre las manifestaciones de Monseñor Yap fueron confirmados por la publicada versión del Reverendo Fortich que nos dice que el Prelado de Bacolod solamente "warned the legislators who vote for the approval of the Laurel bill would be punished in the next elections". El corresponsal Señor Drilón desmiente esta versión y apunta el detalle de que el Reverendo Fortich estaba entre los manifestantes. Las dos versiones se diferencian en la forma solamente. La corrección

substancialmente la misma píldora de amenaza con la atracción de estar dorada.

Yo no niego el derecho de Monseñor Yap para tomar una posición en cualquier asunto de interés público. Pero, mejor que yo, el distinguido prelado sabe cuán difícil es distinguir al ciudadano Obispo Yap del Obispo de la Iglesia. Las actuales muy apasionadas discusiones sobre el *Noli me Tangere* y *El Filibusterismo* de Rizal, por encima de las aclaraciones que están haciendo favorecedores y opositores, demuestran una confusión de opiniones sobre las inferencias de la medida, sobre su constitucionalidad, los medios de "approach", los alcances de las palabras "reading" y "teaching", si las dos novelas son realmente Biblias de patriotismo, sobre las prerrogativas del Estado y otros muchos "issues" encerrados en el asunto. Apunto esto para dar un toque de atención al Señor Desiderio Miranda y sus seguidores sobre los peligros del voto punitivo que ellos proponen contra los que honradamente creen que las dos novelas son libros necesarios para infundir y fortalecer sentimientos nacionalistas en la juventud, y por tanto, son de los que hacen patria.

El voto punitivo tiene muchas inferencias ¿Se desea, acaso, saber, quién es quién, en esta nuestra democracia? ¿Se quiere someter esta medida a un plebiscito? Creo que una proposición en este sentido sería aceptada por los favorecedores del proyecto de ley que se debate bajo la condición de "winner takes all".

Temo que el Señor Desiderio Miranda y sus seguidores desconocen el hecho de que en este Senado los "valedictorians" y "salutatorians" de varias elecciones nacionales son partidarios de la medida. Los Senadores Laurel, Recto, Tañada, Púyat, López, y Sumilong son conocidos "topnotchers" en los exámenes que periódicamente nuestro pueblo celebra. Son todos propugnadores de la medida.

En lo que a mí respecta no creo que la amenaza del Señor Desiderio Miranda me pueda afectar.

He manifestado repetidamente a los jefes del partido mi deseo de retirarme a casa en 1957, para alejarme del "mundanal ruido", para entregarme a las delicias de la vida rural en la nativa sencillez de una choza de caña y nipa. Modestias aparte, mis valores políticos son bien conocidos. Repetidamente he merecido la confianza popular. He sido Concejal de mi pueblo, Miembro de la Junta Provincial, Gobernador Provincial, Representante, Miembro de la Asamblea Constituyente, Secretario del Departamento de Sanidad y Bienestar Público y Senador desde 1952. Personalmente sé lo que políticamente vale mi amigo Dering. Sólo me ajusto a la verdad al señalarlos el hecho de que el Señor Desiderio Mi-

randa no llegó a desembarcar en el puerto de una concejalía de la ciudad de Bacolod, no obstante ser un Caballero de Colón y Oficial de rango del Barangay.

Señor Presidente y caballeros del Senado, las heridas del luctuoso ayer de nuestro pueblo no están completamente cicatrizadas. Pueden sangrar todavía. El voto punitivo propuesto por el Señor Desiderio Miranda sería el traumatismo que causaría que las heridas otra vez sangren. Las luchas políticas en el país se llevan con apasionamiento. Un "issue" religioso a base de las obras de Rizal descorrería el velo que medio oculta el pasado. Y a la vista del pueblo se presentarían, otra vez, las escalofriantes realidades que campean en las páginas de las dos novelas de Rizal. Se acusaría entonces al "Barangay" del Señor Desiderio Miranda, compuesto por émulos del chino Quiroga, de Doña Victorina, Doña Consolación, de Capitana Tinay, de Hermana Rufa, Hermana Puté, quizás con ejemplares de Paulita Gómez como motivo de atracción, de anti-filipino por entregarse a una orgía de fiestas sostenidas con dinero conventual en cuarteles armados de "magnavox" en sus cuatro costados que ampliarían la voz ya ronca de Dering que repetidamente anunciaría su fe: Venid todos aquí para salvarse... Electores católicos, en esta elección decisiva, nuestro grito de combate es: Fray Dámaso, Sí; Rizal, NO. De indignación poseídos, en actitud desafiante los veteranos de la revolución, las multitudes que veneran la memoria de Bonifacio, del Pilar, Jacinto, Mabini, Malvar, Panganiban, López Jaena, de los Padres Burgos, Gómez y Zamora y de cuantos han caído durante la noche en gloriosa inmolación, sobre todo Rizal, la suma y compendio del esfuerzo libertario y de la dignificación de la raza, en filas compactas e interminables recorrerían las calles e invadirían los barrios, con el corazón a flor de labio gritando la fe de su vida: Fray Dámaso, NO; Rizal, Sí.

Para mí no habría dilema. Decididamente me sumaría a los anónimos hijos del pueblo que portan la bandera de Rizal.

Señor Presidente y caballeros del Senado, he pasado momentos difíciles por la inequívoca posición que he adoptado en esta medida. He sido confrontado por mis hijos para hacer un viraje. Gravemente les dije que tendrían que cambiar mi corazón para que cambie de actitud. Con este corazón, jamás. Pero con otro corazón, no me conocerían como su padre, pues solamente mi propio corazón supo y sabe quererles como a hijos, y en este mi

corazón encuentran resonancias de gloria los pensamientos de Rizal.

Muchas gracias.

SUSPENSIÓN DE LA SESIÓN

Senator PRIMICIAS. Mr. President, I ask for the 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 10:20 a.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión las 10:45 a.m.

The PRESIDENT. The session of the Senate is resumed.

CONSIDERACIÓN DEL S. NO. 438

(Continuación)

Senator PRIMICIAS. Mr. President, I ask that we resume the consideration of Senate Bill No. 438. The distinguished gentleman from Batangas, Senator Laurel, was sponsoring this measure. He will now continue sponsoring it, we being in the period of amendments. The gentleman from Bulacán was presenting amendments.

The PRESIDENT. Resumption of the consideration of Senate Bill No. 438 is in order. The gentleman from Bulacán was, at the time we suspended the consideration of this bill, submitting his amendments. He may proceed with his amendments.

Senator LAUREL. Mr. President.

The PRESIDENT. Gentleman from Batangas.

Senator LAUREL. I am sorry that I was away yesterday for purely imperative personal or family reasons. I would like to make a statement in relation to the amendments that might have been presented or at least to one amendment that has been presented at the time I have to absent myself. If the esteemed colleague from Bulacán will allow me to make that statement before he makes whatever observations or further amendments he might want to present, I would very much appreciate it, and this I am doing in the belief that I might shorten the discussion of this measure which, in my opinion, has been discussed quite amply for quite a number of days, and then I shall be very happy, gentleman from Bulacán to hear your amendments.

