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Monday, September 1, 1986

OPENING OF SESSION

At 9:56 a.m., the President, the Honorable Cecilia Muñoz Palma, opened the session.

THE PRESIDENT: The session is called to order.

NATIONAL ANTHEM

THE PRESIDENT: Everybody will please rise to sing the National Anthem.

Everybody rose to sing the National Anthem.

THE PRESIDENT: Everybody will please remain standing for the Prayer to be led by the Honorable Blas F. Ople.

Everybody remained standing for the Prayer.

PRAYER

MR. OPLE: God Almighty, it was by Your will that 48 men and women from diverse origins and backgrounds were brought together here to frame a Constitution for the Filipino people.

Outside these halls, we have often been criticized for having been appointed, not elected, as though, lacking the grace of a popular mandate, we are not worthy of this exalted task. And yet this is only one way of saying that not being elected, we cannot be independent. We believe this Commission, with Your Divine Grace, has boldly met the test of independence, the sole guide for our actions being our respective consciences.

You did not intend or program us to think alike, for that would be an abomination of intellectual freedom and of the plurality of ideas essential in a democracy. God, forbid that there should ever come the day when there will be a compulsory leveling of thought to one uniform mass to suit a one-party State in our beloved country.

Therefore, we, as individual Commissioners, have exercised on this floor and in the committees, our independence of thought and action. In the process, there are clashes of ideas that often test the patience of friends and strain the bonds of courtesy and civility, but they also prove the vitality of freedom on this floor. Perhaps no better proof than this exists to show that we are being faithful to our individual mandates in drafting the highest covenant for our people.

And yet it is possible, Lord, that in thus engaging ourselves in a clash of ideas and in wearing the warrior's plumes we fall into the occasional error of vanity and pride, forgetting that it is the meek who shall inherit the earth. Teach us then, O Lord, to be brave and humble in our hearts; teach us to be tolerant of adversaries; teach us the

grace of conquering through love and humility.

And, finally, guide us, Lord, as we brace for the final chapter in the brief but epic labors of drafting a Constitution for our people and their posterity. Amen.

ROLL CALL

THE PRESIDENT: The Secretary-General will call the roll.

THE SECRETARY-GENERAL, reading:

Abubakar Present [*] Natividad Present [*]

Alonto Present Nieva Present

Aquino Present [*] Nollado Present[*]

Azcuna Present Ople Absent

Bacani Present Padilla Present

Bengzon Present [*] Quesada Present

Bennagen Present [*] Rama Present

Bernas Present Regalado Present

Rosario Braid Present Reyes de los Present

Calderon Present Rigos Present

Castro de Present Rodrigo Present

Colayco Present Romulo Present

Concepcion Present Rosales Absent

Davide Present Sarmiento Present

Foz Present Suarez Present

Garcia Present Sumulong Present

Gascon Present Tadeo Present [*]

Guingona Present Tan Present

Jamir Present Tingson Present [*]

Laurel Present Treñas Absent

Lerum Present [*] Uka Present

Maambong Present Villacorta Present

Monsod Present Villegas Present

The President is present.

The roll call shows 34 Members responded to the call.

THE PRESIDENT: The Chair declares the presence of a quorum.

MR. CALDERON: Madam President.

THE PRESIDENT: The Assistant Floor Leader is recognized.

MR. CALDERON: I move that we dispense with the reading of the Journal of the previous session.

THE PRESIDENT: Is there any objection? (Silence) The Chair hears none; the motion is approved.

MR. CALDERON: Madam President, I move that we approve the Journal of the previous session.

MR. GUINGONA: Madam President, before we approve the Journal of the previous session, may I be allowed to insert some corrections on page 25?

THE PRESIDENT: The Commissioner may proceed.

MR. GUINGONA: On page 25, line 3, change the first word "promptly" to "MIGHT" and between the figure "30%" and the word "with," insert the words "FOR SALARIES, BONUSES, ALLOWANCES, ETC., OF TRUSTEES AND RANKING ADMINISTRATION OFFICIALS."

Finally, Madam President, on line 5, between the comma (,) after the figure "10%" and the word "allot," insert the word "MIGHT."

Thank you, Madam President.

THE PRESIDENT: Is there any objection? (Silence) The Chair hears none; the proposed corrections are directed to be made.

MR. OPLE: Madam President.

THE PRESIDENT: Commissioner Ople is recognized.

MR. OPLE: There is a precedent-setting character to the intervention by Commissioner Guingona in terms of correcting the Journal on the floor. There was a prior agreement that to save time those Commissioners who wanted to make their respective corrections based on what was actually said could do this by making representations to the President and to the Secretariat.

THE PRESIDENT: We have followed that; only I was surprised by Commissioner Guingona when he made the corrections on two occasions on the floor.

MR. OPLE: Thank you for that clarification, Madam President.

APPROVAL OF JOURNAL

THE PRESIDENT: Is there any objection that we approve the Journal of the previous session? (Silence) The Chair hears none; the motion is approved.

MR. CALDERON: Madam President, I move that we proceed to the Reference of Business.

THE PRESIDENT: Is there any objection? (Silence) The Chair hears none; the motion is approved.

The Secretary-General will read the Reference of Business.

REFERENCE OF BUSINESS

The Secretary-General read the following Communications, the President making the corresponding references:

COMMUNICATIONS

Communication from the faculty and staff of the Faith Bible Institute, P.O. Box 88, Laoag City, Ilocos Norte, urging the Constitutional Commission to incorporate in the Constitution the provision that the separation of the Church and the State shall be inviolable as embodied in the 1973 Constitution and as understood historically and jurisprudentially in the Philippines.

(Communication No. 675 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Letter from Mr. Fred M. Magbanua, Jr. and three other officers of the Christian Leaders Alliance of the Philippines, P.O. Box 1, Valenzuela, Metro Manila, endorsing the position paper on religious instructions in public schools presented by Mr. Isabelo F. Magalit of the Konsiyensiya ng Febrero Siete (KONFES), recommending that the provision of the 1973 Constitution be retained and incorporated in the new Constitution.

(Communication No. 676 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Letter from Mr. Ben T. Porcadilla of the General Baptist Church of the Philippines, Inc., Bolcan St., Agdao, Davao City, urging the Constitutional Commission to incorporate in the new Constitution that the separation of the Church and the State shall be inviolable as embodied in the 1973 Constitution and as understood historically and jurisprudentially in the Philippines.

(Communication No. 677 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication from Mr. Pedro Zorilla, transmitting Resolution No. 130 of the Sangguniang Panlungsod of Dipolog City, proposing the creation of a new region to be composed of the Provinces of Zamboanga del Norte, Misamis Occidental, Zamboanga del Sur, the Cities of Dipolog, Dapitan, Oroquieta, Ozamiz, Tangub and Pagadian.

(Communication No. 678 — Constitutional Commission of 1986)

To the Committee on the Legislative.

Communication from former MP Rogelio M. Sarmiento, Sarmiento Bldg., No. 2, Pasong Tamo Ext., Makati, Metro Manila, suggesting that the Constitutional Commission of 1986 should provide that in the event the new Constitution is repudiated during the incoming referendum, President Corazon C. Aquino should choose between the 1935 or the 1973 Constitution as the functioning constitution which we shall follow and uphold.

(Communication No. 679 — Constitutional Commission of 1986)

To the Committee on Amendments and Transitory Provisions.

Letter from former MP Rogelio M. Sarmiento, Sarmiento Bldg., No. 2, Pasong Tamo Ext., Makati, Metro Manila, urging the Constitutional Commission of 1986 not to incorporate in the Constitution the issue of the American military bases in the Philippines and the policy of declaring the country as nuclear-free.

(Communication No. 680 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

CONSIDERATION OF COMMITTEE REPORT NO. 29

(Article on Education, Science, Technology, Arts and Culture)

Continuation

PERIOD OF SPONSORSHIP AND DEBATE

MR. RAMA: For consideration this morning, we have the Article on Education, Science, Technology, Arts and Culture. I move that we continue consideration of this article.

THE PRESIDENT: Is there any objection? (Silence) The Chair hears none; the motion is approved.

We will request the honorable chairman and members of the Committee on Human Resources to please occupy the front table.

Mr. Floor Leader, are we still guided by the agreement that the interpellations will be centered on the different sections?

MR. RAMA: Madam President, I ask that Commissioner Azcuna be recognized.

THE PRESIDENT: May we request the members — Commissioners Uka, Guingona, Quesada, Tan, Bennagen, Gascon, Rigos and Rosario Braid — to sit in front.

Commissioner Azcuna is recognized.

MR. AZCUNA: Thank you, Madam President.

I just would like to ask a few clarificatory questions of the committee. I notice that in the lead section of the Article on Education, it stated that the State shall give priority to education, science and technology, arts and culture for the purpose of fostering national pride and identity, enhancing the quality of life of every Filipino, and expanding the frontiers of justice and freedom.

I would like to know what the goals of our educational system are. Is this a statement of the goals of our educational system?

MR. VILLACORTA: Would the Commissioner like me to answer now or to finish his other questions?

MR. AZCUNA: If possible, I would like the committee to answer that now.

MR. VILLACORTA: The section that the Commissioner has just referred to is the omnibus section which presents the goals not only for education but for science, technology, arts and culture.

MR. AZCUNA: So, the goals of education, science, technology, arts and culture are to foster national pride and identity, enhance the quality of life of every Filipino and expand the frontiers of justice and freedom.

MR. VILLACORTA: We feel that these are encompassing goals, but if the Commissioner has proposals by way of adding other objectives, the committee will be open to his proposal.

MR. AZCUNA: I see.

My next question on this section is whether there is a priority or hierarchy with the areas of education, science and technology, arts and culture.

MR. VILLACORTA: The sequence does not reflect the priority which we feel should be given to these areas.

MR. AZCUNA: They are all equally important as far as the committee is concerned?

MR. VILLACORTA: Yes, they are all equally important.

MR. AZCUNA: With respect to Section 1 (a), regarding the duty of the State to provide education to all citizens and Section 1 (b) which refers to a system of free public education at the elementary and secondary levels and a socialized fee structure at the tertiary level, my question is whether or not the committee has considered the possibility of providing preschool education to our citizens.

I remember very distinctly at one of the public consultations we had in Legaspi, one participant brought out the possibility that instead of financing one year in college, let us say, free college education, perhaps the State will accomplish more if it could finance one year preschooling for our citizens because of the formative nature of preschooling and because of the fact that the advantage of those who are more able to spend for education over the less privileged, precisely, lies in the fact that they are able to send their children to preschool. Also, the capacity of a child to learn is formed precisely during this preschooling period. So, it seems to me that there may be a possibility of going into that area, and I do not know if the committee has looked into this.

MR. VILLACORTA: I think Commissioner Rosario Braid would like to say something.

MS. ROSARIO BRAID: The provision emphasizing comprehensive education which will integrate informal education which is really education in the home and nonformal, attends to the importance of preschool education. However, the Commissioner is quite right that in terms of formal preschool education, the committee report has not attended to that, and we quite agree that the most important years are the years of preschool education. So, I think the committee would be very willing to accept an amendment that would stress the importance of providing resources for the development, the establishment of a broadened preschool education.

MR. GUINGONA: Madam President, may I add something? As we said in our previous reply, the provision of the right to education and the corresponding duty of the State to provide the education expands the area of offerings; and, therefore, preschooling could be one of the areas, aside from tertiary and other areas, which the government could address itself to. But I see the rationale behind the question of Commissioner Azcuna because there have been findings that children of lower ages — five to six — are the ones who are most receptive to the learning process. But there is nothing in this provision that will prohibit, as the Ministry of Education, Culture and Sports has already announced, the lowering of the age. According to reports, beginning next year, students six years of age will be admitted to first grade, which is practically like preschooling already.

Thank you.

MR. VILLACORTA: So we shall consider the Commissioner's proposal.

