

Senador Fernando López	Ausente.
" Alejo Mabánag	Sí.
" Quintín Paredes	Sí.
" Emmanuel Peláez	Sí.
" Cipriano P. Primicias	Sí.
" Gil J. Púyat	Sí.
" Claro M. Recto	Sí.
" Francisco Soc. Rodrigo	Sí.
" Decoroso Rosales	Sí.
" Pedro Sabido	Sí.
" Lorenzo Sumálong	Ausente.
" Lorenzo M. Tañada	Sí.
" José C. Zulueta	Ausente.
El PRESIDENTE	Sí.

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

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

COMITÉ DE CONFERENCIA

Senator PRIMICIAS. Mr. President, the House of Representatives approved House Bill 5481 dealing with the same subject-matter as that covered by Senate Bill 445 relative to pre-war obligations. The versions of the two bills do not agree so I ask that the Senate reject the House version and seek for a conference with the conference committee of the House to iron out the differences, and that our conference committee be composed of Senators Púyat, Paredes and Sabido.

The PRESIDENT. If there is no objection, the motion is approved. (*There was none.*)

SUSPENSIÓN DE LA SESIÓN

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

The PRESIDENT. The session is suspended for a few minutes.

Eran las 5:15 p.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 5:20 p.m.

The PRESIDENT. The session is resumed.

CONSIDERACIÓN DEL S. NO. 438

(Continuación)

Senator PRIMICIAS. Mr. President, I ask that we now resume the consideration of Senate Bill 438. I ask that the sponsor of the measure be recognized.

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

Senator RODRIGO. Mr. President, I have an amendment.

Senator LAUREL. Mr. President, may I know what is the amendment?

The PRESIDENT. The gentleman from Bulacán will please state his amendment.

Senator RODRIGO. The amendment is: On page 1, lines 4 to 7, delete everything from the word "Provided" up to the period (.) after the word "texts" on 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."

The PRESIDENT. What does the sponsor say?

Senator LAUREL. I regret, as sponsor of the bill, that I am unable to accept that amendment.

Senator RODRIGO. I would like to continue my arguments in favor of my amendment to the amendment by substitution, but before I do so the gentleman from Cebú, Senator Briones, requested that I cede a little of my time to him to say a few words. So, I would like to cede a little of my time to the gentleman from Cebú.

El Sen. BRIONES. Señor Presidente, pido que mi discurso se lea por el Secretario del Senado.

The PRESIDENT. The Secretary will please read the speech of Senator Briones.

The SECRETARY:

DISCURSO DEL SEN. BRIONES A FAVOR

Dos principales razones militan a favor de esta enmienda a la enmienda, a saber:

(1) La vida y escritos del Doctor Rizal, para que sean fácilmente asimilables a la inteligencia del estudiante, es preciso que se arreglen metódica y pedagógicamente en forma de textos de diferente gradación según la capacidad de absorción y asimilación de cada nivel escolar y académico. Esta tarea es esencialmente de carácter técnico; por tanto, hay que encomendarla a expertos, bajo la dirección y supervisión de la Junta Nacional de Educación, conforme se propone en la enmienda.

Parece que hay unanimidad en la necesidad de este arreglo de la enseñanza de Rizal en la escuela elemental y en la *high school*; surge la diferencia en el colegio y en la universidad. Los proponentes del *bill* original optan por enviar directamente a los cursos colegiados las ediciones inexpurgadas del *Noli Me Tángere* y *El Filibusterismo* para ser usadas como textos básicos; los proponentes de la enmienda creen sinceramente que es más eficiente y más científico el someter esta cuestión al procedimiento normal pedagógico, esto es, que sea

Junta Nacional de Educación la que determine si hay que enviar directamente las mencionadas novelas a las aulas, o hay que preparar también textos de carácter universitario basados en dichas novelas. Nos parece que esta tarea puede ser evacuada mejor por la Junta Nacional de Educación que por el Congreso mismo. *Noli Me Tangere* y *El Filibusterismo* no son materia didáctica en sí; para serlo necesitan de una elaboración técnica. Así que se debe dejar cierta latitud a la Junta Nacional de Educación.

(2) La fórmula propuesta en la enmienda evitará controversias de carácter religioso, las que tanto apasionan y tanto dividen las opiniones y los sentimientos. Es de esperar que los libros de texto que saldrán de la Junta Nacional de Educación estarán por encima de las discusiones sectarias, tanto más cuanto que en la misma ley se prohíben tales discusiones.

Creemos que cuando a Rizal se lea y estudie en las escuelas, colegios y universidades, en una atmósfera serena y desapasionada, tal como podemos esperar, si se aprueba la enmienda, la hermosa virtud de la tolerancia florecerá más lozanamente entre nosotros.

The PRESIDENT. The gentleman from Bulacán may proceed with his argument.

EL SEN. RODRIGO RAZONA SU ENMIENDA

Senator RODRIGO. Mr. President, I shall be very brief in my speech. I just want to reiterate my stand from the very beginning, and this is also the stand of those with me who opposed the original bill, Senate Bill No. 438, that we have always been in favor of the objective of this bill. We want the works of Rizal, we want the *Noli Me Tangere* and *El Filibusterismo* to be read by as many of the Filipinos as possible. And we are willing to take any step towards the dissemination and propagation of the works of Rizal, especially these two novels, up to any extent provided it does not invade the realm where it will be violative of religious conscience. Therefore, Mr. President, we agree on several ways provided for in the amendment by substitution as proposed to be amended by me. We agree, for example, that the *Noli Me Tangere* and *El Filibusterismo* be in the curricula of all schools, colleges and universities. We agree also that not only the *Noli Me Tangere* and *El Filibusterismo* be studied but also the life, works and writings of Dr. Rizal. And we agree that these novels, *Noli Me Tangere* and *El Filibusterismo*, in their unexpurgated forms be in the libraries of all schools, whether public

or private, sectarian or non-sectarian, and not only to have copies in the libraries but to have sufficient copies for the students of those schools and colleges, and the number of copies will be decided by the Board of National Education. We also agree that these two novels and their translations in their unexpurgated forms be included in the list of approved books for required reading. And we also agree that the Board of National Education should translate these two novels in their unexpurgated editions in English and Tagalog and, possibly, the other local dialects; and that these should be printed in cheap copies and distributed free to our people, to those who want to read these two novels, through the *purok* organizations and the barrio councils. And we also agree that we should appropriate money in order to print these editions and their translations. As a matter of fact, the first proposal was to appropriate only P200,000. In the committee hearing, I proposed that we increase the appropriation from P200,000 to P500,000, but other members of the Committee thought that P500,000 might be too much and so we increased the appropriation from P200,000 to P300,000.

Mr. President, the only bone, the only crux of the issue, is the compulsoriness of the reading of the unexpurgated editions of the *Noli Me Tangere* and *El Filibusterismo* or their use as basic texts as provided for in the amendment by substitution. We have gone as far as we can, but in conscience we cannot go that far because we sincerely believe that it will already violate our religious conscience.

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

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

Senator RODRIGO. Gladly.

Senator LIM. I gather from your proposed amendment that Your Honor seeks to delete the words: "Provided, That in the collegiate courses, the original or unexpurgated editions of the *Noli Me Tangere* and *El Filibusterismo* or their English translations shall be used as basic texts." By deleting those words on page 1 of the bill and inserting your proposed amendment on page 2, it would seem to me that you would leave this matter as to whether or not the two novels shall be made textbooks in their unexpurgated or original editions in the collegiate courses to the Board of National Education, in other words, to leave it to a body of non-politicians, or to leave it to experts in pedagogy.

Senator RODRIGO. Yes.

Senator LIM. But don't you believe, gentleman from Bulacán, that that would be dangerous because, human as we are, the board may be composed of members of a certain religious sect, and Congress should not leave this matter to the members of that board because, human as they are, they might be influenced or somehow influenced?

Senator RODRIGO. That is right.

ENMIENDA LIM A LA ENMIENDA

Senator LIM. So, I will propose an amendment to the amendment. I hope Your Honor will listen to it and accept it. I now propose formally this amendment to the amendment as follows: On page 1, line 7, delete the period (.) and place in lieu thereof a semicolon (;), and add the following words: "PROVIDED, FURTHER, THAT IF THE STUDENT SERVES WRITTEN NOTICE, UNDER OATH, TO THE HEAD OF THE COLLEGE OR UNIVERSITY THAT THE READING AND STUDY OF THE SAID ORIGINAL OR UNEXPURGATED EDITION IS CONTRARY TO HIS RELIGIOUS BELIEFS, SAID STUDENT SHALL BE EXEMPT FROM USING THE SAID EDITION; BUT HE SHALL NOT BE EXEMPT FROM TAKING THE COURSE AS PROVIDED FOR IN THE FIRST PART OF THIS SECTION. SAID NOTICE UNDER OATH SHALL BE PREPARED IN DUPLICATE, THE ORIGINAL TO BE KEPT RECORDED AND CONSERVED BY THE CORRESPONDING COLLEGE OR UNIVERSITY, AND THE COPY SHALL BE SENT TO THE OFFICE OF THE SECRETARY OF EDUCATION FOR FILING. THE SAME SHALL BE OPEN FOR INSPECTION AT ANY TIME BY ANY PERSON."

I would like to inform the gentleman from Bulacán that seven of our colleagues have signed and agreed to this amendment—your humble servant, Senators Peláez, Primicias, Cea, Mabánag, Paredes and Zulueta.

Senator RODRIGO. Will the gentleman please read the whole section with that amendment?