EL SEN. LAUREL RAZONA SU ENMIENDA POR SUSTITUCIÓN

Mr. President and gentlemen of the Senate: As I said the last time when I tried to continue my sponsorship of this measure, I thought with circumspection and becoming composure that I have endeavored to reconcile conflicting views presented in

the form of amendments. I have met the members of the Committee on Education at least twice. I have conferred with individual members of this honorable body and I have gone further. I have gone beyond that by seeking enlightenment from my friends outside in order to enable me to reach some kind of compromise or understanding so that on a measure like this involving our national hero and his works and writings we might be able to present with some degree of unanimity at least if not completely unanimous a measure for many good reasons because first after a very heated debate and after due reflection and discussion, we could prove that we could now and then reach an agreement on such a measure of vital importance involving our national hero and involving vitally, in my opinion, the establishment of what I consider an important educational system in our country. That was the reason why when I met the members of the Committee on Education the last time, I presented a substitute bill reflecting, in my opinion, the divergent and diverse criteria expressed in the form of various amendments presented by the members not only of the Committee on Education but also of this body and in my own way registering at the same time what I consider would be desirable provisions and amendments that I could introduce as a result of my conferences outside of legislative chambers. And the result is this bill, a substitute amendment, which I registered myself as a member of this body and not as a measure presented by the Committee on Education. I would like to be permitted to explain these changes because I have not had the opportunity to do so in the last day because as I announced it was my purpose to save time, it was my purpose to cut short if possible the discussion, believing that perhaps by that method I could urge the acceptance of the substitute bill, which I presented personally instead of the Committee on Education. As every member of this body will remember, I started with what I consider is an improvement with reference to the enacting clause, stating the reasons why this measure is being presented, the purposes behind this measure and the reasons why this measure was presented. This enacting clause or part of the enacting clause as it is not really the enacting clause, was brought about by the discussion with reference to various aspects of this bill, particularly the objection raised with reference to certain constitutional provisions, namely, that the original measure would be unconstitutional because it impairs fundamentally religious freedom, the fact that it would probably divide the Filipinos and destroy, even seriously impair the solidarity of

people and other reasons more or less of a political or legal nature. These are the reasons for the modification of the enacting clause. And as you will note, reference is made to José Rizal—that we shall honor our heroes, particularly Rizal, that we should read the life, works and writings of Rizal, particularly as a national hero—to the authority that is granted by the Constitution to the government or the instrumentalities created thereunder for enacting this law and the constitutional objectives and purposes of all education, particularly of education as we viewed this system of education in our country, particularly with reference to moral character, personal discipline, civic efficiency and the teaching of the duties of citizenship, so that there might be no misunderstanding or misinterpretation as to the purposes of the Senate, of the government, of the whole Congress and in order also to make it quite clear and emphatic that it was far from the minds of those who have had a say in the preparation of this bill of stirring any religious controversy or attacking any religious sect, denomination or dogma, that the purposes were great, lofty, elevated, noble and not to stir as I stated in the beginning of my sponsorship any religious division or dissension. That is one change, the first change, because in the original draft we simply stated: "Be it enacted by the Senate and the House of Representatives . . ." etc. In this substitute bill which I have presented, we have, as I stated, several "whereases" as I have explained and which "whereases" appear in the introductory part of the substitute measure. It is clear that the purpose was to present Rizal, his writings and works as the consummation of the great ideals of that great hero in point of what I might say Filipinism, patriotism or love of country and that while I might have made, as he did, remarks which were not acceptable to our church and while he might have ridiculed certain personalities and even brought to the forefront the abuses of certain individuals, it was not his purpose, and I quite agree, and I say and I repeat that it was not his purpose to attack any church of any religious denomination. And I repeat what I stated that while he might have directed himself and his writings against certain individuals, and while these individuals might have taken refuge or sought cover under a religious institution, if cannot be said, and at least that is my conclusion, that is my finding after I have read all the works of Rizal for many long years, I dare say that it was not his intention, and I think he himself explained that in many private letters and communications, it was not his purpose

to directly attack the church but only those individuals who have prostituted and oppressed our people in the name of the Catholic religion. And in view of that fact and that is implied here, I am not emphasizing those things, his attacks against the church; I am emphasizing those things which have reference merely to the great and noble purposes for which and on account of which Rizal wrote those great books. Stated in other words, it cannot be said, opinions to the contrary notwithstanding and thinking for myself, not thinking as people would want me to think, but thinking for myself, that even assuming that Rizal directly and by reference hit certain practices, it was not his purpose to impair and destroy the sacred institution of the Roman Catholic Church. People might say I am wrong. People might say it is for me to give that interpretation. But, Mr. President and gentlemen of the Senate, I want to think for myself and I want to give this interpretation so that our people may know. In other words, believing that he can be a Catholic and a good one, and a Filipino and a good Filipino, and believing that Rizal was not only the national hero that he is but he symbolizes everything that is great, everything that is noble, everything that is worthwhile longing for and fighting for, I reach this fundamental conclusion. And it is in part from this conclusion which I want to emphasize that I wish to announce what amendments I personally could only entertain in connection with this substitute bill and what amendments I might consider if possible.

And so, after the enacting clause, with the explanation of the purposes for enacting this law, I proceeded to insert Article 1 wherein is contained the greatly controversial portion of this subject. We, the Committee on Education, provided that José Rizal's *Noli Me Tangere* and *El Filibusterismo* are declared compulsory reading matter in all public and private schools, colleges and universities. I am referring to the original bill. I have to refer to that in order to come later on to that same Section 1 as modified in the substitute bill that I have presented. I realized, and my attention was called to the fact, that it was not only *Noli Me Tangere* and *El Filibusterismo* that Rizal wrote, that there are many great works, many great and inspiring poems that he had written. Why should we limit the compulsory reading to the *Noli Me Tangere* and *El Filibusterismo*? And so the change was this in the substitute bill. In Section 1 we make this general statement: not limiting ourselves to *Noli Me Tangere* and *El Filibusterismo*, but to the life, works and writings. I think one of the Senators wanted

to include the poems. I think it was Senator Sabido. Then my attention was called to the fact that even Retana's book was entitled, "Vida y Escritos". Works and writings would necessarily include poems. And so, in order to shorten matters, we say, "life, works and writings, with particular reference to *Noli Me Tangere* and *El Filibusterismo*," because those are considered to be his great basic works of propaganda to achieve the purposes that he, as a Filipino, wanted to achieve in those hectic days sixty or sixty-five years ago. Please note then the change. In the original bill it was limited to *Noli* and *Fili*; in the substitute which I have presented, it is more comprehensive, it is broader, in the sense that now it refers to the life, works and writings of Rizal. The word "compulsory" appeared in the original draft, which has been the *caballo de batalla*, as they used to say, a very repugnant word to some and a very pleasant word perhaps to others, or quite expressive of the purpose that people have in mind.

It was then argued here in the debates—I am giving the history, gentlemen, so that we may, before I present my motion, know what really had transpired, and I wish the Senators would correct me if I shall have made any misstatement or any misinformation—it was contended that nobody should be compelled to read any book, that there is freedom, freedom not only of conscience but freedom to read what one wants to read; that one should not be compelled to read, nor should he be compelled not to read, for compulsion is always obnoxious, it smacks more of totalitarianism than anything else, and that fundamentally it violates that without which human life would not be worthwhile living, freedom in all its essential aspects, freedom of thought, freedom of conscience, freedom from want, freedom from fear, and all sorts of freedom that we have provided for in Article III of our Constitution, entitled "Bill of Rights."