MR. AZCUNA: Yes. May I proceed to Section 2 (a) regarding the aims of all educational institutions that they shall inculcate nationalism, love of fellowmen, respect for human rights, et cetera, and finally towards the end, it says: "impart liberal education." My first question is on the word "inculcate." According to the definition of the term "indoctrination" by Mr. Carter V. Good in his Dictionary of Education, the term "indoctrination," in its broadest sense, is the attempt to inculcate beliefs, a possible concomitant of any learning situation. In the narrower term, it is the attempt to fix in the learning mind any doctrine — social, political, economic or religious — to the exclusion of all contrary doctrines, and in a manner preventing serious comparison and evaluation.

The word "inculcate" is used in this Section 2 (a) which reads: "shall inculcate nationalism, love of fellowmen and respect for human rights, teach the rights and duties of citizenship, et cetera." Would that mean indoctrination or not?

MR. VILLACORTA: No, because, as popularly understood, indoctrination is the systematic imposition of certain beliefs that are related to the priorities of a particular state. But in its loosest sense, and if we will consider inculcation as indoctrination, then any form of teaching, including teaching of religion, would be indoctrination. But in its strictest sense, what we are proposing here is not indoctrination. If the Commissioner is uncomfortable with the word "inculcate," we would welcome any suggestion as to the alternative term that we can use to make it less caring.

Commissioner Rigos would like to say something.

REV. RIGOS: Madam President, also it is worth noticing that the word "inculcate" here is used in relation only to nationalism, love of fellowmen and respect for human rights. The other phrases are governed by the verbs teach, instill, strengthen, et cetera.

MR. AZCUNA: As long as it is put on the record that this is within the purview of respecting sanctity of individuals and allowing possibility of contrary views in the teaching process, I have no objection. That is the essence of the query.

MR. VILLACORTA: Yes, I was just checking whether the word "inculcate" was used in the other constitutions. We will look into the proper wording.

MR. AZCUNA: Thank you.

Finally, I was reading sometime a comic strip known as Doonesbury and this was on education. A president of a university was being asked to sign a document which would reduce the budget of the school within their capacity to spend, and he was telling his assistant who was asking him to sign this document: "Mr. Simon, in my days, education was a journey, a companion that took you to paths of learning in the garden of knowledge whereby you are allowed to come in contact with the best minds of generations and history."

He said, "Those were the aims of education in my days."

And he asked: "Mr. Simon, what are we aiming for now?"

And Mr. Simon told him: "Literacy, sir, literacy."

The President sighed but signed the budget reduction.

This, to me, is very relevant to our work because it boils down now to: Can we afford it? I think we have already taken up the cost in figures for this really very critical task of educating our people earlier, and I hope that this is within our task. Of course, if we cannot reach for something beyond our grasp, we say: "What is heaven for?" But then, there is also the possibility that our people might be frustrated if we promise them something we cannot deliver, especially in the field of education which, I believe, is the great equalizer. It is the one key activity or endeavor in which the poor and the underprivileged in our country will be able to equalize the disparities of life and be able to come out equal with others.

Thank you.

MR. VILLACORTA: May I briefly reply to that.

It is true that we are raising hopes and expectations with this section that guarantees free public education up to

the secondary level, on the same manner that hopes and expectations are raised when we talk about industrialization in the Article on National Economy and Patrimony and some other provisions in the Constitution in which we assume that we shall not stagnate at a certain point of development. If we assume that one day we shall be a more developed country or maybe the proper term is, we shall be less underdeveloped, then there probably is some basis for hoping that free public education up to the secondary level can be attained.

I would like to mention some poor countries such as Sri Lanka which guarantees free public education up to the tertiary level, but they know for a fact that that cannot be achieved in its perfect form. These poor countries try their best to attain that objective, and this augurs well for the educational sector because whenever these governments come up with their budgets, they make sure that education has one of the highest priorities. So, if only for that reason, I should say education is the best equalizer; we would have achieved our purpose.

MR. AZCUNA: Thank you.

MR. GUINGONA: Additionally, Madam President, if we agree that education should be one of the top priorities of the government, I would like to also add to what our chairman said during the deliberations on the committee report on Social Justice that the matter of cost also came up with regard to agrarian reform and urban land reform provisions, but we nevertheless approved these provisions conscious of the fact that because these are priority items, they should be given recognition in our draft Constitution.

MR. AZCUNA: Yes. I just would like to add only that the Philippines has been mentioned as one of the few countries that have been able to spread the benefits of education to a great number of its citizens notwithstanding its limited resources.

Thank you, Madam President.

MR. RAMA: Madam President, I ask that Commissioner Natividad be recognized.

THE PRESIDENT: Commissioner Natividad is recognized.

MR. NATIVIDAD: Thank you, Madam President.

The opening statements on Section 1 (a) on the Article on Education are heartwarming to read and hear, such as:

Education is the right of every citizen of the Philippines. The State recognizes its duty of providing education to all citizens.

Section 1 (c) states:

The State shall promote quality education and ensure equal access and opportunity to it by maintaining a system of scholarship grants and other incentives.

I would like to look at this provision through the eyes of a working student because I think the members of the committee would realize that we have tens of thousands of working students in the Philippines.

MR. VILLACORTA: Yes.

MR. NATIVIDAD: I was one of them and many of us here were former working students. I remember the ambivalent attitude of educators towards working students. I remember a sociology professor of mine in UP who told me that working students are the best citizens of this country because after working the whole day and studying at night, they still try to support a family and send other brothers and sisters to school. On the other hand, from the same university, I remember a political science professor who told me that working students have no place in the university. If they cannot afford to study, they should stay at home and plant camote. During peace

time, there was also a political science professor in UP who told me: "You have no business in the university if you cannot afford to buy books or wear a coat."

And now, in Metro Manila, we can see the incredible scenario of young women jostling in the jeepneys, going home at night at 9:30 or 10:00 from schools and going into veritable sweatshops called dormitories just to gain education. We are giving them hope in this by saying "equal access to education." I remember I used to go home at ten o'clock in the evening, eat as fast as I can and study up to 1 o'clock in the morning to be able to maintain my scholarship as a working student in the University of the Philippines.

It is in behalf of these tens of thousands of working students who will read this Constitution that I would like to ask these questions. What is it in this Constitution that will give them a little more hope that they will be able to gain an education? I am not after these professional or full-time students who are supported by their parents. I have never tasted such a privilege. I have always been a working student. I have six academic degrees but I have never been a professional student. And so, what the Commissioner says "system of scholarship grants and other incentives" is hopeful for the working students. However, on the record, this may be not necessarily an amendment. Would these incentives include a little more privilege and hope than what we went through the years that we were studying here in this country?

MR. VILLACORTA: Certainly.

MR. NATIVIDAD: Just for the record, what incentive is the Commissioner thinking of so that we can give hope to the tens of thousands of working students at night here in Manila and elsewhere?

MR. VILLACORTA: We are thinking of stipends, book and clothing allowances and such other incentives that the State may be able to afford to give not only to working students, but also to the poor and deserving students.

MR. NATIVIDAD: Would this include rolling scholarship funds for working students?

MR. VILLACORTA: This section contemplates that as well.

MR. NATIVIDAD: But the Commissioner agrees with my concept that the working students of this country are potentially very good citizens because despite the handicap and the lack of support from their families, they could still keep on plugging to gain an education.

MR. VILLACORTA: The Commissioner epitomizes that example or that truism that working students end up being the ideal citizens and leaders of this country. I know for a fact that even while the Commissioner was still a congressman, he was taking up his doctoral studies at the University of Sto. Tomas. In this committee, we believe that education is a lifelong process and that we should give due importance to working students. I know for a fact that in many universities, part-time working students are discriminated against others when it comes to scholarships preferences which are usually given to full-time but poor and deserving students.

MR. NATIVIDAD: That is why. I overheard the statement of the committee that scholarships will be granted to poor but deserving students. I would like to add depth to this phrase "poor and deserving students." It is easy to be poor; most of these students are poor, but the thing that will make them deserve the scholarship is the next word "deserving." It means high grades and I would like to open our eyes here from actual experiences. When one is a working student, he is usually very conscientious. He is always in a hurry to go to school. There is no time for him to be an editor of any magazine of the school; he cannot participate in any social activities; he closes his eyes to many privileges that other students enjoy; he keeps on studying up to three o'clock in the morning; yet it is very difficult to get good grades because he still has to work eight hours a day. Since he is poor and though his grades are just average, he should still be qualified and be considered for the benefits extended by the government.

When I was in that stage, I recall that I was a little bit lucky because I maintained my full scholarship. I became a partial scholar then in the University of the Philippines. Thus it is very difficult to maintain high scholarship grades when one is a working student.

I think it is not just the grades, it should also be provided that these working students do not flunk or do not give up. There is more to requirement than just high grades that should make us extend this government help to these working students. When I was a working student, I know that I was easily qualified "poor" because I was already an orphan then. But I tried my best and I was luckier than the others that I topped the Civil Service Pensionado Examination several times and I maintained my full scholarship in the University of the Philippines. But that cannot be done all the time. Most of the students cannot do it because it is too difficult to study up to three o'clock in the morning every night. They might become victims of tuberculosis.

So, I believe that when we say that this Constitution will give help to poor and deserving students, the word "deserving" in that part of the statement should not be limited to just good grades. It should also consider the efforts exerted by the student since it is almost impossible for a working student to get good grades. One needs super human efforts to maintain good grades.

MR. GASCON: Yes. In fact, when we say "deserving" we do not necessarily mean simply high grades. We recognize that there are other factors which would be and should be considered such as what the Commissioner has mentioned, but for purposes of this provision, when we speak of tertiary education there is a necessary level of competence which is required.

MR. NATIVIDAD: I agree.

MR. GASCON: But not necessarily high grades.

MR. NATIVIDAD: Yes.

MR. GASCON: However, when we speak of tertiary education and support of the State for certain poor and deserving students there should be a certain level of competence but not necessarily high grades and we have to consider other factors.

Also, there are various kinds of scholarships for those who are highly intelligent. So, we contemplate that we should not only speak of higher grades and excellence in academics.

MR. NATIVIDAD: I am glad that that is on the record.

Another point I would like to raise is on the question of Commissioner de Castro about compulsory elementary education. The good Commissioner asked whether we contemplate the use of truant officers as we had before and the answer was "no." But I was wondering how we can enforce this particular provision that there should be compulsory elementary education, if we will not have a system of truant officers as suggested by Commissioner de Castro because right now we can see children of school age being used as beggars in this city. These children who are plainly of school age are used as tools for begging. Maybe in other countries, these children of school age will have to be challenged by either a truant officer or a police officer, and rightly so, because when this Constitution says "compulsory elementary education," these children must be in the elementary school. They should be asked why they are in the streets during schooltime. So, I would like to repeat that question of Commissioner de Castro if it would not be necessary to implement a system of employing truant officers in order to give life to this particular provision of the draft Constitution.

MR. GUINGONA: In 1940, Commonwealth Act 586, otherwise known as the Educational Act of 1940, was enacted. Pursuant to this Educational Act, the Bureau of Public Schools issued Circular No. 26 dated July 1, 1941

requiring superintendents to report students who have been absent for 10 consecutive days without excuse. This circular even imposes penal sanctions with regard to parents of not less than P20 nor more than P40. However, this circular allowed exceptions. First, it will not affect children who live more than three kilometers away from a public school, or where the public schools are not accessible to these students. Another exemption is if the students are physically or mentally unable to attend classes. The third exemption is for those children who could not afford to go to school because of their economic condition. And then the fourth is, if the students attend a private school. Later on the Educational Act of 1953 added two other grounds, among which was the non-accommodation of the students in public schools. In other words, if the public schools really cannot accommodate students then there will be no requirement for the students to attend obviously. This matter of compulsory education is used not in a very strict sense and, therefore, the limits or the framework of which could be provided for either by law or by the Ministry of Education, Culture and Sports. As I said before, this could even be considered as relating to the duty of the State to provide public education. However, if the Commissioner is uncomfortable with the word "compulsory," I think the committee would be willing to consider any proposed amendment.

MR. NATIVIDAD: I am not uncomfortable. I like it to be compulsory because that is a big step towards education. What I mean is that we should give a hint to the Congress to provide means so that this can be compulsory like the truant officer because as Commissioner de Castro said, "How can we enforce this compulsory elementary education without somebody enforcing it?"