Senator LIM. The whole Section 1 of the amendment by substitution of the gentleman from Batangas, Senator Laurel, including my amendment reads:

"SECTION 1. Courses on the life, works and writings of Jose 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. *Provided, further*, that if the student serves written notice, under oath, to the head of the college or university

that the reading and study of the said original or unexpurgated edition is contrary to his religion or religious beliefs, said student shall be exempt from using the said edition; but he shall not be exempt from taking the course as provided for in the first part of this section. Said notice under oath shall be prepared in duplicate, the original to be kept recorded and conserved by the corresponding college or university, and the copy shall be sent to the office of the Secretary of Education for filing. The same shall be open for inspection at any time by any person."

Now, please, gentlemen, before I forget, I would like to say that when I read the names of these colleagues of ours who signed this amendment signifying their approval, at least temporarily because they may of course change their mind at any time, this amendment of mine is not mine alone. This is a composite amendment of four or five distinguished colleagues of ours in the Senate, among them Senators Sabido and Peláez. Now Senator Sabido may not be agreeable to this, but I would like to tell him, if he does not know it yet, that I have incorporated in this amendment of mine most of his ideas. Senator Peláez also helped us in formulating this amendment with the end in view of trying to harmonize all elements and trying to find a solution once and for all to this vital question.

Senator RODRIGO. Before I answer the gentleman whether I will accept or not, may I ask for just one point of clarification. In my amendment to the amendment I suggested two things: first, was to delete the proviso in Section 1; now according to that proposed amendment of the gentleman from Zamboanga and the other members of the Senate, that is restored with another proviso. But I have another amendment, and that is the insertion on page 2, line 2. Will this proposed amendment of the gentleman from Zamboanga likewise delete my proposed insertion?

Senator LIM. Yes, because that would be unnecessary. It would be superfluous.

Senator RODRIGO. In consonance with the principle and policy I already stated, that we are willing to go as far as possible to do our best and utmost to propagate the works of Dr. Rizal especially the *Noli Me Tangere* and the *El Filibusterismo*, saving only the freedom of religion and the right of men to be at peace with their religious conscience, I accept the amendment proposed by the gentleman from Zamboanga and the other members of the Senate he mentioned.

CUESTIÓN DE ORDEN

Senator RECTO. For a point of order, Mr. President.

The PRESIDENT. Gentleman from Batangas.

Senator RECTO. I understand that the amendment of the gentleman from Mindanao is out of order under Section 72 of the Rules of the Senate. Section 72 says: "Not more than one amendment to the original amendment shall be considered." So if the gentleman from Bulacán is ready to accept this amendment to the amendment to the amendment to the amendment of the gentleman from Mindanao, I think the proper procedure is, first, for the gentleman from Bulacán to withdraw his amendment with the permission of the Senate, if the Senate will permit it, or to vote it down first so as to give the gentleman the opportunity of presenting his amendment.

EL SEN. RODRIGO RETIRA SU ENMIENDA

Senator RODRIGO. Mr. President, may I ask permission of the Senate to withdraw my amendment to give way to the amendment proposed by the gentleman from Zamboanga.

The PRESIDENT. Is there any objection to the withdrawal of the amendment of the gentleman from Bulacán? (*Silence.*) The Chair hears none. The amendment is withdrawn.

The gentleman from Zamboanga may proceed with his amendment.

Senator LIM. So I hereby present the amendment which I have already read, on page 1.

Senator RECTO. Mr. President, may I hear the argument in favor of the amendment?

The PRESIDENT. The gentleman from Zamboanga may argue his amendment, if he so desires.

Senator LIM. I would be willing to expound my argument in favor of this amendment.

Senator TAÑADA. Mr. President, will the gentleman yield for a statement?

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

Senator LIM. Gladly to the gentleman from Quezon.

Senator TAÑADA. After all, I think everybody is interested in putting in the record whatever has transpired in the session hall in connection with this bill to show that efforts had been exerted to arrive at a compromise, and the distinguished gentleman from Zamboanga read his proposed amendment, stating that it carries the signatures or the initials of seven senators. Now, with the permission of the Chair and the distinguished gentleman from Zamboanga, I would like to state

that a proposed amendment which I will read has also been approved by seventeen senators. Now this proposed amendment reads:

"SECTION 1. The *Noli Me Tangere* and the *El Filibusterismo* shall be required courses in collegiate level in both public and private colleges and universities, and to this effect the unexpurgated editions thereof in either Spanish English or Tagalog shall be used."

Those who initialed this proposed amendment are the following: Senators Recto, Púyat, Sumúlong, Primicias, Delgado, Zulueta, Locsin, Lim.

Senator LIM. I signed that long ago and I changed my mind.

Senator TAÑADA. Just for the purpose of the record. Senators Paredes, Kangleón, López, Laurel, Cea, Mabánag, Alonto, Sabido, and Tañada. Now, for the purpose of the record, according to the distinguished gentleman from Abra, he did not initial this. Now, if I mentioned his name, it is because Senator Púyat showed this proposed amendment to the different senators. He told me that it was initialed by Senator Paredes, and I am just stating what Senator Púyat informed me. I just mention this for the record.

Senator LIM. Thank you very much. Well, of course, gentleman from Quezon, Your Honor will admit that we passed around several amendments, and some signed amendments and that is due to the fact that this has become a very complicated matter.

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

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

Senator LIM. With pleasure.

Senator PELÁEZ. Will the gentleman inform the Senate which was signed earlier: the proposed amendment which by the way has not been presented formally with the supposed seventeen signatures, or the one you have presented?

Senator LIM. That was presented two or three weeks ago.

Senator PELÁEZ. Is it not a fact, gentleman from Zamboanga, that that amendment could not be presented because later on, when the import of the words "required course" was discussed, nobody could agree? They could not agree as to what it meant; that some signed in the belief that the "required course" was optional; others in the belief that the required course was compulsory.

Senator LIM. That is right.

Senator TAÑADA. Mr. President.

The PRESIDENT. Gentleman from Quezon.

Senator TAÑADA. I am not going to discuss how certain Senators signed this. I just want to make of record the fact that his initial appears in this proposed amendment.

Senator LIM. Mr. President, I would like to add for the record that aside from the seven signatures appearing here, Senators Alonto and Zulueta also signed on the original version of this amendment appearing on another sheet, but substantially, they have a bearing on the same amendment. So they are nine.

Senator PÚYAT. Mr. President.

The PRESIDENT. Gentleman from Manila and Pangasinan.

MANIFESTACIONES DEL SEN. PÚYAT

Senator PÚYAT. I was the one who collected the signatures on this proposed amendment, and I am glad that it has been drafted to show the Senate and the whole country that every effort was exerted for the Senate to arrive at a bill that would be acceptable unanimously, if possible. That was our original intention.

Mr. President, if all that the Senate desired is the approval of this version, I could have presented that amendment that night, and I am sure all these gentlemen would have voted for this amendment. It is not because some objections were raised later on. Until now some of these gentlemen are willing to stand by this amendment. The only reason it was not presented that night was because, recognizing the importance of this bill and not wanting to divide our people, we made use of patience, understanding, and broad tolerance to be able to convince the opponents of this measure that this draft as it is would have met with the approval of the majority of the members. I want that statement to appear in the record.

EL SEN. LIM RAZONA SU ENMIENDA

Senator LIM. Mr. President, I would like to comply with the request of the gentleman from Batangas, Senator Recto, to argue in favor of my amendment.

Senator PELÁEZ. Mr. President, may I register my turn to speak in favor of this amendment.

The PRESIDENT. Let it be recorded.

Senator LIM. Mr. President, and gentlemen of the Senate: Frankly speaking, this afternoon I am not very well prepared to argue in favor of this amendment. However, I have written down just hurriedly a few words regarding this amendment. I would like to state that I have spent sleepless nights on this bill. I am sure the other members have also spent sleepless hours, trying to find out

a solution for this controversial measure, not only in the Senate but also in the Lower House, as even some fisty-cuffs occurred in the Lower House between two congressmen. I am glad that I have not identified myself up to now very clearly as to which side I have taken on this bill. I interpellated the gentleman from Batangas, the Honorable Senator Laurel, and the other gentleman from Batangas, the Honorable Senator Recto, only for the purpose of clarifying some matters. I also interpellated Senator Rodrigo who was leading the opposition even to the original bill No. 438, and now the amendment by substitution presented by the distinguished gentleman from Batangas, the Honorable José P. Laurel. And so it is that I would rather dare say that it was only last night that I have made up my mind to find a solution after six weeks since the inception of the discussion of this bill. We are divided in the Senate regarding this matter. Some spoke about God and religion on the one hand, and Dr. José Rizal and the country on the other. Now, if these two loyalties were to come into a clash headlong, I do not know but I will choose my God and my religion ahead of my country and Rizal. But there is no incompatibility between love of country and love of God. There is no incompatibility between love of religion and love of Dr. Rizal. I dare say perhaps that today there is not a single Filipino who does not love Rizal. Those are debatable. The theory of separation of church and state is invoked. It is said, let us not allow the church to interfere in affairs of state. The church also claims, on the other hand, that if it affects the religious conscience of the citizens of this country, that the church in the matter of spiritual things, morality and the canon law, has the perfect right to protect its faithful from whatever the state may set up. But that is debatable. I am not going to argue on either side. They say that there is pressure from the church, on the part of those who would liberalize this bill. As far as I am concerned, I would like to shout from the housetop that I am not afraid of any church or anybody, of the Catholic Church which may campaign against me, and I don't care if I get zero in all the precincts of this country. I am not going to be pressurized by any church or by anybody. I present this amendment because I believe this would solve the problem, to satisfy both parties and try to reach a happy solution. Regarding freedom and compulsion, I agree in general that freedom must be enjoyed by everybody, particularly by God-fearing people like us and democratic people like us. But there are