Well, why should we on that theory compel the students in the schools, public and private, in all grades, to read the *Noli Me Tangere* and the *El Filibusterismo*? There has been some debate on this regarding the constitutional aspect of this measure in its original form as presented, because particularly of that word "compulsory", and I am not going to repeat here or apprise the members of this body as to what had transpired because we were all participants in that debate. I did not take the floor for the purpose of participating actively in the debate because most of the time was consumed by three

distinguished members of this body, Senators Rodrigo, Rosales, and Recto and a few others. I thought that the problem could very well be discussed to advantage by allowing these learned gentlemen to engage in that famous debate which is a great debate. But my opinion then which I wanted to express and which I am expressing now is, and I want this to be heard and I want this to be known, because it is essential that we be known as we are and as we think and not as we want to be and as we pretend to be, and this is in reality the reason why I have inserted in the enacting clause amongst the whereases the provisions of the Constitution with respect to the authority of our government in the field of education, that education is a force and that democracy itself must depend upon proper education and the enlightenment of the great masses of our people, without which democracy has proven to be a failure and will prove to be a failure even in this part of the world. And I have quoted the constitutional provision to emphasize that education has always been a state function. That is important, education has always been a state function. I am not saying that it is an exclusive function of the state. Please note: I am not stating that the state has the monopoly on education, but that education is one of the state functions. In my opinion, from my reading of classical works of philosophy, of government, of political science, you will bear me out that since the days of Socrates and Plato and Aristotle, education has always been lauded as one of the vital functions of government. In fact, Plato said in his book—pardon me if I am a little bit classical or theoretical on this—Plato said there are four important functions of state, and he enumerated them: Health which affects the physical well-being of the people in the form of food, shelter, clothing, medicine, justice, education and opportunity. These are the four basic functions of government, according to the great philosophers of antiquity and the classical writers of history: Health, justice, education and opportunity. I am mentioning this in passing before I come directly to the amendment that I would want to make, that education since the early dawn of human history has been classified as a state function, and as I stated particularly, that is true, and that must be true in a democracy where there is no sovereignty higher than the sovereignty of the people themselves, and that is why the Constitution formulated by the people is both a grant and a limitation granting powers, or rather recognizing inherent powers, and at the same time limiting the exercise particularly on the

part of the government of those powers in order to stop abuse and oppression for the benefit of the government.

If Rizal is our national hero, and there is no question about that, the Catholics admit, every Filipino admits, even if we should want to erase that established fact, in the unanimous opinion of our people, we can no longer go back to erase Rizal, because he wrote the *Fili* and the *Noli*. We can no longer go back, and I refuse to go back. There were days when Rizal was not Rizal. Rizal was a traitor, Rizal was a filibuster, Rizal was a heathen, Rizal was a Marxian—and everything that was no good. But those were days 60 or 65 years ago, the days of obscurantism here, where we can no longer go back, and I say emphatically, even if we should want to go back, we can't do it. And as Rizal is our foremost hero, I thought that we should know our national hero, and the only way of knowing him as a national hero, that gave him that title, that merited that distinction as one of the greatest Filipinos, because he fought and died for the Philippines as a Filipino. How? Among other things, through his works. And the only way we can know Rizal is by knowing him, and to know him is to read his works, to find out what he has done. There is no other way.

Therefore, if in our opinion, as I thought, it would be a unanimous opinion, when I presented the original bill, one of the ways of honoring Rizal is to accord him recognition as the symbol of our unity and of our sentiment, nationalistic as a people, let us approve this measure. I did not expect to encounter such opposition. I did not know that there would be even an opposition. I took it for granted, as Senator Recto will remember, that my reaction was noticeable, when he was discussing this measure, I refused to debate with him. It would be just like debating that two and two are five and not four. And I presented that measure.

Well, at any rate, in my substitute bill, not only have I expanded or broadened the works of Rizal, not only mentioning the *Noli* and the *Fili* but all the works and writings and even the life of Rizal as written by other people. I eliminated the compulsion idea, although deep in myself, considering my own information, my own knowledge of the history of human civilization, however poor and however incomplete, notwithstanding my own personal conviction that the state can properly exercise in the case of Filipinos and as amongst Filipinos, the compulsory reading of the *Fili* and the *Noli*. After consulting my own religious conscience as one be-

longing to my own church, in order to impress upon the Catholic element of the Philippines, I said: All right, eliminate compulsion. You will no longer find the word compulsory or compulsion in the substitute bill that I have filed. But there was one thing and there is one thing on which there could be no compromise so far as I am concerned. There is one thing which I can say. I have reached the saturation point. I have reached the dead end of a blind alley. I can no longer, I can go no farther, and that is, if Rizal was a hero, and on that there could be no debate, and if Rizal is a national hero, these books that he has written, if we are required by our Constitution to make our people know his life, whenever these works are read, they must be read in an unexpurgated, original form. And the other compromise is, as far as I am concerned, that I would prefer to have this bill defeated, defeated ignominiously if you want, but then I shall have fulfilled my duty.

As a Filipino and following my religious conscience, without a violation of my own faith, you can disapprove it. Why not go ahead and assume the responsibility before our people? Assume the responsibility that you yourself respect Rizal but you do not believe on what Rizal has written and you have made tremendous mistakes, and that every time the books of Rizal are read they must be read expurgated. Eliminate those portions that you do not want. I said before that the greatness of Rizal did not lie on the fact that he was perfect, that he was an angel or that he was an archangel. His greatness was in the fact that in the midst of his own error, of his mistakes, he was a great Filipino and for those errors we could be generous to him, those errors which, from the point of view of the Catholics, have already been pardoned because of the retraction. Let us not, I appeal to you Mr. President and Gentlemen of the Senate, let us not disfigure his writings, let us not expurgate any part of his works, because by disfiguring them we disfigure Rizal, our great national hero. And so I compromised, I yielded not only on matters that are referred to in this section, but I yielded in one sense to the argument of the opponents of this measure because you will remember that the requirement was that the *Noli Me Tangere*, and *El Filibusterismo* should be made compulsory reading in all schools, colleges and universities. I am referring to the original section 1 of the bill. And I yielded to that because I think that could be done and I yielded to their wisdom. Why are we going to compel young children in the schools below college or university level

to read these books which may be misunderstood although I say he did not attack the Catholic Church, although I said if there was any incidental reference to certain practices or religious observance it was due to the fact that he wanted to expose the rascal, the criminals, the oppressive elements of the religious institutions then in vogue? These young minds, boys and girls in the schools might misunderstand, misinterpret, might really believe that because Rizal was a national hero all religious practices about these dogmas, morals and purgatory and everything he wrote against are true. And so in the substitute bill which I have presented there is no compulsion or compulsory reading of the *Noli Me Tangere* and *El Filibusterismo* in their original and unexpurgated form, but courses on the life, works and writings of Rizal should be included in the curricula for schools, colleges and universities. You do not have to read the original. But as a measure of compromise and following my own philosophy with reference to this measure, we provided as a proviso in section 1 that in the collegiate courses, that is to say, in the colleges and universities, the original or unexpurgated edition of the *Noli Me Tangere* and *El Filibusterismo* or their English translation shall be used as basic texts. And I take that after consultation with some friends and members of this body because that at least perhaps partly if not fully overcomes the argument that with young minds in the intermediate or high school the reading of the *Noli Me Tangere* and *El Filibusterismo* might really give the result that they pointed out. But in the collegiate level, in the law school or in the preparatory courses for professional schools, young boys or young girls are already grown-up. Why should they still read the works of Rizal after expurgation? Why shall we continue directly or indirectly to impede or place obstacle as they are sufficiently mentally developed to their quest for knowledge and moral development, if after reaching the college or university they should not be permitted to read Rizal's work as he wrote them unexpurgated and in their original edition? I really see no reason for this knowing after my own career in these different grades and in these different levels that after all they will read many worse books if Rizal's works are no good. They should be placed in a position where they are familiar with what Rizal did rightly or wrongly amidst their religious prejudice. Why, because one of the great needs in this country, educational need, is to think like Filipinos, think for themselves—people who would face realities especially the so-called youngsters to help us in the affairs of public administration, people who have