MR. GUINGONA: So, depending upon circumstances, the legislature could provide the laws while the restrictions, limitations or exemptions can be made in accordance with the circumstances and the times.

I think Commissioners Gascon and Rosario Braid would like to react.

MS. ROSARIO BRAID: When we mentioned linkage of schools with other institutions in the community and other social services — the home, church, health and other social institutions — what we mean is that the responsibility of finding out the reasons for truancy should be done by many institutions. Therefore, the Parent-Teachers Association and the guidance counselling institutions could be strengthened to help look into the problems within the environment of the school itself. So, the implementing mechanisms should be examined in terms of how it can be implemented not just by the school but by other cooperating institutions.

Thank you.

MR. NATIVIDAD: My next question is: I would like to be clarified on the meaning and the concept of the phrase "quality education." Is the Commissioner speaking of the comparative quality of education given in different universities like the former issues on a diploma mill or anything like that? What do we mean exactly by "quality education"?

MR. VILLACORTA: This qualification is being addressed to the sad state of public education that we have now and it commits the State to providing to all citizens quality education and not just free public education. In other words, the State must be conscious of the requirements of high academic standards.

MR. NATIVIDAD: Are we referring to any educational institution now existing when we say "quality education"? Are we comparing something with another thing? That is what I mean.

MR. VILLACORTA: This is not really aimed at comparing, but it is more aimed at stating a goal to achieve certain universally accepted academic standards and to discourage what we call "diploma mills."

MR. NATIVIDAD: So, that enters the picture also although secondarily only.

MR. VILLACORTA: Yes.

MR. NATIVIDAD: For the record, what do we mean by the phrase "liberal education"? How is it compared with "quality education"? There are three terms that I would like to clarify — "quality education," "liberal education" and "integrated system of education." These phrases are all mentioned in these sections chronologically.

MR. VILLACORTA: This is the third time that question was raised and this is probably a sign that we should look for an alternative term. The use of the word "liberal" here does not really connote the idea of free thinking, per se. But it really refers to a humanistic type of education to balance the goal of promoting scientific, technological and work-oriented efficiency because we would not want to have the kind of education that emphasizes only the technical aspects. Therefore, when we say "impart liberal education," we refer to the humanities as well as the social sciences. Humanities refer to philosophy, arts, literature, et cetera and social sciences refer to sociology, psychology, et cetera.

So liberal education would have the purpose of developing the complete man, the complete person.

MR. NATIVIDAD: How about the phrase "integrated system of education"?

MR. VILLACORTA: The phrase "integrated system of education" in Section 2 (b) will be explained by Commissioner Guingona who authored this section.

MR. GUINGONA: The word "integrated" has been adopted from the 1973 Constitution, the difference being that in the 1973 Constitution, the Constitution itself does not explain. However, we have attempted to explain this in the last sentence of the cited subsection which says:

The State shall recognize and strengthen the complementary roles of public and private educational institutions as separate but integral parts of the total Philippine educational system.

In other words, we are talking here of integration of public and private schools. The word "integration" has various meanings. It could refer to curricular integration and to integration of the various levels. As I mentioned in my previous statement, it could refer to the integration of black and white students as in the United States.

May I just be allowed to quote a few statements from the deliberations of the Constitutional Convention to show that this is the sense of that Convention when they used the word "integrated."

DELEGATE ALVAREZ: There is an implication here, Mr. Chairman, that in the mainstream of the system of education, the private schools must also belong.

DELEGATE ORTIZ: Remember that "A" implicates that it shall be an educational system. There are two kinds of education mentioned here, public education and private schools. There are those that would want to go to private schools. I would like to ensure the recognition and existence of private schools which form part of that integrated system.

DELEGATE CLEMENTE: I am in favor of the two-track system of education. In other words, I am in favor of the public school system and the private school system to continue.

DELEGATE LAUREL: I am in favor of the addition suggested. I would even go further. As a matter of fact, in this way I would not just establish and maintain a complete system of education, I would say provide a complete, adequate, and integrated system of education of both public and private.

MR. GASCON: Another perspective towards integration is that the educational system is integrated because the three levels of education — elementary, secondary and tertiary — comprise the whole educational machinery which is geared towards the attainment of the national purpose which is socioeconomic development.

So the three levels — the preparations for elementary going on to secondary up to tertiary — are integrated and coordinated towards the national socioeconomic development goals. So that is another perspective on integration, it is not only the issue of private and public education but also the development of education in all the levels.

MS. ROSARIO BRAID: May I just add that it is also the integration of adequate and appropriate knowledge; adequate, appropriate attitudes and values, and adequate and appropriate skills that can be applied towards productivity, social consciousness and social responsibility. In the past there were schools which had focused on knowledge for its own sake. But I think we want to integrate the need also of value or human formation, as well as appropriate skills. Hence, it is the skillful integration of these three concepts that makes for integration.

MR. NATIVIDAD: Thank you.

There have been appeals to us to give emphasis on technical and vocational education. Is the second paragraph of Section 1 (d) on page 2 the response to such an appeal?

MR. VILLACORTA: Yes.

MR. NATIVIDAD: I have a few more questions: Section 2 (h) on page 3 says: "At the option expressed in writing by the parents or guardians." This is about religious instruction. Line 1 on page 4 says: "without additional cost to the government." This means that it can be of cost to the parents, is that correct?

MR. VILLACORTA: Yes.

MR. NATIVIDAD: Lines 12 and 13 of the same page state: "Institutions of higher learning shall enjoy fiscal autonomy."

To a previous question, I heard this means also the private institution. Then what do we mean by the phrase "enjoy fiscal autonomy to private institution"?

MR. VILLACORTA: This means that they will be free to come up with certain financial policies, even including the tuition structure. But as we pointed out, there will be checks to this in the form of the multi-sectoral bodies composed of parents, students, teachers, employees and administrators who will give their inputs or suggestions to policy-making. This provision applies even to private educational institutions.

MR. NATIVIDAD: Thank you.

Is Section 2 (f) on page 3 an innovative provision or is it presently practiced?

MR. VILLACORTA: Yes, this provision is being practiced in some institutions only, but not in all schools.

MR. NATIVIDAD: We will make it of more pervasive application?

MR. VILLACORTA: Yes.

MR. NATIVIDAD: Thank you.

MR. VILLACORTA: Thank you.

MR. SARMIENTO: Madam President, may I ask that Commissioner Maambong be recognized.

THE PRESIDENT: Commissioner Maambong is recognized.

MR. MAAMBONG: Madam President, I notice that a good number of us are interpellating the committee because a majority of us here are teachers.

I would like to inform the committee that I am interested in this provision because I, myself, am a teacher. My

mother has retired as a public school teacher. As a matter of fact, she insisted on attending our session probably within this week. My father, after his retirement as a judge, was also a teacher. So, I hope the committee will understand that everybody is interested in these provisions.

I can assure the committee that my interpellations would not be on the substance but more on the structural presentation of the provision. I have distributed to the committee a sort of outline of the provisions, and I notice that Commissioner Davide and Monsod have presented their own amendments more on the structure of the provisions. Hence, that will save me the trouble of presenting my own amendments.

I am also interested in this because I have been assigned by Commissioner Guingona, our chairman of the Committee on Sponsorship, as vice-chairman of a subcommittee on sequencing — a very unglamorous subcommittee — and I would rather ask Commissioner Guingona to restructure this subcommittee to a Sub-committee on Structural Arrangement. This will make it more elegant in some way.

I notice that the provisions on education could be divided very easily into four parts: One would be the general statement of the right of a citizen to education which covers noninterference in the selection of a profession. The other parts would be the role of the State; the role of educational institutions; and the provisions on teachers, researchers and nonteaching academic personnel.

I was wondering that with this structural arrangement, we could probably rearrange our provisions, considering that in Section 2 we have a section composed of so many subsections up to letter (i). We could probably arrange this in some way.

I suppose that all these provisions established the structure of the Philippine educational system. My question on this is: Would this provision of the Constitution on the establishment of the structure of the Philippine educational system repeal or amend in some way the present decrees that we have?

MR. VILLACORTA: I suppose that the presidential decrees now existing which would contradict the provisions that we are proposing will have to be repealed in case our draft article is approved.

MR. MAAMBONG: In other words, the Commissioner is suggesting that the new structure under the present formulation would, in one way or another, affect not only the decrees that we have but also the standard laws on the Philippine educational system, is that it?

MR. VILLACORTA: That is our assumption because we are making the fundamental law that will supersede all existing laws.

MR. MAAMBONG: Under the present formulation, are the goals, the aims and objectives of education under our present laws affected? Are the goals and aims of education the same under the present formulation and in the past?

MR. VILLACORTA: To the extent that they are not contradictory to the principles and guidelines that are proposed here, I do not think they will be influenced adversely; that is, for as long as the existing laws would be consistent with the principles of guidelines that we are formulating.

MR. MAAMBONG: Thank you.

What about the said supervision, regulation and administration of educational institutions, would there be any change with the approval of this formulation that we have now?

MR. VILLACORTA: I do not think so, because this provision was also found in the other Constitutions. We just added the word "reasonable" because many educational institutions including state colleges and universities, are

expressing certain complaints, concerning the undue intrusion of the State in their internal affairs.

MR. MAAMBONG: What about the provisions which I conceive to be the democratization of access to education? Is this a departure from the present policy of the administration and of the government?

MR. VILLACORTA: It is just a strengthening of the goal of this government, as well as of the past governments.

MR. MAAMBONG: So, it actually existed in the past. Is this democratizing of access to education already embodied in the previous Constitutions and the laws?

MR. VILLACORTA: There were a lot of loopholes, a lot of weaknesses in the existing rules and laws in the past. And here we are trying not only to strengthen but to make clearer the intentions of the past Constitutions and laws by constitutionalizing certain mechanisms by which we can equalize access.

MR. MAAMBONG: I welcome that.

On another point: Is there any change in the policy of government assistance to private schools, compared with the past and present formulations?

MR. VILLACORTA: There is an improvement in the form of assistance. For one thing, we are proposing a tax exemption for nonprofit and nonstock schools and we are also suggesting that we provide subsidy to accredited educational institutions as may be provided by law.

MR. MAAMBONG: Now that the Commissioner mentions it — I do not know if I heard it correctly or not — but I seem to have recalled an answer from one of the committee members that the real estate of private educational institutions are not exempt from real estate taxes. Is that the answer of the committee?

MR. VILLACORTA: I understand that that has already been settled during our discussions on the Article on the Legislative. Those institutions engaged in charity and education are exempt from real estate taxes.

MR. MAAMBONG: I was concerned about that answer because, as the Commissioner said, there is such an exemption as provided in Section 29 of the Article on the Legislative. Considering this provision under Section 29 of the Article on the Legislative, I would like also to know from the committee if P.D. No. 675 which provides for a descending rate of discounts on real estate taxation would already be repealed by this particular provision on the Legislative.

MR. VILLACORTA: The Commissioner's interpretation is right.

MR. MAAMBONG: Thank you.

My final question is: What about the provisions on personnel actions and policies, are there any changes in the past and present formulations?

MR. VILLACORTA: Is the Commissioner referring to this provision that guarantees the right of assembly and concerted activities?

MR. MAAMBONG: Yes, and also to the provision regarding the formulation of educational policies. Are these provisions new?

MR. VILLACORTA: These would be new provisions.

MR. MAAMBONG: As mentioned in my paper, the Article on Education appears to be a litany of duties and obligations of the State. With the submission of Commissioners Davide and Monsod, we can probably rearrange the provisions so that we will not have a hard time looking for what the State is to establish, maintain and support;

provide, promote and protect; exercise or take into account or to encourage. I hope the committee will take that into consideration.

MR. VILLACORTA: Certainly, we are very thankful and we shall take these proposals into consideration.

MR. MAAMBONG: Thank you very much.

MR. VILLACORTA: Thank you.

MR. MAAMBONG: Thank you, Madam President.

MR. SARMIENTO: Madam President, may I ask that Commissioner Monsod be recognized.

THE PRESIDENT: Commissioner Monsod is recognized.