times that compulsion is necessary and I agree with the gentleman from Batangas, Senator Laurel, that for disciplinary purposes compulsion is necessary. We are not wholly free in this country. We cannot go out in the streets without being properly dressed, we can go to jail for that. We cannot enjoy absolute freedom, but that is a debatable question. And I will say I will not argue on either side although some unkind remarks were attributed to the authors of the original bill, motives other than noble. Some have said that it is tinged with communist leanings, some said that it is for the purpose of embarrassing President Magsaysay, but I would like to say that I am 100 per cent certain, knowing Senators Laurel and Recto well, that those accusations against the two Senators are not only ridiculous but unkind. I am not going to argue lengthily even in their defense or otherwise because as I stated in a nutshell I can never believe that these two gentlemen have no objective other than public welfare. Their principal motive is to incite patriotism in our youth and teach a lesson on morality because they are conscious that there is real need for rearmament in the patriotic and moral sensibilities of our people. I cannot see how by just reading the *Noli Me Tangere* and *El Filibusterismo* our young students will weaken their faith and belief in their religion. As regards the constitutionality of the bill, that is a debatable question. I admire the arguments and analytical minds demonstrated here by Senator Recto when he analyzed before the Senate the Canon Law in relation with the two novels of Rizal and the Pastoral letter. I was convinced and I also admired the brilliance and the depth of the analytical mind of the distinguished gentleman from Batangas, Senator Laurel, but I am not going to speak on the constitutionality of this bill. That is debatable, that point has been debated in the Senate and in the Lower House. But gentlemen, section 1 of Senator Laurel's amendment by substitution states: "Courses on the life, works and writings of José Rizal, particularly his novels the *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." My proposed amendment does not touch that section. It will only provide a saving clause for those Catholics who are meticulous about their faith. My

proposed amendment will give a saving clause to those fanatic Catholics, although I will not call them fanatics, but just for the purpose of emphasis. If they want to read the expurgated edition, let them sign an affidavit under oath that in all sincerity and belief the reading of the unexpurgated edition might weaken their faith in the Catholic Church and therefore they are asking for exemption from that course as provided for in the first part of Section 1. As to what these courses are in the very amendment by substitution of Senator Laurel we can see them from the last paragraph of section 1 to the effect that the determination of what appropriate primers, readers and textbooks are to be printed is left at the discretion of the Board of National Education. And so it is, gentlemen of the Senate, that I would like to anticipate my action to strengthen my stand if I present my amendment, which I am not sure, unless it is absolutely necessary. I do not like to claim that this is my own amendment but this is composed of bits gathered from the different ideas of the other members of the Senate. I do not like to claim credit for this amendment if and when it is ever approved by this body. I would propose an amendment perhaps after approaching Senator Tañada and other legal minds here especially those who are experts on the penal provisions of our legislative work here in the Senate. I would probably propose an amendment of this nature: "No person, whether natural or juridical, shall make it a condition precedent for admission to any college, university or institution of learning, whether public or private, the giving of notice (referring to section 1) by any student who seeks admission therein or in any manner compel the student to read Rizal's novels during his enrollment therein. Any violation of this section shall make the person responsible therefor liable to a fine of not exceeding six hundred pesos or imprisonment of not exceeding six months, or both fine and imprisonment in the discretion of the court." Some may say that the Catholic schools might compel students before allowing them to enroll to pledge that they would sign this affidavit concerned. Gentlemen, I do not believe any Catholic school would do that because the Catholic schools would like to get all the students possible so that they may not go to other colleges or universities. So that if these students are compelled to read the unexpurgated edition of Dr. Rizal's *Noli me Tangere* and *El Filibusterismo* the priests, who are properly trained

professors and instructors in said Catholic schools, may properly give defense of their side.

Senator TAÑADA. Mr. President.

The PRESIDENT. Gentleman from Quezon.

Senator TAÑADA. I do not want to raise any point of order, but I would like to suggest that we confine the discussion to the proposed amendment and not to a possible proposed amendment. I just make this observation because time is of the essence. We have to discuss yet the Appropriation Bill.

Senator LIM. As a matter of fact, gentleman from Quezon, I am through on that point. Ordinarily I would agree with Your Honor, but since this is a very tough bill, I thought perhaps I would mention that just as food for thought, I am having difficult time getting votes for my proposed amendment. That is why I am mentioning everything just to gather more votes. I am through with my speech and I am willing to submit to interpellations.

Senator SABIDO. Mr. President, will the gentleman yield to certain questions?

The PRESIDENT. The gentleman may yield if he wishes.

Senator LIM. Very gladly, to the gentleman from Albay.

Senator SABIDO. Before I start with my interpellation, I would like to make of record that the same as the gentleman from Zamboanga and the other members of this Senate, I am interested in striving to find a happy solution to the conflict or differences which have arisen in relation to this proposed measure. Now, gentleman from Zamboanga, in the course of your speech you have referred to my person as one of those who have proposed the amendment or a portion of the amendment you have just proposed.

Senator LIM. Gentleman from Albay, I did not say that. I said I gathered some ideas from you and you may perhaps not know that I gathered some ideas from you, and for purposes of record, I would say that the gentleman from Albay did not present or offer this amendment, but gentleman from Albay, I am happy to say that I have read the mimeographed copy of your proposed amendment distributed to the members of the Senate and I gathered some very bright ideas from it.

Senator SABIDO. So that there will be no mistakes, with the leave of the gentleman from Zamboanga, I would like to make of record that my original amendment substantially reads as follows: On page 1, after the end of the first paragraph of Sec-

tion 1, insert a new paragraph which shall read as follows: "For reasons of religious beliefs, however, said written statement under oath made by him and filed with the help of the college or university, a student may be exempt from the reading and studying of the said original or unexpurgated editions. Said statement under oath shall be prepared in duplicate, the original to be kept recorded and conserved by the corresponding college or university and the copies to be sent to the Secretary of Education for filing. The same shall be open for inspection at any time by any person." I made no mention in that amendment, of the idea of the distinguished gentleman from Zamboanga that he (the student) shall not be exempt, and I quote: "from taking the course as provided for in the first part of this section."

From what I have just read, distinguished gentleman from Zamboanga, it is clear that I did not require the student to explain under oath in order that he may be exempt, that the reading of the unexpurgated editions of the *Noli Me Tangere* and *El Filibusterismo* is contrary to his religion or religious beliefs, because to require a student to so state under oath is to ask him to pass judgment upon the *Noli Me Tangere* and *El Filibusterismo* without having read it, which would be unfair to the student.

Senator LIM. If Your Honor wants to eliminate that portion of the statement, I am going to accept your amendment.

Senator SABIDO. Gentleman from Zamboanga, in order that we may probably strike a happy solution to this endless conflict and controversy, we leave Section 1 as it is with the proposed amendment accepted by the distinguished sponsor of this bill, that in lieu of the words "basic texts", those words be substituted by the words "REQUIRED READING MATERIALS." Now, in addition to it, in order to wipe out and appease the scruples of our colleagues, on page 2 of the proposed amendment by substitution, after the words "provisions of this Act" first paragraph, insert the following: "For reasons of religious beliefs set forth in a sworn written statement, it may exempt the student from the requirement of the provision contained in the second part of the first paragraph of this section, but not from taking the course provided for in the first part of said paragraph."

Senator LIM. Don't you believe, gentleman, that that is exactly my amendment but to be inserted in some other place?

Senator SABIDO. With this difference, gentleman from Zamboanga, that while in the case of your amendment the Senate or the legislature or Congress *per se* is already legislating that the student may be exempt from the requirement provided in Section 1 if said student submits a declaration under oath stating reasons of religious beliefs, in my amendment we are leaving that matter entirely to the Board of National Education in consonance with the announcement made here by the distinguished sponsor that as we here are not experts and we are not prepared to formulate educational policies, we shall leave to the Board of National Education, composed of men, trained men to decide that question or that matter which refers to a case where one, for reasons of religious beliefs, would desire to be exempt from the operation of the provision contained in Section 1. Now, if the gentleman from Zamboanga is willing, to withdraw his amendment, I will submit that amendment in lieu thereof.

Senator LIM. Gentleman from Albay, before I do anything, I would like to ask you some questions also.

Senator SABIDO. Please.

Senator LIM. Your Honor's idea is to leave it to the Board of National Education to determine whether or not a collegiate student may or may not be exempted.

Senator SABIDO. Exactly.

Senator LIM. Does not Your Honor believe that it would be better to leave it to the student himself because the Board of National Education may be composed mainly, let us say, of persons belonging to one religious sect, let us say, Catholic. Naturally, if the Board is composed mostly of Catholics, irrespective of the opinion of the student, the chances are the Board will allow him to be exempted. That is why I would like to insist on my amendment to leave it to the student himself rather than to leave it to the Board of National Education as to whether or not the student may or may not be compelled to read the unexpurgated editions of the *Noli Me Tangere* and *El Filibusterismo*. If he is a college student, he may be 19, 20, 21, 22, 23, 24, years of age, etc., and he ought to know how to decide whether or not he will pass on to old age without enjoying the beautiful teachings of Rizal in the *Noli Me Tangere* and *El Filibusterismo*, because, mind you, before I submit, I would like to see that all the Filipinos read the *Noli Me Tangere* and *El Filibusterismo*. I only proposed this amendment in order not to compel anybody because I am against compulsion of any sort and in order to give allow-

ances to those Catholics who are so meticulous about their religion—I called them a while ago “probably fanatical”—to give them a chance under the democratic form of government to make a choice under this option as provided in my proposed amendment.

Senator SABIDO. My idea, gentleman from Zamboanga, to be clear, is to leave the determination or the formulation of the exempting clause or provision to the National Board of Education.