read and who are familiar with the noble history of their country, Filipinos who are conversant with the progress, never ending progress of mankind all over the world, Filipinos who are familiar with the scientific and technological advance made by people from foreign lands and be guided by their own thinking, by their own beliefs and by their own knowledge in the solution of problems in the Philippines, problems of the Filipinos, and whose solution is for the benefit of the Filipinos themselves. We have already by this substitute measure yielded to the non-compulsion character of the reading of the works of Rizal, the *Noli Me Tangere* and *El Filibusterismo*, in schools and institutions below college level. I am not going to tarry any further for the reasons that I have stated. There is another thing that I am ready to accept and I am making this announcement, this particular announcement before I proceed to the other changes, these changes to show you how far I have gone, how far I have worked. The change that I am willing to accept is because of the argument that in the collegiate courses in colleges and universities, formerly under the original bill, we would require the reading; we did provide for compulsory reading. Now, in the substitute measure, we are requiring that these be made basic subjects—the *Noli Me Tangere* and *El Filibusterismo* basic subjects. Well, I felt deep in my heart that they are right because teaching is more than reading. While originally we required compulsory reading, not only in colleges and universities but in all schools, colleges and universities, aside from the fact that it was with particular reference to the *Noli Me Tangere* and *El Filibusterismo*, now we are requiring the teaching by using the *Noli Me Tangere* and *El Filibusterismo* as basic texts, meaning that these novels are necessarily part and parcel of the curricula of the college or university which must be taught under the proper guidance of the teacher and on which the pupil must be graded, and any failure thereon might prevent his graduation either as a Bachelor of Science, Associate in Arts or whatever course may be pursued in the colleges or universities. And for this reason, I am willing again to accept another compromise. I am agreeable. Personally I am not as yet speaking for the Committee on Education, but personally I yield to this objection and I am willing to eliminate the two words "basic texts" and provide instead "REQUIRED READING MATERIALS". Going back in purpose in intention to the reading, the compulsory reading as provided in the original bill, the reading, not the

teaching of the two novels as the basic subjects, now the *Noli Me Tangere* and *El Filibusterismo* would be just required reading materials in the colleges and universities. This is the only amendment that I can accept to the bill that I have presented. I wish I could accept other amendments, and if by this attitude which may be considered wise, not arrogant—I have never been such—this bill is going down to history as a failure, recorded merely in legislative history as an attempt on the part of this humble Senate to honor Rizal and honor him in the proper way consistent with his dignity which is the dignity of the Filipino people, I am willing to go down in defeat because in the language of a great philosopher, it is not a question of your having failed. It is better to have fought and failed than to have been defeated without having fought at all. But it is more shameful not to have fought on a principle, on a measure, calculated and intended to honor our national hero and the people that he honorably represents.

El Sen. CUENCO. Señor Presidente, para algunas preguntas aclaratorias al ilustre caballero de Batangas.

El PRESIDENTE. El caballero de Batangas puede contestar, si le place.

El Sen. LAUREL. Con mucho gusto, sobre todo viendo de mi íntimo amigo, el caballero de Cebú.

El Sen. CUENCO. Si no he entendido mal, en el curso de la brillante peroración que acabamos de oír, Vuestra Señoría ha dicho que toda idea de imposición es dictatorial, es facista. ¿Le he entendido bien?

El Sen. LAUREL. En general, señor Senador, a nadie le gusta ser obligado a hacer una cosa que no quiere; pero, a veces, hay que obligarle. En otras palabras, hay que ser dictatorial en el procedimiento.

El Sen. CUENCO. También le he oído decir a Vuestra Señoría que está dispuesto a aceptar una transacción, y que esta transacción consiste en que se empleen las palabras "required reading materials".

El Sen. LAUREL. Eso es cuestión de lenguaje.

El Sen. CUENCO. Tanto en el artículo primero, como en el artículo segundo . . .

El Sen. LAUREL. Estaba yo hablando solamente sobre el artículo primero; no he llegado todavía al artículo 2. Y en relación con el artículo 1, dije—pongo yo que me expresé claramente—que, por mi parte, estaba dispuesto a aceptar una enmienda, eliminando las palabras "basic text" para ser sustituidas con las palabras "required reading material".

El Sen. CUENCO. Es decir, que Vuestra Señoría cree que con estas palabras, la lectura ya no sería obligatoria sino opcional.

El Sen. LAUREL. La palabra "compulsoria" no está allí con respecto a las instituciones secundarias e inferiores; pero sí con respecto a los colegios y universidades hay algo dictatorial, algo totalitario. Además, tratándose de escritos antiguos, a veces, para cumplir la misión del Estado en punto a sus funciones educacionales, se debe dar al Estado poder para obligar.

El Sen. CUENCO. Pero ¿cuál es el propósito de Vuestra Señoría al abogar por una enmienda en el sentido de que en vez de compeler o establecer como libro de texto obligatorio, sea solamente "required reading material"?

El Sen. LAUREL. Porque sin esa enmienda, caballero de Cebú, el "Fili" y el "Noli" serían "basic subject", en el sentido de que formarían parte de los cursos universitarios y de colegiado; por lo tanto, serían unas asignaturas que tendrían que enseñarse por medio de maestros, y si los alumnos caen en esas asignaturas, entonces no podrían terminar la carrera. Por otro lado, considerando el "Noli Me Tangere" y "El Filibusterismo" como "reading materials", los alumnos podrían caer o ser desaprobados; tendrían que leer, y, si no quieren leer, se les podría suspender. De todos modos, no se les podría considerar "failure", pero ello impediría su graduación, porque los alumnos tienen que estudiar siempre las materias que forman parte del "basic course of the curriculum". Es una concesión; es doble concesión, señor Senador, en este sentido. Se concede con respecto a las escuelas inferiores, pero no con respecto a los colegios y universidades; en éstos se requiere como obligación la lectura de estas materias.

El Sen. CUENCO. De manera que, en resumidas cuentas, si la enmienda de Vuestra Señoría fuera aceptada, ¿estas novelas serían de lectura obligatoria?

El Sen. LAUREL. En los colegios y universidades nada más.

El Sen. CUENCO. Ya que Vuestra Señoría es uno de los que siempre han abogado por que la libertad individual quede salvaguardada, para tranquilidad de todos y para que no sea violada la libertad de conciencia de nadie, ya que Vuestra Señoría ha dicho en su brillante discurso que Rizal no era un ángel, que él incurrió en errores en estas obras, ¿no aceptaría Vuestra Señoría una enmienda en el sentido de que aquel alumno que, creyendo que estas obras contienen doctrinas contrarias a su religión, manifieste por escrito su deseo de no leerlas íntegras, queda exceptuado de la obligación que impone la ley?

El Sen. LAUREL. Es un poco difícil, señor Senador, porque podría debilitar mucho la idea fundamental y el objeto capital del proyecto bajo consideración.

El Sen. CUENCO. Vuestra Señoría, en el curso de su brillante discurso, hasta habló ligeramente del purgatorio, cuya existencia en el NOLI se pone en tela de juicio. ¿No cree Vuestra Señoría que sería un acto atentatorio a la libertad de un alumno, el que, creyendo él que ese capítulo del NOLI es contrario a su libertad de conciencia y manifiesta por escrito que no quiere leerlo, se le compela sin embargo a leerlo?

El Sen. LAUREL. Francamente, señor Senador, todo este temor creo que más bien se halla "in mente", —no diría imaginario— porque los educadores sabrán que se lee la obra de Rizal.

El Sen. CUENCO. Pero yo desearía informar a Vuestra Señoría que, cuando yo era alumno de 5.º año de bachillerato, leí por primera vez el NOLI. Era, como digo, alumno de 5.º año de bachillerato y director de un periódico escolar; estaba estudiando filosofía. Sucedió que se había abierto un certamen para la mejor composición sobre Rizal, y para que pudiese yo imponerme de sus obras leí tanto el NOLI como EL FILIBUSTERISMO y, francamente debo decir a Vuestra Señoría y a los demás miembros de esta Cámara, que me impresionaron profundamente las observaciones del filósofo Tasio referentes a la existencia del purgatorio y por espacio de algunos años la duda estuvo torturando mi mente, pues me costó trabajo olvidar las observaciones del filósofo Tasio. Cuando yo cursaba el tercer año de leyes, vivía con un condiscípulo que era de Cebú y que ocupó después cargos importantes. El leía de cabo a rabo, como suele decirse, el NOLI, LAS RUINAS DE PALMIRA y otras obras similares. Resultado: Aquel compañero, que era creyente, después de seis meses, escribió una serie de artículos negando la existencia de Dios. ¿No cree Vuestra Señoría que, para no violentar a los alumnos y no exponerles a que pierdan su fe, sería nada más que justo el que no se les obligara a leer obras de esta clase, si creen que esta obligación constituye un atentado contra su libertad de conciencia?