MR. MONSOD: I just want to clarify certain principles. Am I correct in assuming that the phrase "socialized fee structure" under Section 1 (b) means that the beneficiaries will be the underprivileged and the poor?

MR. VILLACORTA: That is the intention.

MR. MONSOD: Then, if I may suggest the restatement, perhaps we should reflect in the provisions the intent of the committee by eliminating the possibility of the tuition fees to be unduly low. That could be the interpretation. When we lower the tuition fees, then we benefit the rich and the poor. The rich do not need that help. So, what I am suggesting is that we should allow the schools to charge the full cost of the tuition and then give direct assistance to the poor.

MR. GASCON: The "socialized fee structure," as it is intended here, refers to state colleges and universities. At present, the cost of education in all state colleges and universities is not totally charged to the students. There is a direct state subsidy already. The "socialized fee structure," as it is proposed now, would actually mean that the poor will get more subsidy than the rich.

MR. MONSOD: Yes, but my suggestion is not to mention at all the "socialized fee structure," because it does open the door to subsidizing those who can afford. What we should have is a system that does not mention "socialized fee structure" but a comprehensive system of scholarship grants, loan programs and other incentives which should be directed to deserving students on the basis of the needs. Those who are rich and have high academic standings can be given honorific distinctions without money subsidy. It is the poor who need the grants, loan programs and other incentives. This is a more efficient way to directly help the poor students rather than through the fee structure in the state colleges for two reasons: (1) we are not benefitting those who really are willing to pay and can afford to pay; and (2) we will even give the students an option of where to go — whether to go to a private school or to a public school. I am also suggesting that we eliminate the section on subsidy to private educational institutions because that could be an opening for "palakasan" on who gets accredited and who gets the subsidy. That would also interfere with the choice of students, because automatically when we subsidize one private school as against another, we are, in effect, giving incentives to students to go to the subsidized schools since the tuition rates in that school would be presumably lower. Hence, in a market of schools, if all the schools were allowed to charge their full cost but we have a nationwide comprehensive system of helping the poor students, then the assistance to the schools will not be diverted. It might possibly go to the pockets of the stockholders or of the contractors of the school. But if we directly subsidize the students, then we are addressing ourselves to the immediate problem and to the long-term problem as well as to students who cannot afford to go to schools.

Secondly, I am suggesting that the forms of assistance can even be beyond subsidy for tuition because even when the tuition is subsidized, there are still many students who cannot go to school because they do not have money

for their "baon," shoes and notebooks. So, the comprehensive system of subsidy would really help these poor students directly, and not the schools or rich students who can afford.

Does the committee agree with this approach? If the committee agrees, then we can offer amendments to implement this kind of philosophy.

MR. GASCON: There are two principles which we have to clarify first. The first is the issue on public education. When we speak of public education in the tertiary level, the attitude is that the State has a responsibility to provide for tertiary public education. These are the state colleges and universities as opposed to those in private schools.

My understanding of what the Commissioner is saying is that even state colleges and universities which are open to any student, whether he be rich or poor, should charge the cost of education. So this would be equal to those private schools that also charge the cost of education. I would like to clarify this point. It would be a possibility that the University of the Philippines would charge the same amount as that of Ateneo University. What the Commissioner is saying now is that the poor students who are entering UP will pay less because they will be directly subsidized. I would object to that because even the rich students who would be entering UP as scholars should also be provided with subsidy since it is a state university. So, let us first differentiate between the private institutions which may be afforded subsidy as opposed to state universities and colleges. The situation in state universities and colleges at present is that their admission system is biased in favor of those who come from private schools — the admission slip being written, for example, primarily in English. What we would like to do is to democratize access to state colleges and universities through a socialized system, assuring the poor students who are intelligent enough to enter state colleges and universities to be afforded greater subsidy than the rich. That is in state colleges and universities. So, what we have to first define is the dichotomy between private universities and state colleges and universities.

MR. MONSOD: I agree with the Commissioner regarding the dichotomy, but I disagree with him in his saying that even the rich should be subsidized in state universities. The problem with our state universities is that they are dilapidated. The facilities, laboratory and other equipment are not sufficient due to lack of funds. We can say that the government can divert more funds to education. But what I am saying is that those who can afford to pay are really willing to pay provided that the quality is there. That is why many of those who can afford tend to go abroad. Why do they go abroad? They spend 20, 30 to 50 times more when they go abroad; they do not really mind paying. I have children there in UP and I do not know why they are being charged at a very low rate. We are willing to pay provided the quality of education is there and the school facilities are sufficient. Hence, we should give the subsidy to the poor.

MR. GASCON: Exactly. The socialized fee structure in state colleges and universities recognizes that inequality among their students. Therefore, the intent is that the rich students in state colleges and universities would actually be paying more than the poor. However, because of its nature as a state college and university, it may not be true to its principle if there were not even a little subsidy for the students. A hypothetical example is a state college or university which is supposed to provide subsidy to all students. The rich may probably be subsidized to only 10 percent while the very poor will be subsidized to 90 percent of their education.

MR. MONSOD: I do not want to prolong the argument, but I just want to suggest that the primary objective of a state university — we are talking about the benefits to the country — is to offer quality education which was expressed very well in the committee report. If that means that the rich will be charged full cost, then by all means let us charge those who can afford full cost and concentrate on those who cannot afford.

MR. GUINGONA: May I also be allowed to react? Commissioner Gascon reacted in relation to state colleges and universities. I would like to react in relation to private educational institutions.

Offhand, I would agree with the Commissioner's proposal in principle even in the matter of nonextension of subsidy, but I would perhaps suggest a qualification that this should not be exclusive in the sense that it would close the door to assistance in incentives to private educational institutions in the form of soft loans, so that these private educational institutions could improve their facilities, laboratory, library and so forth.

MR. MONSOD: What I am saying is that when we subsidize those who cannot afford, then we are also enabling private institutions to be financially viable because these institutions can charge their students the full tuition fees. Once the subsidy goes to the students, then the students will go to the public or private schools that offer quality education. Some private schools will be forced to compete in quality because the students will go to them even when they are charging full cost.

With respect to subsidies to private institutions, my reservation is on the system of choosing which school will get the subsidy. When we allow private institutions to charge their tuition fees but we subsidize the students, then we become indiscriminate. We are not discriminating within the school system. Those who deserve to be financially viable will earn it through the tuition fees, not directly through government assistance. If we subsidize, we give the judgment and the decision on which schools are going to be subsidized to a few government bureaucrats.

MR. GUINGONA: That is why I am agreeable to the Commissioner's proposal regarding subsidy. I am not challenging that. What I am just saying is that we should not close the door to giving assistance and incentives to the private educational institutions according to their needs. Regarding the increase of tuition fees of private educational institutions, this is a practical matter to consider. There is a limit to the increase of tuition fees beyond which the enrollment would drop because the students cannot afford. I have cited here before the case of the Central Colleges of the Philippines where the records show that only 10 percent of those who have stopped studying have asked for transfer. This means that 90 percent stopped studying because they could not afford. Hence, if we increase the tuition fee, we will decrease the number of students who can afford.

The Commissioner talks of subsidy which is a very good thing, but as former Senator Rodrigo has pointed out, perhaps in the immediate future the government may not be in a position to give the subsidy that the Commissioner is contemplating.

MR. MONSOD: Precisely, subsidizing deserving students, especially the underprivileged, is a more efficient way of subsidizing because we are not diluting the subsidy at the school level. Also, we are not diluting the subsidy by subsidizing those who can afford.

MS. ROSARIO BRAID: I think Commissioner Monsod's proposal is acceptable to the committee, and I wonder if he could submit a provision during the period of amendments.

MR. MONSOD: Actually, it is reflected in my suggested formulation which takes away references to socialized tuition fees and subsidies and emphasizes scholarship grants, loan programs and incentives to the students especially the underprivileged. Maybe we can consider that later on.

MR. VILLACORTA: As a matter of fact, our committee is thinking of holding a caucus with those colleagues of ours in the Commission who have amendments so that we can work together on the possibility of incorporating these amendments and harmonizing them with our proposed provisions to save time.

MR. MONSOD: Thank you.

MR. VILLACORTA: Would this evening be acceptable?

MR. MONSOD: Yes, anytime at the committee's convenience.

The other point I want to make — I know this has been overdiscussed — is the question on liberal education. The

only reason I am raising it is that there was a statement from a member of the committee that knowledge for its own sake should be subordinate to knowledge as related to socioeconomic development. My only point, as I understand the committee's report, is precisely that liberal education has a role for the pursuit of knowledge which may have no immediate application to socioeconomic development but really blazing trails for the future. This is the relationship between pure research and applied research, and pure knowledge acquisition as against applied knowledge. I thought that was the intention of the Commissioner in using that phrase.

MR. VILLACORTA: There was no intention on the part of the committee to exclude knowledge for its own sake or pure or basic research which we feel is very important in the scientific and technological development of the country. So we are for both pure research as well as applied research.

MR. MONSOD: Thank you.

My question now is on fiscal autonomy. Perhaps, the committee should recall the question on fiscal autonomy because when we discussed this section on the Commission on Audit which this Commission has already approved, we eliminated the preaudit on educational institutions precisely because this has been used unfortunately in the past in order to hamstring the operations of the schools. In the case of UP, when the lights conked out, they had the problem regarding the transformer. That transformer has been subject to preaudit and the personnel concerned have not been able to buy it. So in the section on the Commission on Audit, we already gave educational institutions the exemption from preaudit of the COA provided their systems are in order. Hence, when we talk about fiscal autonomy for public institutions, I wonder if we are going too many steps ahead on this because there must be some checks and balances left. Since we have eliminated the preaudit of the COA, perhaps, we should not think of the fiscal autonomy in the same light as that of the Judiciary or the constitutional commissions. This is just our comment. The Commissioner might want to consider that.

Secondly, when we talk of fiscal autonomy for the private institutions, I cannot grasp the meaning of that because private institutions have their own board and so on. Usually when we talk about fiscal autonomy, it is fiscal autonomy from a superior or higher body.

In the case of private educational institutions, what is the superior or higher body from which we will ask fiscal autonomy?

REV. RIGOS: Mr. Chairman, I have a slightly different understanding of fiscal autonomy in this particular provision. When the committee discussed this, at least I had in mind primarily the fiscal autonomy of the public schools, not of the private schools.

MR. MONSOD: Thank you.

So the only issue is whether the public schools will still need fiscal autonomy in the context of exempting them from the preaudit of the COA. I guess this is something that the committee can think about.

MR. VILLACORTA: We will consider that.

MR. MONSOD: Yes. The last point is the question of religious instruction, regarding the phrase "express consent of the parents in writing." When we were in high school and college, one of the problems encountered by those who were engaged in catechism was focused on parents who were illiterate, parents who did not bother to sign the consent, more especially those in the rural sector. Hence, I am wondering whether we can eliminate that phrase. Anyway, the parents have the right to object when we already say "at the option of the parents." If the parents object, then they have not exercised any option. Can we adopt a philosophy of implied consent rather than asking for a consent expressly made in writing?

REV. RIGOS: I think the system in which the written preference of the parents or guardians is required in the form of writing has worked beautifully. Unless we encounter any contrary experience, we may have no reason to change this arrangement. It is true that in a number of cases, the illiterate parents will not be able to express in writing the option to offer religious instruction to their children, but we should regard that as the exception rather than the rule.

MR. MONSOD: I am just wondering if it is an unnecessary requirement since we are already stating that it is at the option of the parents. Therefore, if they object, they have not exercised the option. So, it may not be a necessary phrase. That is all I am referring to.

Thank you.

MR. VILLACORTA: Thank you.

MR. SARMIENTO: Madam President, may I ask that Commissioner Tan be recognized for her interpellations.

THE PRESIDENT: Commissioner Tan is recognized.