Senator LIM. I would rather leave it to the student himself because it is easier to control one student than to control ten or fifteen members of the board.

Senator SABIDO. Exactly, gentleman from Zamboanga, the National Board of Education may determine that it be the student who decides under oath whether he desires to be exempted or not, but let us leave the formulation of the regulations or the rules to the National Board of Education instead of trying to formulate the regulation.

Senator LIM. Gentleman from Albay, in order to continually show my sincerity to the people and to the members of the Senate, I would ask for a suspension of five minutes just to thresh out this point with Your Honor.

Senator SABIDO. Just for an aclaratory statement which would clarify my stand on the case.

Senator LIM. Let us consult our colleagues, and if they consider your proposal as acceptable, as I said, I have been looking for a solution, I thought perhaps that my proposed amendment would solve our problem without saying whether I am personally for one side or another side on this issue.

Just one very important point. It seems to me that Your Honor's amendment does not categorically say “The National Board of Education shall . . .” It does not say so. If Your Honor does not put that the way you state it at the place you say you want it placed, I doubt if we would attain the end desired by Your Honor.

Senator SABIDO. Let us not tie up the hands of the National Board of Education. Let us leave this matter to their wisdom. They are better prepared than us.

MOCIÓN DE SUSPENSIÓN

Senator LIM. Mr. President, I would ask for a suspension of five minutes in order that the gentleman and I and other members can thresh out that important point.

Senator SABIDO. May I just state for purposes of the record that personally your humble servant as a lawyer and as a modest member of this Senate believes that after the proposed amendment changing the words “basic text” to “required reading

material", all the objections raised by the gentlemen who have argued against this bill, personally I believe, are already obviated because in the second paragraph of Section 1 it is expressly provided that the National Board of Education is hereby authorized and directed to adopt forthwith measures to implement and carry out the provisions of this section—referring to Section 1—including the writing and printing of appropriate primers, readers and textbooks, which means that the National Board of Education is empowered to prepare textbooks even for the students in the colleges and universities, but as I said, in an effort to strike a solution to the seemingly endless controversy, if the gentleman from Zamboanga has no objection and he withdraws his amendment, I would propose my amendment leaving entirely to the hands of the National Board of Education the formulation of the regulation concerning the exception that should be established in the case of a student who, for reasons of religious belief, does not want to read our immortal novels, "Noli Me Tangere" and "El Filibusterismo" in their unexpurgated edition. Mr. President, I am proposing this amendment because, as very well stated by the distinguished sponsor of the bill, let us give a chance to our young men to think by themselves and for themselves, and I say this: let us not tie up the hands of the National Board of Education so that they may have that chance to think by themselves and decide by themselves.

Senator LIM. Gentleman from Albay, precisely if we approve your amendment, we are going to tie up the hands of the youth because instead of letting the young men and women choose for themselves, you are letting the National Board of Education to choose for them.

Senator SABIDO. No, because the National Board of Education will pave the way. I am only trying to let the National Board of Education pave the way. I agree with the motion of the gentleman from Zamboanga that we suspend the session for some minutes.

SUSPENSIÓN DE LA SESIÓN

El PRESIDENTE. Si no hay objeción, se suspende la sesión por algunos minutos. (*No la hubo.*)
Eran las 6:15 p.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 6:45 p.m.

The PRESIDENT. The session is resumed. Resumption of the consideration of Senate bill No. 438 is in order.

The gentleman from Albay has the floor.

Senator SABIDO. Mr. President, before I end my interpellation, I would like to clarify that my proposed amendment means that the board may promulgate a regulation and in that it may exempt every student, but may promulgate a regulation exempting a student for reasons of religious belief. I did not repeat anymore the provision contained in the first part of the second paragraph of Section 1 for fear of being redundant, for it is expressly provided already in the second part of the second paragraph, page 2, line 5, that 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. Now, after that, the period (.), it is where I am proposing to insert the following: "FOR REASONS OF RELIGIOUS BELIEF SET FORTH IN A SWORN WRITTEN STATEMENT, IT MAY EXEMPT A STUDENT FROM THE REQUIREMENT OF THE PROVISION CONTAINED IN THE SECOND PART OF THE FIRST PARAGRAPH OF THIS SECTION," that is, Section 1, "BUT NOT FROM TAKING THE COURSE PROVIDED FOR IN THE FIRST PART OF SAID SECTION." As I said, Mr. President, if the gentleman from Zamboanga withdraws his amendment, I would like to offer this amendment. But if he does not withdraw his amendment, well, we will have to vote on his amendment.

The PRESIDENT. Is that an amendment to the amendment to the amendment?

Senator SABIDO. It has already been ruled, Mr. President, that we cannot amend an amendment to an amendment. So, I was only exploring the possibility that the gentleman from Zamboanga may withdraw his amendment in order to give way to this proposed amendment. But if he is not willing to withdraw, then we have no alternative but to vote on his amendment. And I want to state that the amendment of the gentleman from Zamboanga does not really incorporate the substantial idea of my original amendment because, as I said, in that amendment proposed by the gentleman from Zamboanga, with due respect to his opinion, the student is required to pass judgment on the merits of the novels of Dr. Rizal without having read them.

Senator LIM. Mr. President, may I interpellate the gentleman?

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

Senator SABIDO. With pleasure.

Senator LIM. But, gentleman from Albay, religious belief is based on faith. Precisely, when we practice our religion, we do not have to look into facts. In most cases, we only have to believe. When, for example, Catholics are taught that there are three persons in God, that is, the mystery of the Holy Trinity, we do not have to argue any more. We do not have to study also books. We have to believe. So, in the present case, without reading the *Noli Me Tangere* and *El Filibusterismo*, if one is of the honest belief that he commits sin, perhaps because of the Canon Law or what not, or perhaps as I stated—although I am not calling anyone fanatical—we may even stretch our imagination by going to the extreme of a fanatical Catholic believing that, even without reading the *Noli Me Tangere* and *El Filibusterismo*, it would harm or kill his faith, why not give him this religious freedom? As I stated, the student does not have to read the *Noli Me Tangere* and *El Filibusterismo* in order to determine first whether or not he should file that affidavit for religious faith is based on beliefs, on emotions and impressions, and not on facts.

Senator SABIDO. Thank you, gentleman from Zamboanga. I would prefer not to tread on that delicate question.

Senator LIM. And besides, gentleman from Albay, I regret that I could not accept your amendment. I wish I could accept the amendment of the gentleman from Albay not only because I respect him but in order to be able to solve this question. As far as I am concerned, I have already stated that up to now I have not taken sides on this bill. I only proposed this amendment as food for thought, for whatever it may be worth to the gentlemen of the Senate. Now, of course, the result of the voting will show whether my amendment, which is a composite of ideas of several senators, is acceptable to the majority of the senators or not. But I would like to say that I cannot accept the amendment because it would be cumbersome. Imagine, the Board of National Education would have to investigate the case of each and every student who files an oath and find out or determine whether or not a particular student, among thousands of them, should or should not be exempted. That is why I would like to explain why I regret I could not accept the amendment.

Senator ALONTO. Mr. President, will the gentleman yield to just a few questions?

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

Senator LIM. With pleasure.

Senator ALONTO. I was just entering the hall when I heard my name being read as one of those who signed the amendment proposed by the gentleman from Zamboanga. Now, my question is, is it not right, Your Honor, that when I was seen for this amendment I was assured by Your Honor that if this amendment will be presented it will harmonize the two warring factions on this bill because in the Senate precisely I signed the proposed amendment because I am against any continuation of the very heated arguments over this bill on Rizal's works?

Senator LIM. Yes, that is right. All of us wanted to settle this matter, that is why we have been giving away, we have been meeting others half-way, some of us even have tried to go beyond our original convictions on this bill, and some of us have even swallowed our *amor propio*. That is a very healthy sign, that we as representatives of the people are willing, for harmony's sake, to give concessions to one another.

Senator ALONTO. I asked this question because I happened to be one of the original signers of the original bill which was filed by seventeen senators, if I remember right.

Senator LIM. I am one of them.

Senator ALONTO. And I don't want to be misunderstood as so easily giving way to what I believe is my conviction, because I don't want to be drawn into this controversy as whatever vote I cast on this bill will be purely motivated by what I believe is sound legislation for the country. Unlike some of my distinguished colleagues, I am absolutely not motivated by any religious reason in casting my vote. Precisely that is the main reason why I don't want to be drawn into the controversy, as I don't want to be understood as for or against any particular religion in this country.

Senator LIM. I admire the gentleman from Lanao for that. As a matter of fact, when he affixed his signature to this proposed amendment, I had a high respect for him, because even though a non-Catholic and a non-Christian, he has shown a desire to come to a meeting ground for the purpose of harmony, and a high respect for what others believe. I would like to remind the gentleman from Lanao that predominantly Catholic as this nation is, we never considered the fact that he is a non-Catholic, and the best proof of that

is that the Catholics of this country could have put him down because of his religious beliefs if they wanted to, but they did not.

DISCURSO DEL SEN. PELÁEZ A FAVOR
DE LA ENMIENDA

Senator PELÁEZ. Mr. President, my name appears as one of the co-sponsors of the amendment, and I would like to speak in favor of the amendment.

The PRESIDENT. The gentleman from Misamis Oriental is recognized.

Senator PELÁEZ. Mr. President and gentlemen of the Senate: I believe no bill, no proposal has been presented before Congress that has led all of us to so much soul-searching, to examine our hearts, our conscience so intensely, as the bill now under consideration.

Well, this is part of change. This is the era of change and re-examination, for we are waking up to the fact that if freedom should be more than a political shibboleth, we must look into ourselves, into our hearts, into our very souls, so that we may become worthy of that freedom.