El Sen. LAUREL. Es cuestión, como dicen en inglés, de "approach". Para mí habría menos peligro que el apuntado por Vuestra Señoría si les diéramos completa libertad.

El Sen. CUENCO. Sí; precisamente voy a eso. Démosles completa libertad que es la que propugno aquí; una verdadera libertad. En cambio, la que se reconoce en este proyecto de ley sería unilateral.

El Sen. LAUREL. En mi opinión, hay que dar primeramente la libertad en su sentido propio; la libertad estricta, real, legal, filosófica y moral.

El Sen. CUENCO. (Interrumpiendo) Precisamente . . .

El Sen. LAUREL. Permítame que termine. En segundo lugar, si la libertad hay que coartarla para promover el bienestar general y servir los supremos intereses del pueblo, . . .

El Sen. CUENCO. (Interrumpiendo) Niego la conclusión de Vuestra Señoría, porque para eso no hay necesidad de obligar al alumno a que lea los párrafos, los capítulos y las sentencias que Vuestra Señoría ha indicado—con la sinceridad que le caracteriza—en el curso de su ponencia, por todos conceptos brillante, en la que espontáneamente dijo que esas obras contienen errores. Considerando esos errores admitidos por Vuestra Señoría y el discurso del Doctor Giménez Caballero, el cual ha hecho parte de su brillante ponencia, y en el que dicho doctor declaraba que con ciertos expurgos estas obras debían ser lectura nacional; considerando todo ello, ¿no cree Vuestra Señoría que lo menos a que tiene derecho todo alumno es a que no se le obligue a leer algunas obras que, según él cree, contienen pasajes y capítulos contrarios a su religión? Esa es la cuestión. Yo aceptaría la conclusión de Vuestra Señoría si fuese verdad que sin el NOLI y EL FILIBUSTERISMO un filipino no podría ser patriota; si fuese una condición sine qua non la lectura de estos libros para que aprenda lecciones de patriotismo, quizás pudiera aceptar la tesis de Vuestra Señoría. Pero, para enseñar o inculcar el patriotismo, ¿tenemos acaso derecho de obligar al alumno a que lea ciertos pasajes del capítulo titulado: "Tasio el loco o el filósofo" el pasaje del capítulo referente a "Sisa" donde se dice que el pobre difícilmente puede entrar en el cielo? ¿El capítulo donde Ibarra ridiculiza la confesión y aquel donde el marido de Juli duda de la existencia de Dios? Porque en ese capítulo se dice: ". . . con tal que ese Dios que predicán no sea pura invención, un engaño! Ellos son los primeros en no creer en El". Considerando todo eso, ¿no cree Vuestra Señoría que, siquiera por respeto a la libertad de conciencia de los alumnos que no quieren leer, no se les debiera obligar a esa lectura?

El Sen. LAUREL. No lo creo, por la forma como Vuestra Señoría presenta el dilema. La diferencia consiste en que Vuestra Señoría cree que es una inferencia que se puede hacer de ese "statement". Pero también ha dicho Vuestra Señoría que no se opondría a que estos dos libros de texto se lean, pero eliminando las partes objeccionables.

El Sen. CUENCO. No, señor.

El Sen. LAUREL. Es que estoy tratando de averiguar cuál es la idea de Vuestra Señoría: Si eliminando esas partes objeccionables según Vuestra Señoría, no habría objeción a que estos dos libros se lean.

El Sen. CUENCO. No necesariamente. Yo estoy conforme con que se pongan en las bibliotecas de los colegios las obras de Rizal, pero que no se compela a nadie a leerlas, porque si hay compelimiento creo que con ello se viola el derecho del individuo a la libertad.

El Sen. LAUREL. Estaba para apuntar la diferencia entre el criterio de Vuestra Señoría y el mío. Mientras creo yo que las obras de Rizal hay que leerlas para conocer a Rizal, y leerlas sin expurgos de ningún género, porque las obras de Rizal deben leerse en su totalidad, Vuestra Señoría en cambio afirma que no debemos hacer que se lean en las escuelas inferiores sino en los colegios y universidades.

El Sen. CUENCO. Si se respeta la libertad religiosa del alumno de intermedia o de *high school*, ¿por qué no se va a respetar esa misma libertad en un alumno que ha de estudiar en los colegios y universidades?

El Sen. LAUREL. Yo respeto la libertad, pero estoy dispuesto también a que se acepte el principio de coartar la libertad, si es necesario, para saber la vida y escritos de Rizal como parte de la obligación de un ciudadano filipino.

El Sen. CUENCO. Yo he tratado de buscar precedentes del proyecto de ley que se trata de aprobar, y, francamente, no he encontrado ninguna ley similar en ningún país democrático, aunque sí sabemos que el "Mein Kampf" de Hítler en Alemania, las obras de Marx en Rusia, y las de Mussolini en Italia fueron declaradas obligatorias. ¿Tendría Vuestra Señoría la bondad de presentarnos alguna legislación de algún país democrático, similar al proyecto de ley que Vuestra Señoría desea que se apruebe?

El Sen. LAUREL. En los Estados Unidos, por ejemplo, en todas las escuelas y en todos los grados se estudia y se lee la vida de Jorge Washington, aunque no en forma obligatoria, porque no hay ninguna ley que lo disponga, por no haber necesidad. El nuestro es el único país realmente en que hay necesidad de obligar a que se lean las obras y escritos de Rizal. ¡Cosa extraña! Por eso, el mismo Giménez Caballero se preguntó, por qué en Filipinas hasta ahora no se ha hecho obligatoria la lectura de las obras de Rizal.

El Sen. CUENCO. Yo estoy conforme con Giménez Caballero de que sea obligatoria la lectura de los libros de Rizal con ciertos expurgos; ya que se acepta esa sugestión de Caballero, ¿por qué no lo hacemos en su totalidad?

El Sen. LAUREL. El Señor Giménez Caballero se refería solamente a España cuando dijo que los libros de Rizal debían ser adoptados como libros de texto con ligeros expurgos. El no se refería a Filipinas, pero sí cuando expresó su extrañeza de que

aquí ni siquiera con expurgos hemos declarado esas obras como libros de texto. Lo que él quería decir es que si en España debía adoptarse eso con ligeros expurgos, aquí en Filipinas debía hacerse sin expurgos.

El Sen. CUENCO. El Señor Giménez Caballero, según recuerdo del discurso, no abogaba por que los libros de Rizal fueran libros de texto; sugería solamente que fueran de lectura nacional. Estamos conformes con que se declare de lectura nacional, pero sin ninguna disposición punitiva, sin ninguna sanción penal.

El Sen. LAUREL. Creo que ha llegado el momento de imponer, al menos en ciertos grados de la enseñanza, la lectura obligatoria de los libros de Rizal.

El Sen. CUENCO. En ese punto fundamental, Vuestra Señoría y nosotros diferimos, porque cuando hablamos de libertad, nos referimos a una libertad real y efectiva, una libertad para todos, no para unos cuantos; una libertad de conciencia con ataduras o con amenazas de expulsión no es libertad; es tiranía, es despotismo.

El Sen. LAUREL. No hay amenazas aquí.

El Sen. CUENCO. Es una amenaza, porque si el alumno no lee o demuestra que no ha leído, o que ha rehusado leer, sería expulsado cuando menos; como dijo Vuestra Señoría, no pasaría los exámenes.

El Sen. LAUREL. No necesariamente. Podría quedar estudiando por dos o diez años.

El Sen. CUENCO. Lo mismo, es un castigo para uno que se ha limitado a hacer uso de su derecho de pensar y de creer tal como su inteligencia y sana conciencia le mandan.

Muchas gracias.

SUSPENSIÓN DE LA SESIÓN

Senator PELÁEZ. Mr. President.

The PRESIDENT. Gentleman from Misamis Oriental.