SR. TAN: Madam President, I am a member of the committee. However, may I say what I have to voice out because during the committee meetings this particular subject matter had not dawned on me. However, with these debates on the floor, it has dawned on me. So, I am aware of our committee's deletion of the phrase of the 1973 Constitution on page 3, line 2, which states: "Private educational institutions shall be owned and administered solely by citizens." So what was deleted was the insertion; "other than those reestablished by religious orders, missionary boards and charitable organizations." But after listening to what has been said, especially by Commissioner Rama, I am wondering if the committee would consider its reinclusion for the following reasons: While I do not believe that any church should have special privileges, I think we should consider the following: the first is that these little missionary schools in far-flung areas in which sometimes one has to cross about seven rivers to get to them, reach Filipinos who are not reachable even by electricity and by running water. Another reason is that these foreign missionaries obviously cannot be placed in the same category as the foreigners in our multinational corporations. The third is, if we impose sole ownership of missionary stations to Filipinos only, we realize that these missionaries have to resort to means of circumventing the law in order to exist. This arrangement would, therefore, presume the following: (1) that the foreign missionary has Filipino counterparts; (2) that the foreign missionary may not have a mother organization which can act as owner; and (3) that the foreign missionary might belong to a diocese where the bishop is willing to be the owner even if, in reality, he is not. These bishops are rare to find. However, these three conditions do not always exist. Hence, what will happen to these foreign stations in far-flung areas? I am just asking the committee to reconsider the deletion.

Thank you.

MR. VILLACORTA: We are open to suggestions. However, to guide our committee in making its decision, maybe the Commissioner, as well as the other honorable Commissioners who have made manifestations on the restoration of that phrase "except religious schools," could provide us with the exact data on how many foreign missionary schools we have in the Philippines because if there were only one or two, I do not think that we should constitutionalize provisions for the sake of a very small minority. We could probably make the provision clearer in terms of what the exceptions are, and this will only be embodied in the minutes of the Journal, rather than being provided in the Constitution. I consulted Dr. Adrian Arcelo, vice-president of the Fund for Assistance to Private Education and he said that there were only three schools that he knew which were foreign-owned. These schools are (1) the International School in Makati; (2) the Brent School in Baguio City; and (3) the Asian Institute of Management. However, Commissioner Tingson also mentioned the Faith Academy. So, if there are only less than

ten schools which are foreign-owned, we probably need not worry too much about them. Hence, if we ought to have a provision that will take care of these exceptions, then it should probably be stated in another form but not in the same manner as it was stated in the 1973 Constitution.

SR. TAN: The point is that it was in the 1973 Constitution, but here it has been deleted. So, there must be great reasons for deleting it.

MR. GUINGONA: Madam President, may I just invite the attention of the honorable Commissioners to a suggestion made during a forum sponsored by the FAPE, the Phi Delta Kappa and the MECS, which our distinguished chairman, some members of this committee and I have attended? I recall that Assistant Minister Tomas Santos had suggested, by way of a compromise, that perhaps this provision could be included in our draft proposal but that it should contain the proviso that insofar as those that are already established before the ratification of the Constitution are concerned — I am referring now to the mission boards and so forth — they would not be affected.

BISHOP BACANI: Madam President.

THE PRESIDENT: Commissioner Bacani is recognized.

BISHOP BACANI: As a comment, may I just add that if the deletion of that provision in the Constitution would prevent other foreign missionaries from establishing schools, it would not only be a question of how many there are actually now but whether or not we are preventing possibilities for the future.

MR. VILLACORTA: Commissioner Quesada would like to say something.

MS. QUESADA: Madam President, the principle that guided the committee in the deletion of the 1973 constitutional provision was the belief that we are now producing our own missionaries, our own church workers, so that there is the faith again that we will be able to become more self-reliant in evangelization and in the work of the Church, so that we are giving the mandate for our own church sector to be able to provide this necessary church work.

BISHOP BACANI: Madam President, if I may again comment on that, in the Catholic Church today, there is the idea of mission as exchange and while we realize that the time has come for us to send our own missionaries, we also stress that we ought to continue receiving; that there is this exchange; that there is no one single church that is simply a receiving church or a sending church, but that each church must both be a sending and a receiving church.

MS. QUESADA: Madam President, I think the idea is not to prevent the receiving of foreign missionaries. The words "own and administer" do not preempt the coming in, the sharing of expertise or knowledge and the services of other foreign missionaries to expand and to enrich the work of the local missionaries.

BISHOP BACANI: It will be very difficult for those who are coming here for the first time, and there are many of them, especially at this time.

MR. RODRIGO: Madam President.

THE PRESIDENT: Commissioner Rodrigo is recognized.

MR. RODRIGO: On this point, may I ask a question. As we know, deleting a provision of an existing Constitution has serious implications; so, I would like to know: Has this phrase in the 1973 Constitution, "other than those established by religious orders, mission boards and charitable organizations . . .," produced any harm in our country?

MR. VILLACORTA: Madam President, we are not saying that it has produced harm.

MR. RODRIGO: Then why delete it?

MR. VILLACORTA: We just wanted more self-reliance, as pointed out by Commissioner Quesada, more Filipinization not just in ownership but in terms of values on the kind of education provided, because the assumption is that there is greater likelihood that education will be more Filipino-oriented if the ownership and management of a certain school is Filipino.

MR. RODRIGO: Has this provision in the 1973 Constitution retarded the Filipinization of our schools?

MR. VILLACORTA: We do not have ready evidence to prove that but we know of certain schools which had experienced internecine clashes among local as well as of foreign members of the congregation running the school, and we thought that by constitutionalizing Filipinization we would prevent these conflicts.

On the positive side, we noted that those schools that have Filipinized have become very progressive since the Filipinization.

MR. RODRIGO: Yes, but those schools were Filipinized in spite of this provision. So, this is no hindrance to Filipinizing schools. But the deletion of this will definitely stop, prevent, hinder or discourage foreign missionaries from coming here and establishing schools, especially in our undeveloped areas. This is all I wanted to place on record.

Thank you.

MR. PADILLA: Madam President.

THE PRESIDENT: Commissioner Padilla is recognized.

MR. PADILLA: May I also invite attention that in the 1973 Constitution, in addition to those mentioned by Commissioners Tan and Rodrigo, there was a provision on corporations or associations 60 per centum of the capital of which is owned by foreigners. That also has been omitted or deleted, meaning, converting it now to wholly owned corporations. That is a significant deletion. I wonder whether the purpose is to prevent such a joint venture in that corporation.

MR. VILLACORTA: Yes, Madam President. The committee feels that wholly owned structure of ownership would be conducive to the Filipinization of the content as well as direction of our educational system, following the examples of many other countries where the ownership of schools is left or reserved to nationals of those countries.

MR. COLAYCO: Madam President, may I be recognized?

THE PRESIDENT: Commissioner Colayco is recognized.

MR. COLAYCO: I would like to ask the committee a clarificatory question. I am not an educator but I think there is a rule that all schools, whether owned by Filipino citizens or corporations or otherwise, are required to follow a curriculum dictated by our government. Is that so?

MR. VILLACORTA: At the present time, there is that tendency in the Ministry of Education, Culture and Sports.

MR. COLAYCO: No, it is not only a tendency. Is there a rule?

MR. VILLACORTA: That would follow the 1973 provision where there should be supervision and regulation by the State. But what we are trying to propose in this article is that there should be reasonable regulation and

supervision.

MR. COLAYCO: No, I am asking a question.

MR. VILLACORTA: And the trend should be towards deregulation.

MR. COLAYCO: I am asking a question, Madam President. Is there not a regulation now which requires that the subject of Philippine history and other pertinent and relevant subjects on Filipino culture and tradition must be included in the curriculum of all schools in the Philippines?

MR. VILLACORTA: Yes, Madam President.

MR. COLAYCO: Is that not so?

MR. VILLACORTA: That is so.

MR. COLAYCO: So, what harm can there be if a small parochial school in Mindanao is started, run and subsidized by foreign missions with money not taken from our own country? What fear should there be that the students attending such schools might turn out to be anti-Filipinos, if that is the concern of the committee?

MR. VILLACORTA: May I reverse the question, Madam President? What is wrong with Filipinos owning these missionary schools?

MR. COLAYCO: There is nothing wrong at all but there is a big mistake. It would be a big mistake for us to insist that no school should be run in the Philippines unless owned and directed especially by Filipinos. We are becoming too paranoid about this.

MR. VILLACORTA: We are not being paranoid, Madam President.

MR. COLAYCO: That is what is being shown now.

MR. VILLACORTA: Again, this might stir a tempest in the teacup.

MR. COLAYCO: No, do not worry about that.

MR. VILLACORTA: I do not know why we are so worried with foreigners. Why are we so worried with foreigners and why are we less concerned with Filipino ownership?

MR. COLAYCO: For the simple reason that our government cannot afford it yet.

MR. VILLACORTA: It is not.

MR. COLAYCO: I know of many poor families in our neighborhood who have been trying to place their children in the primary school, but they said they have to be turned away because we cannot afford to have classrooms and schoolhouses.

MS. ROSARIO BRAID: Madam President, I think the spirit of this provision is not really to discourage the coming of our friends who would like to help us set up schools but to encourage the transfer of know-how and management to Filipinos so that we can work in partnership.

MR. COLAYCO: Just a minute. Let me read the wording of the committee: "Private educational institutions shall be owned and administered solely by citizens of the Philippines."

I am proud to be a Filipino, but why this exclusive and absolute prohibition? We had it running well under the 1973 Constitution. What harm can missionaries — be they Chinese, Russians or whoever they may be — cause to our country if they follow the curriculum dictated by our own government? What I am saying is, as of this

moment, these schools are helping our country. We cannot afford not to have all these schools.

MS. ROSARIO BRAID: But as we all know, when some of us go to other countries under the auspices of international agencies, like UN agencies or others, we work in partnership with the nationals in the spirit of encouraging self-reliance. And we were able to do an effective job in really working on any area hand in hand. This is intended to encourage the development of technology.

MR. COLAYCO: That is what I am saying, Madam President. We are emphasizing too much self-reliance, and we cannot afford to be self-reliant yet, at least in primary education. I am not speaking of universities nor of high schools. I am speaking of the simple, almost free, missionary schools. But under the terms of this section we cannot even tolerate them when they are trying to help us.

MR. VILLACORTA: May I ask the Commissioner a question? Would he welcome the idea of the Maharishi group which is a missionary group?

MR. COLAYCO: We are going to extremes there, Madam President.

MR. VILLACORTA: I beg the Commissioner's pardon?

MR. COLAYCO: We are going to extremes there.

MR. VILLACORTA: No, this is not an extreme. I am asking the Gentleman a question. Would he welcome the idea of the Maharishi establishing schools in the far-flung areas of the country?

MR. COLAYCO: I cannot answer that question because I do not know the Maharishis.

MR. VILLACORTA: And then, would the Gentleman also welcome the idea of Taiwan-based missionaries or private businessmen establishing schools in the Philippines?

MR. COLAYCO: No, I am not speaking of privately-controlled schools. I am speaking of missionaries — Protestant and Catholic missionaries. They are all good, whether they are Americans, Chinese or whatever. What I am saying is that we have all the controls.

MR. VILLACORTA: No, Madam President, we do not have all the controls.

MR. COLAYCO: Then put the controls.

MR. VILLACORTA: Even if we just prescribe a curriculum, it is still the people who implement these curricula.

MR. COLAYCO: That is what I am saying. We are paranoid about this. Let us be reasonable.

MR. VILLACORTA: We are not being paranoid. We just have more confidence in our own people.

MS. QUESADA: Madam President.

MR. COLAYCO: I can understand the Commissioner's outlook.

REV. RIGOS: I hope I expressed the spirit of the committee when I said that we would be willing to consider an amendment to this section.

MR. COLAYCO: Yes, I will be glad to do that.

REV. RIGOS: Especially the possibility of retaining the 1973 provision on schools established by mission boards and religious orders.

MR. COLAYCO: Thank you very much, Madam President.

MR. GASCON: I believe Commissioner Tan wishes to react.

SR. TAN: Madam President, I think Commissioner Rosario Braid explained it well — that the spirit behind the proposed deletion is to encourage us, Filipinos, to become self-reliant and to encourage the foreigners to transfer what they know to us. And I accept that. And if we want to amend the ownership, I think it should only be a minor amendment, but I accept the spirit.