A few months ago, there was a "great debate" on the things of this world—on the economy of our country. Today, we are witnessing another "great debate". But this time, it is on the spiritual values of our national life. Some of us may deprecate so much apparent wrangling. Others may be appalled by the lack of moderation in some quarters in the discussion of these issues. On my part, I believe that this is all to the good. I believe that the whole country should congratulate itself and celebrate the fact that our people are re-discovering their soul, that we are digging into our past and recovering treasures of Filipino culture and greatness, attributes that will one day make the Filipino a citizen of a great country.

I approach this question, Mr. President, with a feeling of great humility. It is of great and serious import—and I am not too sure that I shall be able to act on it wisely. I have done a lot of thinking. I have been asking myself what is the right approach to this question. Having in mind the basic traits of the Filipino way of life, having in mind, on the one hand, the spirit of liberty and, on the other, the deep religious faith that are part and parcel of the Filipino way of life, I have been seeking the answer.

As I revolved the question in my mind, I remembered some words of Justice Learned Hand, one of America's greatest jurists, which I had

read some time ago. I looked up his book, "The Spirit of Liberty", and re-read his wise words on the true meaning of liberty. With your permission, I would like to quote these words—for we are here vitally concerned with liberty. He said:

"What do we mean when we say that first of all we seek liberty? I often wonder whether we do not rest our hopes too much upon constitutions, upon laws, and upon courts. These are false hopes; believe me, these are false hopes. Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can even do much to help it. While it lies there it needs no constitution, no law, no court, to save it . . .

"What then is the spirit of liberty? I cannot define it; I can only tell you my own faith. The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias; the spirit of liberty is the spirit of Him who, near two thousand years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest."

After I re-read these words of Justice Learned Hand on the true meaning of liberty, I began asking myself whether we are not too sure that what we propose to do, to resort to compulsion, is right. I pondered upon them for a long time; so much so that tonight I enter this debate not too sure that I am right. I enter this debate not knowing, indeed, that what I shall say is right.

I recall the words of another great man of the American bench, Justice Holmes: "Every year, if not every day, we have to wager our salvation upon some prophecy based upon imperfect knowledge."

Can we be certain, my friends, that we are acting in accordance with the spirit of liberty in imposing the reading of Rizal upon our youth? Are we justified in resorting to compulsion to have *our* ideas, and ours alone, on how to make Rizal loved, accepted? Are we certain that our way is the only correct way and that any deviation therefrom is wrong?

Let us analyze what we propose to do. What is our purpose? Our purpose is to arouse in the Filipino heart love of country, civic virtues, and the spirit of liberty. There can be no question there about the righteousness and nobility of our purpose. Many, many times have I heard the distinguished gentleman from Batangas, Senator Laurel speak feelingly of patriotism. When he proposes that we must do something to promote love of country, when he says that there can be no better

way of promoting patriotism than to promote knowledge of Rizal, no one can dispute the soundness of his proposition. But, I ask, would we be justified in promoting patriotism at the expense of liberty? Can we by legislation, can we by compulsion, can we, even in the face of nation-wide opposition from a great segment of our population—can we awaken love of Rizal, acting exclusively on our own belief of what is right and ignoring the sentiments of those upon whom we seek to impose our belief?

I say no, Mr. President. I say no, for as Justice Jackson said in the case of *Barnette versus West Virginia*, which has been discussed here by those who have spoken before me, "Compulsory unification of opinion achieves only the unanimity of the graveyard." Compulsory unification of opinion!—that is what this bill seeks. We are trying to unify opinion by compulsion—and this will achieve for our people "only the unanimity of the graveyard."

"If there is any fixed star in our constitutional constellation," Justice Jackson went on to say in the same case, "it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein."

I believe in the books of Rizal. I believe in the ideals he fought for. I believe in his writings that are edifying and full of patriotism and noble thoughts. But I do not believe in compelling people to share my belief in him.

I wonder if Rizal, were he alive today, would be happy at the spectacle of an attempt to ram his writings down the throats of some of our people who, for religious reasons, would not read them unexpurgated. You tell me that these people are wrong—perhaps, you are right. You tell me that they are blind, bigoted—perhaps, you are right. Yet, even then, Rizal would not have you dictate to them; Rizal would not have Congress seek to rescue them from darkness by violating their freedom of conscience; Rizal would not have you add to their misfortune—if all that you say about them is true—by committing a wrong against their freedom.

We are all agreed that we must devise ways and means to make Rizal better known by our people. But I do not agree with the proponents of the original bill that to compel our youth to read the unexpurgated editions of the *Noli Me Tangere* and the *El Filibusterismo* is either the correct or the most effective way of achieving this end. There are many other ways of honoring Rizal. There are

many ways of making him live in our hearts. It is with this thought that I have studied and examined the provisions of the original bill providing for the compulsory reading of the *Noli* and the *Fili*, in their original or unexpurgated editions, in all schools, colleges and universities.

The first flaw that I discovered was its approach to the problem of propagating the works of Rizal. Its approach is from above, because it prescribes the reading of Rizal's unexpurgated novels in the higher grades. It cannot prescribe Rizal in the grade school or even in the high school because the bill requires the use of the original or unexpurgated editions, and it is admitted that these cannot be assimilated by students in the lower grades. How many, then, would come within the scope of the original compulsory bill? We looked up statistics. We found that out of 1,000 students who enter the first grade in public schools, only 580 reach the fourth grade, and only about 300 reach the sixth grade. Of these only 34 complete high school, and only 2 reach college. From this it is evident that under the original bill, we would reach only 2 out of every 1,000 students in the public schools. With such a limited scope, the bill would be ineffective.

And so, some of us thought of a different approach. "Let us be practical in teaching Rizal," we said, "Let us begin at the grassroots, that is, at the lower grades. And let us teach Rizal using the technique of democracy, persuasion—not compulsion. We must teach Rizal by infusing the mind of the student while he is still in the grade school with Rizal's ideals stated simply and by familiarizing him with Rizal's life, with his sacrifices, with his nobility and patriotism. Give the student an outline of the *Noli* and the *Fili*, give him their highlights on patriotism and civic virtues."

We were agreed that all this should be done in the grade school and the high school, all without compulsion. To my mind, we do the cause of Rizal greater service by including courses on his life and works in the curricula of the elementary grades and the high school, rather than by compelling college students to read his novels unexpurgated, not only because we will reach more students but also because it is precisely in the grade school and the high school—and this is particularly true of Catholic schools—that too little, if any, is taught of Rizal.

Seeking the cooperation of everyone, we conferred with those who from the beginning have represented the Catholic group in this chamber and

who have opposed this bill on religious grounds. "We will respect your religious scruples," we told them. "We will not impose, but we need your cooperation so that Rizal will be taught in Catholic schools." And they agreed, on condition that we provide safeguards for the students' religious beliefs.

Then, we went one step further. We know that in Catholic schools Rizal's unexpurgated books are rarely to be found in their libraries. So, we told the Catholic group, "We will not use compulsion, but you must make Rizal's works, including his unexpurgated novels, available to your students by keeping them in your libraries." The Catholics answered, "Provided no compulsion will be used on our students, we will have Rizal's works, including the unexpurgated novels, in our school libraries."

We further told them, "You must include Rizal's original or unexpurgated novels in your list of required reading material." Again, the Catholics agreed. By thus seeking counsel with them, instead of imposing ourselves on them, we have gained the cooperation of the Catholics, who represent the great majority of our people.

Still availing ourselves of the ways of persuasion as the most effective technique of democracy, we have thought of having Rizal's works translated into the principal dialects, printed in cheap, popular editions, and distributed to people desiring to read them through the *puroks* and barrio councils throughout the country. The Catholics offered no objection. Then, someone said, "You need money to carry out all this." He was right. So we have provided for an authority to appropriate P300,000 to carry out the purposes of the bill.

These were the ideas which were embodied in an amendment by substitution which was co-authored and submitted early this month by Senators Rodríguez, Primicias, Púyat, Zulueta, Cea, Lim, Mabánag and your humble servant. The main feature of the substitute bill was that we completely eliminated the element of compulsion. Its provisions are practically reproduced in the amendment by substitution filed by Senator Laurel.

Senator Laurel himself said, in the course of his sponsorship of the original measure, that the word "compulsion" is obnoxious; that it is the very antithesis of freedom; that it is something that we in a democratic country abhor. So, it was thought that our substitute bill, which met with the approval of the Catholics, would also be accepted by the chief proponents of the original bill.

We, therefore, conferred with them one evening last week, after an evening session of the Senate, and explained our views to them. They accepted our substitute bill, but insisted on having the original or unexpurgated editions of the novels made compulsory reading matter in colleges and universities. After some discussion, it was suggested that there would be no compulsory reading, but that the original or unexpurgated editions of the *Noli* and the *Fili* shall be used as basic texts in collegiate courses.

Now, I must confess to you that, because the hour was getting late, we were in a hurry and the conference broke up without the conferees having thoroughly threshed out the implications of making the unexpurgated editions "basic texts" or how this would work. On my part, I had hoped that we had found a solution. But, as we subsequently thought things over, it turned out that whereas, by compulsory reading we would only require students to read the original or unexpurgated novels, by prescribing them as "basic texts", we would require students not only to read but also to study and learn them.

This brings me to the *Barnette* case again. It has been stated here by the proponents of compulsory reading that the case of *Barnette* is not applicable here, because, while in that case the student was compelled not only to salute the flag but also to recite a pledge of allegiance to the United States, here all that the original bill would compel the student to do would be to read the unexpurgated novels. He is left free to make his own conclusions, it has been said, and, therefore, the State does not, as in the *Barnette* case, compel him to make an act of faith. He is not compelled to believe what Rizal has written. His religious convictions are not invaded. He is merely required "to examine" the books. So the argument goes.