Senator PELÁEZ. Will not the distinguished gentleman object to a suspension for a few minutes? He might want to rest for a few minutes.

Senator LAUREL. If you want to discuss this bill, you can go ahead, but I have no objection to suspend the session for a few minutes.

El PRESIDENTE. Si no hay objeción, se suspende la sesión por algunos minutos. (*No la hubo.*)

Eran las 12:05 p.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 12:20 p.m.

The PRESIDENT. The session is resumed. The gentleman from Batangas has the floor.

Senator LAUREL. Mr. President, considering the limited time that we have in view of the so many pending measures which have to be acted upon, and considering the fact that I am given further time—I don't know how long I am going to speak, may be for another three days on my substitute bill—I have decided to end my speech with that announcement that except as regards the deletion of the words "basic texts" to be substituted by "REQUIRED READING MATERIALS," so far as I am personally concerned, I am not willing to accept any further amendment. I understand that Senator Rodrigo or somebody else has presented an amendment, and I move that that be voted upon and thereafter the whole bill, substitute bill, as I have presented.

Senator PELÁEZ. Mr. President.

The PRESIDENT. Gentleman from Misamis Oriental.

Senator PELÁEZ. I had asked the floor and I asked the distinguished gentleman from Batangas that he would yield the floor. My purpose precisely was in response to his invitation to the senators present to stand up and give their observations with respect to the narration of the background of the compromise bill. That is why I stood up in response to that. But I do not know where we stand now because the distinguished gentleman from Batangas has announced he was closing. Would the gentleman yield to a few questions?

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

Senator LAUREL. Well, very gladly. Why not, provided we don't engage in a protracted questioning.

Senator PELÁEZ. I don't think that we will do that because as the gentleman knows, I have been cooperating with him and others in an effort to find a solution to this, and modesty aside, perhaps I can claim some part in that substitute bill. I was going to begin from the beginning and ask the gentleman if the real intention of the bill at the beginning was not only to make it compulsory reading of Rizal in colleges and universities and not in schools.

Senator LAUREL. I was the one who inserted the word "schools" because from my point of view, I wanted everybody in the schools, colleges and universities of the Philippines to read the *Noli Me Tangere* and the *El Filibusterismo*. And so the word "schools" was there. In the original bill as prepared, it was not there. I inserted it. Now at this stage of the substitute bill, the only requirement as to the compulsory character in the sense of required reading material is with respect to colleges and universities, no longer in schools inferior to colleges and universities.

Senator PELÁEZ. I asked that question because I find an ambiguity in the original bill, because the title says, "An Act to Make the *Noli Me Tangere* and the *El Filibusterismo* Compulsory Reading Matter In All Public and Private Colleges and Universities."

Senator LAUREL. That was the very, very original draft which I changed, and after having made the change, I signed the bill and presented it as a bill filed by the Committee on Education.

Senator PELÁEZ. Then a few days later a proposed amendment by substitution was filed by Senators Rodríguez, Primicias, Púyat, Peláez, Cea, Mabánag and Lim, and I think it was at this stage where we had a conference precisely in an effort to bring together the divergent views, and if Your Honor will remember, I was asked to explain the substitute bill and we were asked why the writings of other Filipino heroes and patriots were included, and I explained that in the explanatory note of the original bill the other heroes were included but we agreed that we should concentrate on Rizal.

Senator LAUREL. Correct.

Senator PELÁEZ. Your Honor will remember that our difficulties as raised by the opposition centered on two words, "compulsory" and "unexpurgated," and we explained to Your Honor that at any rate the original bill was not practical insofar as the grade school was concerned, because it would be idle to prescribe the reading of the unexpurgated novels in the grade school; and we explained to Your Honor that the better approach would be the approach of democracy, the technique of persuasion, and that is why Your Honor agreed to the first part of Section 1 with respect to the courses on the life, works and writings of Rizal, particularly his novels, *Noli Me Tangere* and *El Filibusterismo*, to be included in the curricula of all schools, colleges and universities, public and private. So, as far as that is concerned, we believe we have been able to bring together the different views here because I think Your Honor will agree with me that our purpose here was to draft a bill which could be voted upon unanimously by the whole Senate.

Then the proviso on the basic text came, and I would like Your Honor to correct me if I say that when we reached that part we did not quite know how to interpret that, and we left it there as a basis for future talks among the different elements of the Senate. I would like to ask Your Honor if you would agree to that version, that when we reviewed the basic text we could not agree on its interpretation and we left that for future talks.

Senator LAUREL. And the turn came for me to prepare what would be a reasonable compromise measure, having in view the observations. That is why you have that proviso.

Senator PELÁEZ. Will Your Honor agree with me that our purpose was to eliminate the element of compulsion from the bill because that seemed to be the ground of the greatest opposition?

Senator LAUREL. Well, not exactly. Some people wanted me to eliminate the idea of compulsion for very good reason, but at the same time, upon further study, I felt that compulsion is not necessarily objectionable if the purpose is to subserve paramount public interest. In the case of the works of Rizal, that compulsion, according to my compromise, was to be eliminated as to inferior grades, but it was, if necessary, to be maintained with respect to colleges and universities. That is why it is worded that way. They are more mature there already.

Senator PELÁEZ. In other words, whatever phrase we may use here, Your Honor would like a bill which would in effect be compulsory reading of the unexpurgated edition in colleges and universities.

Senator LAUREL. Yes. My idea is to make people read the *Noli* and the *Fili* in their unexpurgated editions, otherwise they would not know much or anything about Rizal if you expurgate.

Senator PELÁEZ. I would like to clarify Your Honor's position because there has been some doubt as to what "required reading material" means, whether that means compulsory reading.

Senator LAUREL. That is too much detail that we will leave its interpretation later.

Senator PELÁEZ. How would Your Honor explain that? Could that be interpreted in such a way that students would not be compelled to read the unexpurgated version?

Senator LAUREL. From my point of view, the *Noli* and the *Fili* must be read in colleges and universities. My purpose in putting "the basic text shall be required reading" is to require the reading, in their unexpurgated and original edition, of the *Noli* and *Fili* so that they may know Rizal and know what Rizal had really written.

Senator PELÁEZ. What would be the difference then, because the original bill spoke of compulsory reading and now Your Honor suggests "required reading"?

Senator LAUREL. Reading material. No difference between this and the original bill really as to compulsion except that the requirement will apply merely to students in colleges and universities, not to inferior grades. I want it to be a part of curricular requirements insofar as these books must be read.

Senator PELÁEZ. Now would Your Honor prescribe the *Noli* and *Fili* as compulsory basic subjects, that is, the student must take these subjects, in spite of the religious scruples of a great segment of our country, the Catholics, to allow the student, who being in college must be about seventeen years old, having graduated from high school, and would have freedom already to choose what is good for him, to say whether he wants the expurgated or unexpurgated edition?

Senator LAUREL. Under my philosophy behind this bill, he must read the unexpurgated edition. If he does not read it, well maybe he can pass the course anyway but he cannot pass the outside reading on whatever may be the prescribed course for that. But, to me, it does not necessarily mean that he has to fail. He may flunk. That will depend upon the university authorities. But he must read them, if he is in college or university, because he must know what Rizal wrote, and he must read them in their unexpurgated and original form.

Senator PELÁEZ. The point I want to bring out is this. Looking at it realistically, the fact is, rightly or wrongly, whether it is the product of reason, or bigotry, or whatever it is, the Catholic church has issued a statement backed by the Archbishop saying that the reading of the unexpurgated edition would be contrary to the precepts of the religion of the Catholic church. What makes me doubt is, in what position would we place the student when, on the one hand, he would like to follow the civil authorities to read them; on the other hand, he has this statement from his church that to read these books would be against the tenets of his church? In other words, if he follows as Senator Rodrigo said, the civil authorities, he violates what he believes to be his religious conviction; and if he follows his religious conviction, he violates what he believes to be his duty to the state. Now, is there no way whereby we should not place the student in that position, considering the fact especially that we are not dealing with a religious minority but with a religion which is the religion of the great majority of the people of the Philippines?