Thank you.

MR. SARMIENTO: Madam President, may I be allowed to ask a few questions?

THE PRESIDENT: Please proceed.

MR. SARMIENTO: My first question is with respect to Section 2 (a) which reads: "All educational institutions shall inculcate nationalism." We have many concepts of nationalism. We have the barangay-Tagalog nationalism; we have the tinikling nationalism; and we have this kind of nationalism which I would like to share with the committee.

Filipino nationalism is the determination to uphold the sovereignty of the Filipino people, the right of the Filipinos to freely decide the destiny of the nation — that is, the kind of government we should have and who should run it; what is the common good and how to attain it; how our society should be structured; how the wealth of our land and seas should be used, developed and shared; and how our culture should be preserved and enhanced. Filipino nationalism is more than patriotism. It is more than love of land and people, loyalty to flag and country and readiness to sacrifice personal interest for the common good. It is the firm resolve never to allow our people to be dominated, controlled by foreign powers or domestic tyrants and to oppose totalitarianism, imperialism, and hegemony with all the means at our command. May I know if this is the committee's concept of nationalism?

MR. GASCON: I believe we could not have expressed it as well as the Gentleman has.

MR. SARMIENTO: Thank you, Madam President.

May I go to another point?

THE PRESIDENT: Please proceed.

MR. SARMIENTO: This will be on Section 3 of the article which speaks of academic freedom. Just the other day, the book of Father Bernas was widely quoted by the members of the committee. The same book stated that Philippine decisional law, like the American decisional law on academic freedom, may be described as formless and almost rudimentary. And Father Bernas said:

It could be that no occasion for litigation has arisen because of the happy or unimpaired freedom enjoyed by the academic world. It could also be because of general ignorance or unconcern about the purpose, the need and the importance of academic freedom.

During the past administration, however, many cases involving the students were filed in the Supreme Court and we handled some of these cases. For instance, we have the case of *Malabanan vs. Ramento* and the *Gregorio Araneta University Foundation*, 129 SCRA, 359, 1984. We have *Biriña vs. the Philippine Maritime Institute*, 117 SCRA, 581, 1982. And lately, we have *Villar vs. Technological Institute of the Philippines*, 1985 decision.

In the case of *Malabanan vs. Ramento*, the Supreme Court said that the students have the right to peaceable assembly and free speech. In *Biriña vs. the Philippine Maritime Institute*, the Supreme Court said that before disciplinary actions could be made on the students, the right to due process of law should be respected. And in the latest case of *Villar vs. Technological Institute of the Philippines*, the Supreme Court said that the students have

the right to peaceable assembly, free speech and the right to equal protection.

May I know from the committee if these latest Supreme Court decisions are vital components of the students' right or students' academic freedom?

MR. GASCON: Yes, Madam President. In fact, it will be noticed that the amendment, as it is proposed now by the committee, is that we state it very clearly that students will be afforded academic freedom because during the Marcos dictatorship it was not given to them. In fact, there had been lots of student suppression in varying forms that occurred in schools, from the basic right to organize to the right to have campus publications and student councils. These were all denied the students and we want to assert very clearly now that such a situation shall not occur any longer.

MR. SARMIENTO: We have no jurisprudence concerning participation of students in the governance of the institution but U.S. courts, law professors and other authorities agree that students enjoy the right to participate in the governance of the institution. We have, for instance, these articles appearing in the Harvard Law Review, entitled: "Academic Freedom." We also have this article written by the American Civil Liberties Union, entitled: "Academic Freedom in the Secondary Schools." May I know from the committee if this right is a vital component of the students' academic freedom?

MR. GASCON: It is the belief of quite a number of members of the committee that the students have a right to participate in policy-making in the educational institutions especially in tertiary education.

MR. SARMIENTO: I have my last question. During the past administration, we had many World Bank education projects. For instance, in 1964 we had the first World Bank education project which was a \$6-million assistance loan to the University of the Philippines College of Agriculture in Los Baños for the improvement of its facilities. Then we had the second World Bank education project covering the year 1973-1978. This was a project intended to set up training centers in both rural and urban areas and it was geared towards holding the acute shortage in skilled manpower in foreign-owned industrial and agricultural enterprises. From 1976-1981, we had the third World Bank education project; from 1977 to 1982, the fourth; and from April to August 1978, the fifth. This project focuses on facilitating instruction in practical subjects in the secondary level and nonformal education via the mass media. It supports the development of educational radio for classroom use and in-service teacher training. And lastly, we had the seventh World Bank education project, covering the years 1982-1985, the purpose of which was to improve the overall quality and efficacy of elementary education by skill development.

According to World Bank President Robert McNamara, effective elementary education helps make the labor force more easily trainable and mobile. It facilitates skill development during a subsequent formal and on-the-job training, as well as through agricultural and industrial extension programs.

My question is this: The committee has formulated a section in the Article on Education which reads:

The State shall provide a comprehensive approach to education by coordinating formal, nonformal and informal, indigenous learning systems, . . .

The State shall provide civic, vocational efficiency and other skills training to adult citizens, to the disabled and out-of-school youth.

May I know if we have in mind the various World Bank education programs or projects when we formulated Section 1 (d) in the Article on Education?

MS. ROSARIO BRAID: Madam President, there was extensive research and we took into account the formulation of all the education projects cited, as well as the recommendations made by the World Bank Report

during the early 1970's. At the same time, the International Labor Organization did a similar study which is contained in the book, *Sharing in Development* in the Ranis Report. But our government took consideration of the World Bank Report and came up with its programs in the early 1970's.

We recognize the billions of dollars and additional counterpart funds from the Philippine government which were spent in the implementation of these programs — the EDPITAF, communication technology program, agricultural education engineering, PRODED, etc. But we are not satisfied with whatever evaluation that has been made of these projects which are still continuing.

We feel that the ILO Report, which is demand-oriented, particularly on nonformal education, should perhaps be given attention; it was entirely ignored. We hope that this provision here, even if it is in one provision only, would attempt to focus attention on demand-oriented education, integrating both formal and nonformal education and perhaps learning from the lessons of the past when, as we are all aware, several millions had been wasted in preinvestment study on communication technology and agricultural education. They have trained agriculturists who would rather go to other occupations than to the farm. And we have other indicators which seem to point that the whole decade of investment in education has been a failure, to say the least.

So, we hope that priority attention be given to examining the failures and the expenses incurred in this EDPITAF and all the PRODED projects in order that we can come up with a more appropriate formal and nonformal education systems.

MR. GASCON: When we speak of more appropriate formal and nonformal educational system, we also speak of it from the perspective of developing indigenous learning systems and encouraging self-reliance. It is also a fact that some of these World Bank-funded programs have led to detrimental foreign influence in the minds of the young, especially among children in the elementary grades. One example was the PRODED program which loans were normally for financing textbooks, training centers, improving technical schools, and the training of teachers. The textbook project was the most damaging because it seeks to influence the minds of the very young in the hope that the following may be achieved: 1) an acceptance of the continued foreign domination of Philippine economy; 2) a creation of a ready and skilled manpower pool for foreign-owned industries; 3) acceptance of the superiority of foreign products and values and glorification of the colonial past. In fact, even the Ministry of Education, Culture and Sports now has prepared a manual for teachers to reassess this particular textbook project of the PRODED. The textbooks were written for students in the elementary grades, because aside from the glorification of our dependency on loans, etc., it also spoke of the past dispensation by Mr. and Mrs. Marcos as heroes and saviors of our land. And at this present point in time, there is an attempt to reassess this situation.

My point is that our overdependence on such World Bank-funded projects led us to certain situations which were not beneficial to the realization of our nationalist aspirations.

MS. ROSARIO BRAID: May I add that with the investments made on the different projects, we could have really set up effective centers for nonformal education all over the country rather than just have a few pilot programs, and yet this has not been done. That is why we said we hope to evaluate all this experience over the past decade and see how we can really come up with a more efficient as well as effective delivery system.

MR. SARMIENTO: Thank you, Madam President.

May I ask that Commissioner Davide be recognized.

THE PRESIDENT: Commissioner Davide is recognized.

MR. DAVIDE: Thank you, Madam President.

May I be permitted to ask some clarificatory questions, and I will start with a follow-up on this World Bank-funded educational programs.

I would like to find out the extent of the influence of foreign interests or foreign values on the present school curriculum or on our present educational system, because it is a fact that any loan obtained by the Philippine Government would contain certain conditions which must have to be implemented and vigorously followed. And so, in the matter of education, I heard Commissioner Gascon enumerate several of these projects with obvious foreign content now being imbedded in the educational system.

Would the approval of the proposal of the Committee on Human Resources, more particularly on education, eliminate this foreign influence in the educational system since the thrust is to make the educational system very pro-Filipino? And if so, how can it be done? Does it mean the restructuring of the loan such that we shall not proceed anymore with what is remaining to be availed of or would it mean that the Filipinos should now dictate their terms on these educational loans?

MS. ROSARIO BRAID: May I answer that first. Like in any loan, I think the fault lies also in the Filipino counterpart system because we did not identify the needs and the priorities, like in many projects. If we go back to the planning process of how the projects were selected, the approaches and processes involved, we will find out that they were perhaps the product of external consultants defining the problem area with very little inputs from the local counterparts.

So, I think, it is not so much in cutting off the loan entirely but in improving the planning system and the implementation of the technology in order that the local counterparts play a greater role in defining the problem, the ideology of the content, the processes and evaluation needed.

MR. DAVIDE: But is it not a fact that before these loans were secured, areas of application were already defined, feasibility studies already conducted, and it is on the basis, precisely, of these that the loans were granted? In the first place, when the loan was applied for, the World Bank or any other agency responsible for extending the loan, must also have their own ideas as to where to apply the particular loan.

MS. ROSARIO BRAID: Madam President, the question is: From whose perspective was the feasibility study done? I think the problem in the Marcos administration was that we were too eager to get loans and we did not have enough leverage to define clearly our own goals and priorities because we wanted the loans.

MR. DAVIDE: In other words, there will now be a reassessment of these loans. Necessarily, upon the approval of this proposed Article on Human Resources, more particularly on education, would it follow that there must be a suspension of the application of these loans?

MR. GASCON: To my knowledge, at this point in time, there is actually a review being done.

MR. DAVIDE: There is a review being done, but since there will be a new thrust in the educational system upon the approval of the new Constitution embodying this proposed Article on Education, would it also necessarily follow that we have to suspend the application of these loans?

MR. GASCON: I believe that would depend on the decision of the executive and the Congress. However, our intent is that we reorient our educational system.

MR. DAVIDE: What specific proposal under this report of the committee would really mandate Congress to review these loans or to reassess the programs under the loans?

MS. ROSARIO BRAID: We will entertain an amendment that would clearly state this, although the goals of nationalism and relevance in thought could be enough guidelines for the Congress to come up with implementing

laws.

MR. DAVIDE: I remember very vividly that when the Philippine government obtained these loans sometime in 1982 or thereafter, or even earlier, before the last of these educational loans amounting to about \$100 million was obtained, books were already published by the Ministry of Education, Culture and Sports amounting to several million pesos. As a matter of fact, I made it a subject in the Question Hour in the interim Batasang Pambansa. When these loans were secured, the Ministry of Education, Culture and Sports caused the printing again of new textbooks, abandoning what had earlier been printed amounting to P34 million. And these textbooks earlier published or printed were supposedly only made as supplementary.

So, what will happen now to the new textbooks or to the printed books printed out of the loan of \$100 million?

MR. VILLACORTA: As we said, these textbooks will be reviewed; it is not a foregone conclusion that they will be junked.

MR. DAVIDE: In other words, these shall remain as probably supplementary reading materials. The foreign content, the foreign implications and the foreign control of the educational policies would continue because our students would keep on reading these World Bank-financed books.

MR. GASCON: Actually, my opinion there is the sooner we recall these books, the better. But at this point in time, the solution which was done by the Ministry of Education, Culture and Sports was to print a supplementary manual for the teachers to make use of as they explain the use of the books. This is a stop gap measure at this point in time.