I will not discuss the merits of this contention because it has become academic—although I do not accept the view that when the State compels a student to read a book it does not thereby induce him to adopt the ideas expressed in that book. I say that the distinction has become academic because with the change of the use of the novels from compulsory reading matter in the original bill to "basic texts" in the amendment by substitution of Senator Laurel now under discussion, the new provision would not only require the student to read the original or unexpurgated novels but also to study and to learn them, if he would pass the course. Consequently, we would be requiring the

student not merely to "examine" the book but also to study it; we are going into the field of his convictions, as in the *Barnette case*. Suppose he does not learn the ideas expressed in the unexpurgated novels; then the student would be penalized because he would get a grade of 4 or 5, and he would have to stay one more year.

Thus with the inclusion of the provision that the original or unexpurgated novels shall be used as "basic texts" in collegiate courses in the Laurel amendment by substitution, the element of compulsion affecting freedom of conscience, which we had sought to discard, crept back into this latest substitute bill which Senator Laurel presented last Wednesday. We were again confronted by the problem of how to safeguard the freedom of conscience of the Catholics.

Having in mind the spirit of liberty, the spirit that gives due regard for the opinion of others, whether we believe them to be right or wrong, considering particularly the opposition to this bill that has been aroused in this controversy, justly or unjustly, we still sought a solution, a formula whereby the objectives of the bill might be carried out, without doing violence to fundamental freedoms.

The question, then, boiled down to this: how shall we safeguard the freedom of conscience of those who, on religious grounds, object to the reading and study of the original or unexpurgated novels of Rizal? How far can we use compulsion without invading the field of religious belief?

Since we last considered this bill a few days ago, I have been looking for a solution. Happily, I believe that we have found one along the lines of an amendment proposed some time ago by the distinguished gentleman from Albay, Senator Sabido. His amendment, which has been mimeographed and circulated, is quite simple. As originally drafted, I find it acceptable. It provides for compulsory reading of the two novels in their original or unexpurgated editions, but a student may be exempted from this requirement on grounds of religious belief—I do not recall the exact wording.

"This is the solution," I said to myself. With the permission of the gentleman from Albay, I then proceeded to draft an amendment of the same tenor with the collaboration of the distinguished gentleman from Zamboanga, Senator Lim. The gentleman from Zamboanga made an important change in the proposed amendment. "We will allow an exemption from the use of the original or unexpurgated editions as basic texts," he said, "but we must, nevertheless, require the student to

take the course on Rizal." His point was well taken. Thus in the amendment we have proposed, even if a student, on grounds of religious belief, objects to the use of the unexpurgated or original texts, and he is, therefore, excused from using those texts, he is nevertheless required to take courses on the *Noli Me Tangere* and the *El Filibusterismo*.

In other words, we shall not be disloyal to the objectives of the bill. Our amendment only opens a little doorway through which a student may escape from that terrible predicament where to obey the state's law would be to violate his religious conscience and to follow his religion would be to become a law-breaker. I do not think we should place our students in such a dilemma.

Yes, as it has been said here, there are times when a man can be compelled to choose between black and white, between going right and going left. That is true. In times of war, for instance, a man is required to bear arms. But there must be an imperative necessity behind the compulsion. Thus, where the very security of the state is endangered, it may resort to compulsory measures which in normal times would constitute an invasion of individual liberty.

In the case before us, is there such a danger? Is there such an imperative necessity for the use of compulsion? Have we not done enough by providing in the new bill that the minds of the students of our country be infused with Rizal's ideals from the first grade in the elementary schools to the fourth year in our high schools to college? Have we not included enough provisions to persuade him to know and love Rizal, to arouse his intellect, his curiosity, his patriotism, so that he may, of his own volition, say, "I want to read the unexpurgated editions?"

We are not, by our amendment, prohibiting or discouraging the reading or use of the unexpurgated or original editions. We are simply providing a means to protect that sacred thing called conscience. I, for one, would not want to stand accused of consenting to a law that would violate the conscience of any man.

My friends, you and I are affected by this measure in a very personal sort of way. You have children, I have children. I have told myself: I will try to have my children learn patriotism and civic virtues, but one thing I will not do is to use compulsion on them. Your children and mine are going or will be going to school. Suppose this measure is enacted into law as it is. We would then be placing our own children in that terrible dilemma wherein he must violate either the law or his conscience. One day, your child

will come home to you and tell you, "Father, my religious belief teaches me that I should not read the unexpurgated edition of the *Noli*, because in that edition the sacrament of Holy Communion, which you, as a Catholic, have taught me to hold sacred, is made light of as 'eating God'; because in that book some characters make fun of the Pope, saying that he says mass lying down and with a fan; because in some parts it is irreverent towards my religion. Yet, because of the law you have approved, I must read these things against my conscience. Why have you done this to me?" Would you not then reproach yourself for having allowed this terrible thing to happen to the heart and conscience and soul of your own child?

We are with you when you say, "Let us teach Rizal." There is really no anti-Rizalist among us or among our people. We have shown this by contributing our ideas to make the teaching of Rizal effective, so that our efforts should be directed not only towards college students but also towards the masses of our people—the grade school students, the high school students, the members of the barrio councils and the *puroks*. We would also enlist the help of the Catholics in teaching Rizal. We only plead for one thing: hold freedom of conscience sacred and inviolate.

You want good citizens? How can you have good citizens when you compel them to bow to the civil law at the expense of their conscience and religious beliefs? Would this be the spirit of liberty that seeks to understand the minds and hearts of other men and women?

As I said at the beginning of my speech, I have tried to find the right approach to this question, having in mind the two basic traits of our way of life, liberty and deep religious faith. I have already shown how the measure, as it is, does violence to the spirit of liberty. I would like now to take up the second of these basic traits, the deep religious faith of our people.

What should be the attitude of the government and those who lay down its policies, like us, towards religion? The answer has been furnished us by the Supreme Court in the case of *Aglipay versus Ruiz*. It said:

"We are much impressed with the vehement appeal of counsel for petitioner to maintain inviolate the complete separation of church and State, and curb any attempt to infringe by indirection a constitutional inhibition. Indeed, in the Philippines once the scene of religious intolerance and persecution, care should be taken that at this stage of our political development nothing is done by the Government or its officials that may lead to the belief that the Government is taking sides or favoring a particular religious sect or institution."

In the first place, then, the Government must not only be strictly impartial towards all religious groups but it must also take care that that impartiality be at all times above suspicion or doubt.

In other parts of the decision in *Aglipay versus Ruiz*, the Supreme Court further emphasized that religious freedom, as a constitutional mandate, "is not inhibition of profound reverence for religion and is not a denial of its (beneficent) influence in human affairs." I was taught by this decision of the Supreme Court to hold religion in profound reverence. Incidentally, my friends, this Supreme Court decision was penned by the then Justice José P. Laurel, who now graces the membership of the Senate.

This declaration on profound reverence for religion was but a statement of the true sentiments of our people. For, when the Filipino people, the decision goes on to say, invoked in the preamble of their Constitution the aid of Divine Providence in order to establish a government that shall embody their ideals, "they thereby manifested their intense religious nature and placed unflinching reliance upon Him who guides the destinies of men and nations." There can be no question, therefore, as to the deep-seated religious sentiments of our people.

Now, then: the very proponents of the bill admit that these unexpurgated novels of Rizal contain "some degree of irreverence" towards the Catholic faith. This being so, would we be justified in compelling our students, including Catholics, to read and study not only the patriotic and noble message of Rizal's books but also those passages which are admittedly irreverent? If we do that, then where is our profound reverence for religion? Where is the injunction of the Supreme Court that whatever we do, care should be taken that our acts may not be interpreted as against or in favor of any religion?

The amendment we propose would save this bill from the charge that this measure is directed against the Catholic religion and would prevent it from violating the religious sensibilities of our people.

Indeed, our amendment does more. This morning, the distinguished gentleman from Batangas, Senator Laurel, passionately declared that we must teach our people to think. We agree with him. Our amendment will do just that. The original and unexpurgated editions of the *Noli* and the *Fili* are being objected to on religious grounds. Now, when the students are required to take a course on Rizal at the college level, they are given the unexpurgated

gated editions. We do not decide for them whether or not, in the face of the objection raised against them on religious grounds, they, the students, should use these editions. College students are, on the average, 17 to 20 years old; they are old enough to think for themselves. We do not, as I have said, decide for them. Instead, under our amendment, we would require them to decide for themselves. We tell them, "Think for yourselves. Do you or do you not want the original or unexpurgated editions? If you want them, well and good. If you don't on grounds of religious belief, well and good, too. We will not violate your conscience. But, certainly, you must still study Rizal and learn from him. This you can do without going against your conscience." Are we not thereby teaching our youth to think for themselves, as the distinguished gentleman from Batangas urges?

Another argument put up against our amendment is that if the freedom of choice is given to our students, it is going to be abused, because many students would submit to pressure from religious quarters against reading the original or unexpurgated texts. This argument is an insult to our youth. I have faith in the youth of this country. I believe that they will decide of their own accord whether or not to read the unexpurgated editions.

My plea, my friends, is that we leave our students to decide for themselves in accordance with their own conscience. I, on my part, will not step in and decide for them. I will not step into their hearts and into their conscience and say: "Not you, not your conscience, but I, the powerful legislator, I, who have the power to make laws and impose them upon you, shall decide for you!" No, my friends, I will never do that. Instead, I ask you to give that young man, that growing girl in college, who may be your own son or daughter, the freedom of choice. If he does not want to read Rizal in college, after having been taught Rizal in the grade school and in the high school, you may say that he will not be a worthy citizen. And yet, my friends, the remedy you offer, compulsion, will not succeed either in making him take Rizal to his heart.