Senator LAUREL. That is really a tight position. But I think the student must make his choice, and we must ask our youth to make a choice, because this is a world where you cannot be a "binabae"; one way or another, the youth must reach a decision.

Senator PELÁEZ. If our purpose is to infuse character in the youth, is it not a very difficult choice that we are imposing upon the youth, and then if we can compel him to follow the law against his

conscience and against his religious belief, that would be bothering him through his days?

Senator LAUREL. There are times when we have to decide to go right or left. The sooner the student has to decide that, the better for the Filipino youth.

Senator PELÁEZ. In other words, Your Honor would not use the method of democracy, which is persuasion. I would remind Your Honor that when we put up the amendment in the substitute bill we did not use *compulsion*. If to infuse the ideas of Rizal in the high school we compel the Catholic schools, and all public or private schools, to read the unexpurgated editions, we are creating that climate whereby the intellectual clarity of the students even if aroused, will have no other choice but to read the unexpurgated editions. But must we go to that extreme? Can we not allow the student to say "that is against my religious conscience; this is against my religious belief." And I ask: Is it fair to invade it?

Senator LAUREL. I am in favor of persuasion. But there are times when we have to compel and not give way to the method of persuasion. Particularly, Rizal is our national hero and I don't see any reason why we should be afraid to read the unexpurgated writings of Rizal. On the other hand, it is probably a different religious approach. I don't consider Rizal as having attacked the church and that is what I meant when I advocated this bill. I can be an ignorant Filipino and at the same time a good Catholic. Why? Because I am thinking of myself, and that is my personal conclusion.

Senator PELÁEZ. May I say that I agree with Your Honor how unfortunate indeed is the Filipino who would not like to read Rizal and, personally, both as a private citizen and as a Catholic, I agree with Your Honor. As a Catholic I can read those books having no religious scruples, but the question is that, unfortunately, a great segment of our people have cried against us saying that we are trying to invade the field of religious belief, because the books touched upon religion. The books, by the very admission of the proponents, contain some degree of irreverence. Now, if that is true, considering the case of *Aglipay vs. Ruiz*, one of the basic tenets of our life is respect for religion. Must we compel a Catholic student to read an irreverent book and say to him: If you do not, you are not a good Filipino. Could we not have a less stringent approach to the matter and allow a leeway for the freedom of conscience than by requiring that the reading of the *Fili* and the *Noli* must be compulsory, and they must study the *Fili* and the *Noli* in its complete

unexpurgated version? Let us give freedom to a man by letting the student determine what kind of text he will use, whether to study the unexpurgated version of Rizal, and at the same time be loyal to his God and to his country. Let us not compel him to use the unexpurgated text which, in the view of Your Honor and myself, could be read without any danger to religious belief. Could we not offer that middle ground, that leeway for him to choose what he will read, instead of making the course basic and compulsory? As to the text, the student should decide for himself.

Senator LAUREL. Of course, any compromise that would be satisfactory, depending upon the approach and the points of view, would be welcome. But the situation that you have pictured, gentleman from Misamis Oriental, has arisen several times. It has arisen in the draft law. The objectors' contention is: That is against my conscience, against my religious belief. And the state is compelling enlistment. The individual has to make his choice. Is he going to abide by his religious scruples, or is he going to abide by the law compelling enlistment? Make a choice. Do not enlist and violate the law, and then challenge the law. That is the situation frequently created in the draft law.

Senator PELÁEZ. There is another point that I would like to bring out. As far as the executive department is concerned, its policy has been one of complete respect for religious scruples, and as late as October 6, 1935, the Secretary of Justice rendered an opinion that the members of the religious sect called "Pilgrim Holiness Church" could object to the requirement of folk dancing, as one of the subjects in which their children should take part, and the executive department then exempted them on the ground of religious scruples and said it is not for the state to inquire into the reasonableness of their religious belief. Now, as the present policy is, we do not require the flag salute of Jehovah's witnesses, because it is a violation of their religious belief, neither to require folk dancing of the members of the Pilgrim Holiness Church. Why should we treat the Catholic less and not give them freedom to say: "Excuse me because this is against my religious belief." But we are compelling the teaching of Rizal in its unexpurgated version by making his books available to the students. But when it comes to the field of religion or freedom of conscience, we exempt them on the ground of religious scruples, like in the case of the pilgrims.

Senator LAUREL. Gentleman from Misamis Oriental, that has been raised several times, and we shall be going back to our arguments, but from my point of view, there is difference between folk dancing

and patriotism. You cannot be compelled to dance but you must love your country in the sense that the novels of Rizal taught. So it depends upon how you approach this problem because of your personal conviction, your philosophy and perhaps the environment under which you live.

Senator PELÁEZ. I agree with Your Honor that there is difference in that patriotism is not involved in folk dancing and there is also a point of view that religion is not involved in folk dancing. Whereas the reading of these two novels in their unexpurgated form which the substitute bill impliedly admits affects religion because it enjoins public school teachers to discuss religion, it is worse than folk dancing as it requires you to exercise your mind for attacks against your church.

Senator LAUREL. That is where you reach a point where you have to make a choice whether or not you will weaken in your faith because your religious scruples are so low. Even now while not voting to decide directly or indirectly whether certain events incidentally recited by Rizal in his two novels are against religion, the truth is that they merely aim to strengthen virtue and instill noble teachings in the hearts and minds of our children and to teach them patriotism, certainly not to stir up religious differences between our people.

Senator PELÁEZ. I thank you for Your Honor's indulgence. But I would like to say whether we like it or not our intention here is not to stir up religious differences among our people. But realistically I do not believe we have reached the point that Your Honor has pointed out. We must decide this question one way or the other. I believe there is still a middle ground which we can take in the satisfactory solution of this problem.

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

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

Senator LAUREL. With pleasure.

Senator LIM. I am going to be brief and practical. I would like to go to a practical point first of all. I would like to say that I have not come out yet for either side of the bill. I interpellated Your Honor, Senator Recto and Senator Rodrigo and I have held my decision until the moment of voting. Now, let us go to a practical point. It seems to me that we are divided here among ourselves. Some of us are in favor of compelling our students in collegiate level to read or use as required reading material the original or unexpurgated edition of the *Noli Me*

Tangere and *El Filibusterismo*; some of us, because it might affect the religious conscience of the students, would give the students the option of whether or not to read the unexpurgated edition of the *Noli Me Tangere* and *El Filibusterismo*, and I think that under the proposed amendment if a college student under oath notifies the head of the institution or the head of the university that in his conscience he will be committing a sin or that it is against his religious belief, that he should be exempted from reading the unexpurgated edition. But in accordance with the amendment, he should be only compelled to take a course under the first part of this amendment by substitution.

Senator LAUREL. Let me interrupt you, Your Honor. Your Honor overlooked my proposal. My proposal is to require all students in colleges and universities to read the unexpurgated edition.

Senator LIM. I mentioned that in the sense that that should not be because there is compulsion. In other words, we are sort of divided between two choices, that there may be compulsion and in some other way we would not compel. Going to the practical point, suppose we accept that amendment of giving collegiate students the option to take only the course mentioned in the first part of Section 1, the course on the life, works and writings of Rizal mentioned by Your Honor.

Senator LAUREL. Your Honor is referring to the students who are already in college or university. Am I correct?