I hope, in the near future, we can develop textbooks necessary for our own needs. But the books that I mentioned before which had certain values and are not actually attuned to the needs of the children and our society have not yet been recalled. But I believe there are steps leading to that.

MR. DAVIDE: I hope so.

MR. GASCON: With regard to the provision that the Gentleman is asking that the State be mandated to review the textbook project, I believe Section 2 (b) may be interpreted as such:

The State shall establish, maintain and support a complete, adequate and integrated system of education relevant to the needs of the people and society.

MR. DAVIDE: Under the 1973 Constitution, by virtue of which these loans were obtained, we also have a complete, adequate and integrated system of education relevant to national developmental goals or almost the same.

MR. GUINGONA: Madam President, I pointed out that in the 1973 Constitution, the focus was on societal needs. But in this committee report, precisely, when we speak of country and people, we are not only talking of societal need of the student but his individual need. Insofar as this is concerned, the Gentleman's observation might have relevance.

MR. DAVIDE: Yes. Under the present proposal of the committee, it would still be societal needs — the need of the people and society.

MR. GUINGONA: Yes, but we are talking now of people as individuals.

MR. DAVIDE: So, this is to make it very clear — the needs of the individual and society.

MR. GASCON: However, if the Gentleman has an amendment to make this much more direct, we would consider

such an amendment.

MR. DAVIDE: I will go back to the points raised earlier by Commissioners Tan, Rodrigo and Padilla on private educational institutions, which is paragraph (c) of the proposed Section 2, on page 3. I submitted my own resolution Filipinizing our private educational institutions, abandoning the 60-40 provided for in the 1973 Constitution and making these corporations or associations engaged in private educational institutions wholly owned by Filipinos. But I retained very specifically the exception "other than those established by religious orders, mission boards and charitable organizations" which is now deleted in the proposal. I have no quarrel with the intent, however, I would like to find out because many religious orders are actually maintaining schools under the particular provision of the 1973 Constitution.

MR. VILLACORTA: We have not gathered data on that, but what we know is that the majority of these schools are Filipinized in ownership.

MR. DAVIDE: Does it mean that schools run by religious orders have been Filipinized?

MR. VILLACORTA: Yes.

MR. DAVIDE: On the basis of 60-40, certainly, because that was the requirement under the 1973 Constitution.

MR. VILLACORTA: Whether it is 60-40 or wholly owned, they are Filipinized.

MR. DAVIDE: How many of the schools run by religious orders Filipinized themselves?

MR. VILLACORTA: According to Dr. Adrian Arcelo, all are Filipinized although we have to double check on that.

MR. DAVIDE: To what extent is the Filipinization? Is it 60-40 or totally owned now by Filipino citizens?

MR. VILLACORTA: Maybe we can provide the information this afternoon, Madam President.

MR. DAVIDE: How many of the schools are run by charitable organizations under the 1973 Constitution, which would now be affected by the deletion as proposed?

MR. VILLACORTA: We will also make inquiries into that, Madam President.

MR. DAVIDE: How many schools are run by mission boards which were allowed under the 1973 Constitution and now sought to be unconstitutionalized?

MR. VILLACORTA: Unconstitutionalized?

MR. DAVIDE: In the sense that it will no longer be allowed to operate as such, unless the members of the mission boards would be all Filipino citizens.

MR. VILLACORTA: Our understanding is that they are Filipinized already but as to the more specific question on whether it is 60-40 or wholly owned, we will look into that, Madam President.

MR. DAVIDE: What is the basis of the committee in saying that these schools owned by mission boards are already Filipinized when the committee does not even know the number of schools run by mission boards?

MR. VILLACORTA: It is not necessary to know the exact number of schools owned by mission boards to know that the majority are Filipinized.

MR. DAVIDE: My point is, the answer earlier was that these are now Filipinized. How would we know that these are now Filipinized if we do not know how many schools were actually run by mission boards?

MR. VILLACORTA: We made inquiries, as I said, with the Fund for Assistance to Private Education. We have to ask for more details with respect to the equity structure in the schools.

MR. DAVIDE: In other words, is it now our impression that when the committee recommended the deletion of the exclusion, it really did not have the statistics or the data as to the number of schools run by religious orders, by charitable institutions and by mission boards?

MR. VILLACORTA: That is correct, Madam President.

MR. DAVIDE: And so, how did the committee arrive at a conclusion that this should now be deleted when it did not know the extent of the effects of a deletion of the provision?

MR. VILLACORTA: The main consideration is not the extent of the effect of the provision, but more on the intention that schools in the country be wholly Filipinoized so that the content of education will be really directed towards the interest of the Filipino nation.

MR. DAVIDE: Is it the position of the committee that these schools will not be bound by the mandated curriculum and by the cardinal aims of education as also provided in the Constitution?

MR. VILLACORTA: But as we have mentioned, it is not enough to mandate a curriculum. In the final analysis it is the people who own, manage, and who also are the teachers in the schools that will determine how the curricula will be implemented.

MR. DAVIDE: Can it not be that the administration and the control of these schools be left to Filipino citizens as was provided by the 1973 Constitution? In other words, we allow them to continue to operate the schools — I refer to religious orders, mission boards and charitable institutions — but we mandate that the control and administration must be vested exclusively in Filipino citizens. Would not the committee be satisfied with that?

MR. VILLACORTA: With solely the administration but not the ownership?

MR. DAVIDE: Yes, not necessarily the ownership because, insofar as ownership is concerned, that would remain as an exception; but for control and administration, we leave them to Filipino citizens.

MR. VILLACORTA: May I know why the Gentleman is particularly concerned with maintaining the foreign ownership of certain schools?

MR. DAVIDE: First of all, as I said, I submitted a resolution and I agree in full to the total Filipinoization of educational institutions except for those run by religious orders because I know for a fact that if we discontinue this practice allowed under the 1973 Constitution, not only will they be phased out immediately, but they will not be given time to recover investments; and, of course, the most deleterious effect would be on the student population of these schools.

MR. VILLACORTA: Does the Gentleman have statistics to support the contention that there will be many missionary schools that will have to be phased out?

MR. DAVIDE: I would ask the same question, and I would repeat my question again. Did the committee take into account the number of schools run by religious orders, mission boards and charitable institutions? And the answer of the committee is that it had not taken that into account. Why should the question now be asked of me when it should have been that before deciding to delete that particular exception, the committee should have taken into account the number of schools that will be affected by that?

MR. VILLACORTA: Madam President, what we said was that we did not have the exact number of religious schools, but we did inquire from the Fund for Assistance to Private Education whether the majority of religious

schools have been Filipinized, and the answer was "yes."

MR. DAVIDE: But did the committee find out also to what extent was the Filipinization? Was it not just to satisfy the requirement of 60-40?

MR. VILLACORTA: The interpretation that we had when we were told that the schools were Filipinized was that they were wholly owned, but now that the matter of 60-40 was brought up, as I said, we will make further inquiries about that.

MR. DAVIDE: Yes, Madam President, because it is a fact that upon the supposed ratification of the 1973 Constitution, many of these religious institutions or private educational institutions, especially those run by the Chinese, converted themselves according to the ratio provided for. The provision was basically intended against the Chinese educational institutions. So, while it became Filipinized, it was only to satisfy the maximum requirement for alien participation, which was 40 percent. And so, the information given to the Committee that they had already been Filipinized could only mean that the interest or the foreign equity was reduced to 40 percent but not total. And now, if we provide for the total, these institutions which merely satisfied the requirement of 60-40 will have again to be fully owned by Filipino citizens. I am in favor of that, but of course, we have to preserve the exception provided for in the 1973 Constitution. That is my only point.

I would go to another matter.

MR. VILLACORTA: Just a minute, Madam President, Commissioner Rigos would like to say something.

REV. RIGOS: I just want to say that in the case of schools and colleges organized by Protestant foreign missionaries, especially those that are now in the Association of Christian Schools and Colleges, they are all Filipinized — 100 percent Filipino-owned. But Commissioner Davide is also correct that when the committee discussed this portion of the article, we did not have the statistics on the exact number of schools to be affected by the deletion of that phrase in the 1973 Constitution.

MR. DAVIDE: I will go to another point; it is on page 2, paragraph (c) of Section 1:

The State shall promote quality education and ensure equal access and opportunity to it by maintaining a system of scholarship grants and other incentives.

Is it my impression that equal access and opportunity to quality education is mandated to be done by maintaining a system of scholarship grants and other incentives?

MR. VILLACORTA: Yes.

MR. DAVIDE: The language is very clear: "ensure equal access and opportunity to it by maintaining a system of scholarship grants and other incentives."

MR. VILLACORTA: That is right, Madam President.

MR. DAVIDE: Is this the only way of ensuring equal access and opportunity to education?

MR. VILLACORTA: We are not saying that this is to the exclusion of other measures for attaining equal access to education. However, if the Gentleman has suggestions to make this provision complete, we would be open to the suggestions.

MR. DAVIDE: On the cardinal principles of education, as found in Section 2 (a), the original words, both in the 1973 and 1935 Constitutions, following the word "inculcate," are "love of country." The committee has decided to change "love of country" to "nationalism."

MR. VILLACORTA: That is right.

MR. DAVIDE: May we know why?

MR. VILLACORTA: Madam President, love of country can be taken in its narrow context as simply respecting the symbols of the country. It is a very abstract concept, but through the evolution of our history, particularly contemporary history, the more accepted concept, it seems, is nationalism which is not confined to love of country but love of our people as well. And it is not just love of our people but also faith and confidence in our people.

MR. DAVIDE: If nationalism would also include love of people, love of neighbor, love of fellowmen, why is it that paragraph (a) also includes love of fellowmen?

MR. VILLACORTA: Nationalism would be particularizing on love of the Filipino people, but love of fellowmen provides the universal aspect.

MR. DAVIDE: So, it is practically universal brotherhood of man?

MR. VILLACORTA: That is right, Madam President.

MR. DAVIDE: Is it, therefore, the thinking of the committee that nationalism would be a little broader than love of country?

MR. VILLACORTA: Yes, Madam President.

MR. DAVIDE: But certainly, love of country would necessarily include patriotism.

MR. VILLACORTA: Yes, Madam President.

MR. DAVIDE: But nationalism does not necessarily include patriotism.

MR. VILLACORTA: No.

MR. DAVIDE: And that is why in the qualifications for membership in the Commission one has to distinguish between patriotism and nationalism.

MR. VILLACORTA: I do not think that is the implication in that proclamation which specifies patriotism and nationalism. In the definition of nationalism, patriotism must necessarily be included but it is not the other way around; patriotism does not include nationalism.

If I may explain further, patriotism would be more related to one's commitment to his fatherland and, therefore, the commitment to defend the country and also respect for its symbols, appreciation of its history, wearing of the barong tagalog, speaking the national language, singing the national anthem, etc. But nationalism is beyond patriotism. It is a commitment to the interest of the people and, therefore, identifying with the problems, interests, and aspirations of the Filipino people.

MR. DAVIDE: Thank you for the clarification, although I feel that adopting the words used both in the 1935 and 1973 Constitutions; that is, love of country, would give more historical and traditional significance without actually downgrading love of country itself because love of country would include necessarily patriotism and nationalism. On the contrary, nationalism alone may not necessarily include patriotism.

MR. VILLACORTA: We do not agree with the Gentleman on that point. I think we can refer to the manifestation made by Commissioner Sarmiento earlier.

MR. DAVIDE: I have no further question on education, Madam President, and thank you very much for the clarifications.

SUSPENSION OF SESSION

MR. SARMIENTO: Madam President, it is twelve twenty-seven. Before further discussing nationalism, patriotism and education, I move for the suspension of the session until two-thirty this afternoon.

THE PRESIDENT: The session is suspended until two-thirty this afternoon.

It was 12:27 p.m.

RESUMPTION OF SESSION

At 3:01 p.m., the session was resumed.

THE PRESIDENT: The session is resumed.

MR. GUINGONA: Madam President.

THE PRESIDENT: Commissioner Guingona is recognized.

MR. GUINGONA: May I respectfully raise a parliamentary question.