The divergence of our views then concerns the question of approach. In our desire to achieve nationalism, in our desire to make Rizal live in the heart of every Filipino, in our desire to make every Filipino build in his heart a shrine and an altar for Rizal, so that every day, before he takes to bed, he shall remember him and his great teachings, we who propose this amendment ask only that in promoting that desire we do

not violate the conscience of anyone. Is that too much to ask?

My friends, as I have said, this bill affects us in a very personal sort of way. You and I are here dealing with compulsion, which has connotations that are not germane to the democratic way of life. Compulsion in the inculcation of ideas is, in fact, the greatest weapon of Communism. We know it by a very descriptive word: brainwashing. Brainwashing has been resorted to by dictators; they have imposed the reading of their works upon their people. Are you willing to stand accused of resorting to the ways of totalitarianism, of trying to brainwash our youth, trampling upon their religious scruples? This is not saying that Rizal's works are bad. But no matter how edifying they may be, in propagating them, we cannot, we must not resort to the ways of Communism and dictators. If we want the youth to be free, let us make them free according to the ways of democracy and freedom.

I am reminded, my friends, of an incident during the Napoleonic era. When Napoleon was at the height of his power and his armies spread far and wide, a German city was conquered by a general of Napoleon. This general of Napoleon gathered the inhabitants of the town, and, haranguing them, told them: "Citizens, you have been liberated by the orders of the great Napoleon. You should be properly grateful. You are commanded to be free. If there is anyone among you who does not want to be free, I will have him hanged."

In effect, what are we trying to do? We are trying to liberate the minds of our youth, to make them free, to make them love our country—and we would do all this by commanding them to do so! The words of Justice Learned Hand come back ringing in my ears: "These are false hopes; believe me, these are false hopes; liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it . . ." You cannot make a people free by compulsion. You can make a people free only through the ways of freedom—not by compulsion, but by nurturing freedom and love of country in their hearts!

Let us be realistic. There is great opposition to this bill as it is. Whether that opposition be just or unjust, we must not, we cannot ignore it. You say that those opposed to compulsion are motivated by bigotry, that they still live in the Dark Ages? You are free to believe that—although I do not share your view. But the fact remains that those who are opposed to this bill as it is are Filipinos,

my friends. They are our own countrymen. And I would like to believe that we, Filipinos, all of us—the good, the bad, the indifferent, the dumb, the genius, the industrious, the laggard, the sinner, the saint—all of us are brothers under “the canopy of heaven!” We cannot make our people good, by simply commanding them to be good. We cannot make our people free, by simply commanding them to be free. We cannot make our people know and love Rizal, by simply commanding them to know and love Rizal. Our people will be good, our people will be free, our people will know and love Rizal, only if we regard each other as brothers nurtured in the spirit of liberty, with respect, love and understanding for one another.

And so, I beg of you: approve this amendment, this little leeway for the human conscience, so that religious freedom and tolerance shall remain inviolate. Approve this amendment—and you will thereby consecrate the spirit of liberty and respect for human dignity. This is the way of the free. This is the way of democracy. I thank you.

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

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

Senator PELÁEZ. Willingly.

Senator SABIDO. Gentleman from Misamis Oriental, I wish to state that I agree with Your Honor . . .

Senator PELÁEZ. Thank you very much.

Senator SABIDO. . . . that we should not compel a student for reasons of religious belief to do something against his belief. But I have read carefully the amendment proposed by the distinguished gentleman from Zamboanga and it says the following: “PROVIDED, FURTHER, THAT IF THE STUDENT SERVES WRITTEN NOTICE UNDER OATH TO THE HEAD OF THE COLLEGE OR UNIVERSITY THAT THE READING AND STUDY OF THE SAID ORIGINAL OR UNEXPURGATED EDITIONS IS CONTRARY TO HIS RELIGION OR RELIGIOUS BELIEF * * *.” “Is contrary to his religion or religious belief.” Must we require the poor student to pass judgment on the writings or works of Rizal before even he had had any chance to read them? Why don't we confine ourselves to allowing the student to state an opinion but not a judgment? Imagine a poor student who has never read the books of Rizal being required under this amendment to say under oath: “Those books are contrary to my religion.” How can he know if he has never read them? So I say, will it not be better if, as I intend to propose, we leave this matter to the National Board of Education so that

the National Board of Education more calmly and serenely may promulgate the rules wisely concerning the exception that we want to establish?

Senator PELÁEZ. May or shall?

Senator SABIDO. May.

Senator PELÁEZ. Why may? Why not shall?

Senator SABIDO. If we are claiming freedom for us, let us also give freedom to the National Board of Education.

Senator PELÁEZ. So we say then that all matters of implementation shall be left to the board, let us not mention expurgated or unexpurgated, we simply say that Rizal will be taught in all schools and colleges and let the board implement. Then I agree if that is Your Honor's idea.

Senator SABIDO. In this respect at least where there are conflicting opinions, we can very well leave that matter to the National Board of Education. In those other cases where there is no conflict or controversy, why do we have to discuss them again? Let us confine ourselves to the particular provision and we will probably be able to strike a happy medium.

Senator PELÁEZ. I am grateful to the gentleman for his desire to strike a happy medium. First, the gentleman asked me: How can he say it is contrary to his religion if he has not read it?

Senator SABIDO. Exactly.

Senator PELÁEZ. Well, religion is a matter of faith. When a priest tells a student that there is something irreverent in the book because it speaks of the Holy Eucharist, which is dear to the Catholics, as eating God, is unholy; when the priests speak, especially here when the Catholic hierarchy has spoken, and say that a matter of religious faith is involved, and the student chooses to follow, we call him blind or call him unreasoning. He may be all this, but he is only following what is dictated by his religion. It is not for us to judge the reasonableness or unreasonableness of a person's belief that a particular act required of him is against his religion. As a matter of fact, the case of folk dancing has been mentioned here. On October 6, 1955, a Protestant sect in Cotabato told the authorities: “We do not want our children to indulge in folk dancing because it is against our religion.” Now you ask me: “Well, how could you tell it is against their religion—folk dancing—they had not done it?” This is what Secretary Tuason replied, who is now Secretary of Justice. He said: “Implicit in these principles is the rule that government is disabled from inquiring into or passing upon the religious character of particular beliefs or their validity as such,” quoting U. S. vs.

Ballard. "The reasonableness of an individual's belief has no bearing upon his constitutional right so long, of course, as his acts or refusals to act are not directly harmful to the public," quoting *Holly vs. Superior Court of Cleveland County*. And so it is not for the State to ask the boy or the girl in college: "Well, how can you tell, how can you convince me of the reasonableness of your belief?" It is not for us to inquire because that is the field of religious conscience. It is up to us to accept what he says about his religion. So that is the answer.

Now I have explored the idea of Your Honor of leaving this to the Board, but if it must be left to the Board, let it be left so that everything will really be free. But as Your Honor would suggest in your amendment, you simply say: "The Board may promulgate rules and regulations to exempt students from reading these unexpurgated editions on grounds of religious belief." It simply says "may". Suppose the Board does not act, then the Catholic student already is at a disadvantage because you have already prescribed the unexpurgated edition as a basic text. Now if you take out that part which says: "The unexpurgated edition must be prescribed as a basic text," if you take that out and you simply say: let the Board decide whether it should prescribe the unexpurgated or the expurgated text after the views of all parties concerned, that would be more in accordance with your idea.

Senator SABIDO. Gentleman from Misamis Oriental, we were discussing this matter on the assumption that that portion of the bill would be amended. In other words, the words "basic text" shall be suppressed and in lieu thereof the words "required reading" shall be inserted.

Coming to that case of folk dancing, does not the gentleman from Misamis believe that there is no similarity between this case and that case for, while knowledge of folk dancing can be had by simply looking at it, you cannot pass judgment on the merits or demerits of a book before reading it. Upon the other hand, does not the gentleman from Misamis also agree with me that in accordance with the tenets of our religion, and I am a Catholic although perhaps not a Saint Peter, it is only in matters of dogma that we should believe blindly? So why, I repeat, compel a student every time he wants to be exempt to say, "I beg to be exempt because these books are contrary to my religion or religious belief"? Why compel him to pass judgment? Why not simply—and that is what I expect the National Board of Education to do—why

not simply allow him to be exempt because of his religious belief, expressing his opinion, but not passing judgment?

Senator PELÁEZ. In the first place, I do not agree with Your Honor that by our amendment we are compelling the student to pass judgment. We are only telling him: "If you want to read it, you are free to do so. If you don't want to, you are not compelled to read it. Whatever your reasons are, if you think it is not good, provided they are of a religious nature, we respect that." So there is no compulsion.

Senator SABIDO. But according to this amendment, the student must say: "This book is contrary to my religion or my religious belief" and besides, does not the gentleman from Misamis Oriental believe that we should not be referring to the other group of senators as the Catholic group, as if meaning that the other group, not concurring with that group, is anti-Catholic?

I want to make of record that with the exception of the gentleman from Lanao, Senator Alonto, I don't believe any one of the members of the Senate is not a Catholic. I would explain it otherwise: every member of the Senate is a Catholic.

Senator PELÁEZ. I stand corrected on that. For the fact is that of all the Catholics here, three have carried the voice of the Catholics to the extent that they were pilloried as being against Rizal.

Senator ALONTO. Mr. President.

The PRESIDENT. Gentleman from Lanao.

Senator ALONTO. With the permission of the gentleman from Misamis Oriental, while it is true that I am not a Catholic and not a Christian, I am neither anti-Catholic nor anti-Christian.