Senator LIM. Yes, Your Honor. If we will approve this amendment which will be presented in due time of giving the college students the option to read the expurgated or unexpurgated edition as basic texts of required reading material or just take the course under the first part of section 1 which is included in the curricula for non-collegiate boys and girls, I honestly believe if we accept the amendment, we would settle the matter because we will give the students, if they are meticulous about their religion, who are perhaps, to use a stronger term, fanatical in their religion, a choice whether or not to read the expurgated or unexpurgated edition of the two novels. On the practical point, I would rather say there are very few of our collegiate students averaging from 18 to 19 years who would ever sign that affidavit and notify under oath the head of the institution that in accordance with their conscience the study of the unexpurgated edition of the *Noli Me Tangere* and *El Filibusterismo* might affect their religious beliefs. As far as I am con-

cerned, I am inclined to suspend the approval of that amendment for some practical purposes. Very few of our boys and girls would go to the extent of notifying the head of the institution under oath that they do not want to read the unexpurgated edition of the two novels of Rizal because even now before we are making final action on the bill many are already reading the *Noli Me Tangere* and *El Filibusterismo*.

Senator LAUREL. Now, what is the question, Your Honor?

Senator LIM. These are only preliminary remarks because after we approve this amendment and next year we find that many students are writing notification under oath exempting themselves from reading or studying the unexpurgated edition, we can amend the law. In the meantime, let us say, let us meet partly the objection of the Catholics. Perhaps some of them are fanatical. Let us meet them on their ground and next year when thousands and thousands of students take advantage of this saving clause giving them option, let us amend the law and I am willing and ready right now perhaps prematurely to pledge to Your Honor that if the amendment is presented next year I will vote for it uncompromisingly because I sincerely believe there are only very small percentages of our boys and girls in college who will sign that sort of statement. In that case, gentleman from Batangas, don't you agree with me for practical purposes in order to settle this matter once and for all, in order that nobody can say that we lose in this fight and in order to be able to say that the Senate of the Philippines is unanimous in approving this bill, can we not approve this proposed amendment and if next year we find that thousands of students are going to be deprived of the patriotic teachings of Rizal by taking advantage of the saving proviso and really writing statements under oath that they should be exempted from reading and studying the unexpurgated edition of the two novels of Rizal, then we can, for practical purposes, approve a proposed amendment of that nature? Don't you think, gentleman from Batangas, knowing our youth today, that very few only, perhaps the die-hard Catholics, will take advantage of that saving clause? I am willing to submit an amendment if that is accepted somewhere perhaps to constitute an additional section and if the gentleman will agree with me in the sense that no person or institution of learning shall compel collegiate students to file a notice or rather shall compel him or make it a condition precedent before admission to that university, otherwise the person responsible shall be penalized by,

let us say, a fine of not more than P1,000 or an imprisonment of not more than one year or both in the discretion of the court. For example, if a student goes to the Ateneo or to the University of Sto. Tomás and the authorities say: "We will not accept you unless you pledge that you will sign that notice under oath." Then we penalize the school authorities concerned in order to safeguard the purpose of Your Honor.

Senator LAUREL. Well, that is a very long question that I did not understand.

Senator LIM. I admit it is very long, but I think it serves my purpose of explaining my intention because if I made it short and categorical, I may not be understood. Of necessity, I regret I have to make that question kilometric. There are times when you have to make your question that way.

Senator LAUREL. Now, specifically, what is the question?

Senator LIM. The question is: Shall we not be willing to put to a test or does not the gentleman agree with me that really our youth today are so aggressive and so modern that very few of them will ever take advantage of that saving proviso, and that therefore we should put the certificate to a test and accept this amendment, and next year amend the law if necessary?

Senator LAUREL. From my point of view, frankly speaking, I don't want to make it an obligation on the Filipino youth to read or not to read the works of Rizal upon affidavit or upon any condition that may arise. I think it is the common obligation of all Filipino youth to be familiar with, and therefore, read the works of Rizal, particularly the *Noli Me Tangere* and *El Filibusterismo*. Now, if it is to be made upon any affidavit or upon this affidavit, even upon somebody else's affidavit, that I don't accept.

Senator LIM. All right, let us eliminate the affidavit. Let us just allow the student to tell the university concerned that he does not want to read the unexpurgated versions. Let the student say, "Well, I am a die-hard Catholic. I am afraid my faith will be weakened. I don't want to read any unexpurgated editions." All right, eliminate that affidavit.

Senator LAUREL. Gentleman from Zamboanga, I think I made that clear. As I have already stated, there is only one obligation of the Filipino youth—to be familiar with and to read the works of Rizal—and to read his works, they must be read in their unexpurgated forms. Any other condition is required that would directly or indirectly impair or impair that purpose and that philosophy is not acceptable to me.

Senator LIM. Thank you, gentleman from Batan-

Senator LAUREL. Mr. President, I am through with my preliminary explanation.

SUSPENSIÓN DE LA SESIÓN

Senator PRIMICIAS. Mr. President, this is a privileged motion. It is already 1:00 o'clock. I ask that we suspend the session until 4:30 o'clock this afternoon.

The PRESIDENT. Is there any objection to the motion on the part of the Senate? (*Silence.*) The Chair hears none. The session is suspended until 4:30 o'clock this afternoon.

En la 1:00 p.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 4:50 p.m.

El PRESIDENTE. Se reanuda la sesión. Léanse los nuevos documentos recibidos.

DESPACHO DE LOS ASUNTOS QUE ESTÁN SOBRE LA MESA DEL PRESIDENTE

El SECRETARIO:

MENSAJES DEL PRESIDENTE DE FILIPINAS

MANILA, May 10, 1958

Gentlemen of the Congress:

Pursuant to the provisions of Article VI, Section 21(2), of the Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 4928, entitled:

"An Act declaring Intramuros a commercial and educational district."

Respectfully,

(Sgd.) RAMÓN MAGSAYSAY

The SENATE
Congress of the Philippines
Manila

El PRESIDENTE. Al comité correspondiente.

El SECRETARIO:

MANILA, May 10, 1958

Gentlemen of the Congress:

Pursuant to the provisions of Article VI, Section 21 (2), of the Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 3704, entitled:

"An Act appropriating the sum of sixty three thousand five hundred seventy-two pesos to enable the Government of the Philippines to meet its commitments with the South East Asia Treaty Organization."

Respectfully,

(Sgd.) RAMÓN MAGSAYSAY

Manila
The SENATE
Congress of the Philippines

El PRESIDENTE. Al comité correspondiente.
El SECRETARIO:

MANILA, May 11, 1958

Gentlemen of the Congress:

Pursuant to the provisions of Article VI, Section 21(2), of the Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 3739, entitled:

"An Act to amend section one hundred and thirty-seven of Commonwealth Act Numbered Four hundred and sixty-six, otherwise known as the National Internal Revenue Code."

(Re specific tax on cigars and cigarettes)

Respectfully,

(Sgd.) RAMÓN MAGSAYSAY

The SENATE
Congress of the Philippines
Manila

El PRESIDENTE. Al comité correspondiente.

El SECRETARIO:

MANILA, May 9, 1958

Gentlemen of the Congress:

Pursuant to the provisions of Article VI, Section 21(2), of the Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 3821, entitled:

"An Act to authorize the Secretary of Agriculture and Natural Resources to enter into an operating contract, subject to the approval of the Cabinet, for the development, operation and processing of the mineral deposits in the Surigao Mineral Reservation, and for other purposes."

Respectfully,

(Sgd.) RAMÓN MAGSAYSAY

The SENATE
Congress of the Philippines
Manila

El PRESIDENTE. Al comité correspondiente.

El SECRETARIO:

MANILA, May 10, 1958

Gentlemen of the Congress:

Pursuant to the provisions of Article VI, Section 21 (2), of the Constitution, I hereby certify to the necessity of the immediate enactment of a bill, entitled:

"An Act amending certain sections of Republic Act Numbered Fourteen hundred, otherwise known as the 'Land Reform Act of 1955.'"

Respectfully,

(Sgd.) RAMÓN MAGSAYSAY

The SENATE
Congress of the Philippines
Manila

El PRESIDENTE. Al comité correspondiente.

El SECRETARIO:

MANILA, May 11, 1958

Gentlemen of the Senate:

In view of the conclusion of a Reparations Agreement between the Philippines and Japan and the expected re-