Senator PELÁEZ. There is no slur in that. If in answer to the gentleman from Albay the phrase, "contrary to his religion" is not acceptable to him, I would gladly amend it; "that he would not read the unexpurgated text on ground of religious belief, so that it will not appear that he is passing judgment." I would accept that amendment—and after consultation with my co-authors.

Senator SABIDO. After this amendment has been voted upon, I will propose my amendment, because under the rules of the Senate, it is prohibited to amend an amendment to the amendment. So I will have to propose my amendment after the Senate has voted on this amendment.

The PRESIDENT. Is the Senate ready to vote now on the amendment to the amendment?

El Sen. CUENCO. Señor Presidente, para unas breves manifestaciones solamente en contra de la enmienda por sustitución.

El PRESIDENTE. El caballero de Cebú tiene la palabra.

DISCURSO DEL SEN. CUENCO EN CONTRA DE
LA ENMIENDA POR SUSTITUCIÓN

El Sen. CUENCO. Señor Presidente, en 1934, delegados elegidos por el pueblo mediante una votación directa, estudiaron y decretaron, un año después, nuestra Constitución.

¿Cuál era aquella Constitución que reclama la gloria de ser una de las mejores del mundo? No era una Constitución fascista, no era una Constitución que establecía un gobierno dictatorial. Era una Constitución que establecía un gobierno republicano, de justicia, igualdad y democracia.

Los dos ilustres caballeros de Batangas deben ser mencionados entre los que contribuyeron en gran manera a dotar a nuestro país de una verdadera y genuina democracia.

Hombres doctos y maestros en ciencia política consagraron sus esfuerzos y afanes para establecer, como ya he dicho, un régimen de justicia y libertad.

Cuando el presidente de la Convención Constituyente, en febrero de 1935, anunció que ésta había de dar fin a su ardua tarea, pronunció un discurso haciendo un resumen de la labor que se había concluido, y recuerdo muy bien que el presidente de aquella Convención, en un discurso magistral, después de puntualizar y recalcar los principios de libertad en los cuales se basa nuestra ley fundamental, expresó su convicción de que el pueblo filipino viviría feliz dentro del reinado de Dios.

Por otra parte, el caballero de Batangas, Doctor Laurel, que fue el presidente del Comité sobre Derechos, nos recuerda que no puede haber libertad sin una verdadera libertad religiosa. Y recuerdo muy bien, Señor Presidente, que el ilustre Doctor Laurel, al subrayar la necesidad del establecimiento y respeto de la libertad de conciencia y la libertad religiosa, citó a un ilustre político inglés que dijo que toda persecución religiosa constituye la mayor tiranía y establece una política completamente funesta para toda comunidad. Tan enamorado estaba, Señor Presidente, el ilustre delegado de Batangas de una completa y absoluta libertad religiosa que no se limitó a recomendar que se copiara solamente la disposición de la Constitución de los Estados Unidos sino que fue más allá. La Constitución de los Estados Unidos, con respecto a las materias religiosas, dice lo siguiente: "NO LAW

SHALL BE MADE RESPECTING AN ESTABLISHMENT OF RELIGION OR PROHIBITING THE FREE EXERCISE THEREOF."

En esas palabras que acabo de leer queda establecido en la Constitución de los Estados Unidos lo que se refiere a la libertad religiosa. Pero, el Doctor Laurel, para recalcar más, hizo y logró que la Convención añadiera las siguientes palabras: "AND THE FREE EXERCISE AND ENJOYMENT OF RELIGIOUS PROFESSION AND WORSHIP WITHOUT DISCRIMINATION OR PREFERENCE, SHALL FOREVER BE ALLOWED."

Ahora, Señor Presidente, y desearía saber si la libertad religiosa que, según el Doctor Laurel, debe ser respetada, porque sin ella no habría libertad, yo desearía preguntar si no se viola la libertad religiosa obligando a los filipinos, a los católicos, a que lean las novelas de Rizal no obstante las doctrinas contrarias a los dogmas y enseñanzas de la religión católica que hay en esas novelas. ¿Seríamos justos, no cometeríamos una tiranía, si obligáramos a un alumno a que lea el capítulo llamado "Tasio el loco o el filósofo", donde se dice que los cristianos de los primeros siglos no creían en el purgatorio, que Jesús nunca mencionó el purgatorio, que en los Evangelios no se habla nada del purgatorio y que el purgatorio ha sido inventado para lustrar por Zoroastro cuyos sacerdotes encontraron después en esta creencia un medio lucrativo para crear fortuna? ¿No sería una tiranía, Señor Presidente, si compeliéramos a nuestros jóvenes a leer contra su voluntad el capítulo denominado "Sisa", donde se dice que los pobres difícilmente entran en el cielo, y que la justicia humana es más barata que la justicia divina, insinuando así que la religión católica es una mercancía más cara que cualquiera otra creencia referente a la justicia divina? ¿No sería violar el derecho a la libertad de conciencia si compeliéramos a los jóvenes a creer en lo que se dice en "El Filibusterismo", en el capítulo titulado "Juli", donde se afirma que Dios no es más que un engaño y que ni siquiera los sacerdotes creen en Él? Podríamos citar pasajes, Señor Presidente, para probar que por justa causa, en aras de la libertad de conciencia, a los escolares que profesan la religión católica no se les debe obligar a leer esos libros.

Señor Presidente, si la libertad religiosa es algo real, si la libertad religiosa es una verdadera libertad y no un mito, los defensores del proyecto de ley lo menos que deben admitir es que en el proyecto que se discute se inserte una disposición esta-

miendo a los estudiantes que sean católicos de la obligación de leer y estudiar las dos obras de Rizal.

Señor Presidente, debemos ser justos con el Doctor Rizal. Sabemos todos que cuando escribó esas obras, él ya no creía en algunos dogmas y doctrinas de la religión católica. Como consecuencia de sus creencias religiosas de entonces, aparecen en estas dos obras juicios que son contrarios a la religión católica, y puesto que el Doctor Rizal, antes de morir y después de rezar fervorosamente, como dijo el ilustre caballero de Batangas, hizo una confesión sincera y se retractó de los errores religiosos que había profesado, seríamos traidores a la memoria de Rizal si no obstante haberse él retractado de esos errores obligáramos a nuestra juventud a creerlos y, tal vez, a que sean tema de fin de curso en los colegios. Nosotros, señor Presidente, no nos oponemos a que se enseñen las obras de Rizal. Lo que pedimos es que se respete la libertad de conciencia, ya que esta libertad está garantizada por nuestra Constitución. No propugnamos que se apruebe una ley prohibiendo que se lean y se enseñen las doctrinas de Rizal, los libros del Doctor Rizal. Lo que solamente pedimos es que a los católicos a quienes importa su derecho de creer como su fe les dicte, no sean compelidos a leer estos libros, so pena de ser expulsados, o al menos, de ser desaprobados en los exámenes que se celebren.

Señor Presidente, muchas gracias.

SUSPENSIÓN DE LA SESIÓN

Senator PRIMICIAS. Mr. President, I move that we suspend the session for a few minutes.

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

Eran las 8:05 p.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 8:20 p.m.

El PRESIDENTE. Se reanuda la sesión.

SUSPENSIÓN DEL REGLAMENTO

Senator PRIMICIAS. Mr. President, before I make any statement, I ask for suspension of the rules in order to enable me to present an amendment to the amendment.

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

ENMIENDA A LA ENMIENDA POR SUSTITUCIÓN

Senator PRIMICIAS. I now, Mr. President, in the name of many members of this body, present this

amendment to the amendment: On page 2, line 6, after the period (.) following the word "act," insert the following:

"THE BOARD SHALL PROMULGATE RULES AND REGULATIONS PROVIDING FOR THE EXEMPTION OF STUDENTS FOR REASONS OF RELIGIOUS BELIEF STATED IN A SWORN WRITTEN STATEMENT FROM THE REQUIREMENT OF THE PROVISION CONTAINED IN THE SECOND PART OF THE FIRST PARAGRAPH OF THIS SECTION; BUT NOT FROM TAKING THE COURSE PROVIDED FOR IN THE FIRST PART OF SAID PARAGRAPH."

The PRESIDENT. Those who are in favor of the amendment to the amendment will please say *aye*. (*Several senators: Aye.*) Those who are against will please say *nay*. (*Silence.*) The amendment is unanimously approved.

Senator DELGADO. Mr. President, I am recording my vote as abstention without prejudice at a later time to explain why I abstained.

The PRESIDENT. Let it be recorded.

Senator PRIMICIAS. Mr. President, if there are no other amendments, I move that this substitute bill as amended be approved on second reading.

APROBACIÓN EN SEGUNDA LECTURA DEL C. R. NO. 438

The PRESIDENT. Those who are in favor of the substitute bill as amended will please say *aye*. (*Several Senators: Aye.*) Those who are against will please say *nay*. (*Silence.*) The bill is approved on second reading as amended.

SUSPENSIÓN DE LA SESIÓN

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

The PRESIDENT. If there is no objection, the session is suspended for a few minutes. (*There was none.*)

Eran las 8:25 p.m.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión a las 9:35 p.m.

The PRESIDENT. The session is resumed.

Senator PRIMICIAS. Mr. President, I ask that we consider Senate Resolution No. 90.

The PRESIDENT. Consideration of Senate Resolution No. 90 is in order. The Secretary will read the same.

The SECRETARY:

RESOLUTION AUTHORIZING THE COMMITTEE ON BANKS, CORPORATIONS AND FRANCHISES OF THE SENATE TO CONTINUE FUNCTIONING DURING THE RECESS OF CONGRESS FOR THE PURPOSE OF HOLDING HEARINGS ON PENDING MEASURES AND/OR CONDUCTING INQUIRIES OR INVESTIGATIONS OF CHARGES AGAINST