This morning, Madam President, I stood up to ask for insertions or amendments to the Journal of the proceedings after which Commissioner Ople called the attention of this body to a previous agreement that amendments shall be sent to the Secretary-General through the President. As a matter of fact, if the Chair will recall, at least on three occasions, I have followed this procedure strictly. But I believe that this consensus or agreement may be subject to at least two interpretations and I would like to respectfully request for clarification.

One interpretation is that we would send our proposed amendments to the Secretary-General through the President because the Secretary-General has no authority to change on her own and because we, as individual Members, do not have the authority to request the Secretary-General to make the necessary amendments. And, therefore, we have to send it to the President so that she can give due authorization. That is one interpretation.

The other interpretation is that we are sending our amendments to the President so that, upon her discretion, it may be subject to review either by the President or through an official designated by her to ascertain that the amendments that we are proposing — that I, for example, am proposing — by the addition or deletion of words, would not substantially change the meaning of what has been said in a previous session. May we please request for clarification?

RULING OF THE CHAIR

THE PRESIDENT: The Chair understood it and this is how it is supposed to be done. Any request for correction of the Journal will, of course, be sent to the Secretariat but it has to pass through me. In other words, it will be referred to me in order to check for the proper corrections made.

MR. GUINGONA: Yes, Madam President.

THE PRESIDENT: So, I hope that will be followed so as to save time by making these corrections during the plenary session.

MR. GUINGONA: Thank you, Madam President.

THE PRESIDENT: Thank you.

MR. RAMA: Madam President, I ask that the chairman of the Steering Committee be recognized.

THE PRESIDENT: Commissioner Bengzon is recognized.

MR. BENGZON: Madam President, in line with the agreement arrived at in the caucus last Wednesday and the various accommodations that have been given by the Committee on National Economy and Patrimony, the consideration of new amendments to the committee report which has been postponed four times is scheduled this afternoon. However, I received a request from Commissioner Suarez, who represent the group wishing to present amendments, for further deferment of the consideration of the amendments until tomorrow morning. As of now, there are two proposed new sections to the Article on National Economy and Patrimony. Commissioner Monsod, in an earlier meeting, was saying that perhaps the body could consider these two proposed new sections this afternoon, after which we could probably recess on this article until tomorrow morning. Commissioner Villacorta, however, said that he would also like to request that the discussion on the Article on Human Resources be continued this afternoon because he wishes that the period of sponsorship and debate be terminated. So that all those who wish to interpellate would be taken care of this afternoon because it seems that the committee is going to have a meeting tonight. Am I correct?

MR. VILLACORTA: Yes, with the amenders.

MR. BENGZON: The Steering Committee would not want to assume this responsibility any longer; therefore, we would want to throw this particular point to the Commission for decision. In the meantime, Commissioner Suarez has requested that he be recognized so that he could further expound on his request.

THE PRESIDENT: Commissioner Suarez is recognized.

MR. SUAREZ: Thank you, Madam President.

Once again, I am forced to stand up and make an appeal to the honorable Commissioners to grant us time until tomorrow morning within which to proceed with the deliberations on the Unfinished Business on the Article on National Economy and Patrimony. I am the first to acknowledge the fact that the members of the committee have been very generous in sitting down with our group because of our mutual efforts to reconcile certain conflicting provisions, which appear now in the approved draft. We have pressed upon them certain points, and we are still threshing out other matters, especially considering that although there was a sort of an understanding that we were supposed to submit our new proposals and amendments by last Friday, we could not really comply. Last Saturday, I was ready in my capacity as collector of the new proposals. According to Commissioner Monsod, I am acting as a post office. I was able to collect only two new proposals. Unfortunately, many of the members of our group are also members of the Committee on Education and they have been so occupied answering the interpellations submitted by the other Members of the Commission. However, since lunchtime today, this Member has been making great efforts to talk to all of the Members of the Commission who would still be interested in submitting new proposals which would be entertained not only by the committee but also the rest of the Members of the Commission.

So, with the kind indulgence of our distinguished colleagues, may we make a final appeal for more time and deferment of the consideration of the Article on National Economy and Patrimony until tomorrow morning, and this is already fixed. We will not ask for greater indulgence on the part of the Members of the Commission.

Thank you, Madam President.

MR. BENGZON: Madam President.

THE PRESIDENT: Commissioner Bengzon is recognized.

MR. BENGZON: Just to be sure, does tomorrow morning mean that we will then begin considering the Article on

National Economy and Patrimony tomorrow morning at nine-thirty?

MR. SUAREZ: That is all right with us, Madam President. We will submit the new proposals. Even tonight we can give copies to the other members of the committee.

MR. BENGZON: With the understanding, Madam President, that the request is to be deferred and that tomorrow morning at nine-thirty we will start considering the Article on National Economy and Patrimony, I submit.

THE PRESIDENT: Is the Chairman of the Steering Committee not submitting the question to the body anymore? If he were to insist on that, I would like to request him to just leave it to the discretion and judgment of the Chair. But if he is withdrawing and he agrees, then there is no need to act on it.

MR. BENGZON: With that understanding, I will not insist on submitting it to the body. With the indulgence of our fellow Commissioners, the Steering Committee would want to submit this to the discretion of the Chair.

THE PRESIDENT: So, on this point, the Chair resolves to postpone the continuation of the consideration of the Article on National Economy and Patrimony until tomorrow morning at nine-thirty; and this afternoon we will continue the deliberation on the committee report of the Committee on Human Resources.

MR. SUAREZ: Thank you, Madam President.

MR. GUINGONA: Madam President.

THE PRESIDENT: Commissioner Guingona is recognized.

MR. GUINGONA: Commissioner Suarez made a manifestation that by tonight he would provide the members of the committee a copy of the revised article. May we request that all the Commissioners be provided with a copy tomorrow morning before the session starts.

THE PRESIDENT: Before tomorrow morning?

MR. SUAREZ: Thank you; we will do that, Madam President, but it is only in connection with the new proposals and this we will undertake to accomplish early tomorrow morning.

THE PRESIDENT: Thank you.

MR. GUINGONA: Thank you, Madam President.

THE PRESIDENT: So, we are ready now, Mr. Floor Leader. Who is our next speaker?

MR. RAMA: May I ask that Commissioner Ople be recognized as the next speaker.

THE PRESIDENT: Commissioner Ople is recognized.

MR. OPLE: Thank you, Madam President.

I am a latecomer in this debate but I want to congratulate the committee for having turned out an excellent draft on education-related fields. There are, of course, some sections here that probably should be subjected to more interpellations for the sake of clarity. Let me start with Section 1 which, I think, is the flagship section for the article in the sense that it defines the goals of education, science and technology, arts and culture.

I think it was Lord Actone who said that class division in knowledge is the deepest of all class divisions; in the same manner, I suppose, we can confirm from experience that education is the greatest leveler of social and economic inequalities. So, when in the concluding part of Section 1 the committee speaks of expanding the frontiers of justice and freedom, I wonder if they will consider the addition of equality to justice and freedom to

emphasize the role of education as a leveler of inequalities. It does pull no one down but it pulls everybody up.

MR. VILLACORTA: Certainly, Madam President, that is a very laudable suggestion.

MR. OPLE: Thank you.

Among the objectives of education is the fostering of national pride and identity, enhancing the quality of life of every Filipino and so on. I think this section will be strengthened if we acknowledge the jugular connection of education with economic and social progress, especially since we are told by experts almost universally that the quality of the population, more than any natural resources, determines the extent to which a nation can develop and grow. So, at the appropriate time, I would like to suggest that the committee allow an amendment that would include the acceleration of social and economic progress as one of the major goals of education.

MR. VILLACORTA: We shall be open to the suggestion, Madam President.

MR. OPLE: Thank you.

I now go to Section 1 (c) which mandates the State to promote quality education and ensure equal access and opportunity to it by maintaining a system of scholarship grants and other incentives. I want to call the attention of the committee to the fact that there is now a study-now, pay-later program in the Ministry of Education, Culture and Sports. Some years ago, I had the privilege of authoring the law that created this program wherein government financial institutions, principally the PNB, the DBP, the Land Bank of the Philippines, the SSS and the GSIS pooled their resources together and came up with something like P65 million to grant loans to deserving underprivileged students in various schools and universities which are payable once they graduate and find jobs. The data, I remember, say that 25,000 poor but deserving students have finished college as a result of the study-now, pay-later program, and I was hoping that such deferred payment schemes with the participation of the financial institutions of the government can be acknowledged as one of the incentives for ensuring equal access to quality education. Will the committee entertain an amendment to that effect at the proper time?

MR. VILLACORTA: Yes, at the proper time, Madam President.

MR. GUINGONA: Madam President, may I add that the bill that the Gentleman had presented benefited quite a number of students. And I wish to congratulate him for his sponsorship. Actually, the committee had thought of these loan programs as part of the incentives but the suggested amendment would be welcome.

MR. OPLE: Of course, right now it is too limited, more limited than what I thought it could be, and I think, since a few months ago the study-now, pay-later scheme had gotten lost in a wider scholarship program of the Ministry of Education, Culture and Sports; and having lost its identity as such, it might be in danger of being set aside now. I want to thank the committee for saying that this amendment can be entertained at the proper time.

May I now call the committee's attention to page 3, Section 2 (c), lines 2 to 11. It has to do with what looks like the nationalization of private educational institutions.

I have two questions concerning this. Let us take the specific example of the University of Santo Tomas which, I understand, is still run by the Dominican Order, consisting of religious orders of foreign citizenship.

Will this type of management be proscribed under this section?

MR. GASCON: At present, the UST is still being run by the Dominicans, but they are Filipino Dominicans. It is Filipinized.

MR. OPLE: I am glad to hear that. So that the UST in this case is no longer a problem in that respect.

MR. GASCON: Yes, Madam President.

MR. OPLE: I do recall from the recent past data from the Bureau of Immigration which said that about 5,000 foreign missionaries have been admitted to the Philippines on prearranged employment. And this employment, in the majority of cases, really pertains to teaching. The reason the Bureau of Immigration had no difficulty approving the applications for prearranged employment was because it was understood that most of them would be teaching in the remote hinterlands of this country where no instruction otherwise will be made available especially to indigenous peoples. And I suppose this also pertains to mission schools in these areas. It is not widely known that the Philippines is still a missionary territory. I do not know if anyone can confirm that. For all purposes, we are still a missionary territory and I suppose that is the reason why about 5,000 foreign missionaries have volunteered to teach especially in the hinterland regions. As far as I know, they are still there. If they are teaching in mission schools that are owned by certain religious orders and are actually subsidized from contributions from overseas, they will fall under the restrictions of Section 2 (c) or do we want to allow them to continue this service that they are rendering in these areas where otherwise there will be no instruction available, especially for members of tribes and indigenous peoples?

MR. VILLACORTA: As we have mentioned previously, the teaching activities of foreigners will not be restricted, specifically foreign missionaries, because this was the worry of many of our colleagues in the Commission.

As far as ownership and management of these missionary schools are concerned, I think, there would be legal ways by which the ownership could be transferred to Filipino hands. One way is to ask their local counterparts to take over the ownership and management. The other way is to link up with their local churches and/or archdioceses.

As Commissioner Rigos pointed out this morning, all of the mission schools of the Protestants are Filipinized and we are not sure yet about the Catholic sector. We are still making inquiries. But based on what Dr. Arcelo told us, all the foreign-owned schools are the International School, the Asian Institute of Management and Brent School, and they are not missionary schools. Two of them are established primarily for the children of diplomats.

MR. OPLE: With that assurance, I think I am satisfied that whatever missionary services are taking place in education in the hinterland areas will not be disturbed by this section except for certain adjustments that will probably result in a transfer of ownership.

MR. VILLACORTA: Yes, Madam President. If this provision is adopted by the Commission, we can make certain provisions in the Transitory Provisions concerning the grace period that can be given to foreign-owned missionary schools so that they will be given reasonable time to divest their holdings.

MR. OPLE: Very good. I shall now proceed to Section 2 (d), line 12, page 3:

The State shall not interfere with the right of every citizen to select a profession or courses of study, subject to admission and selection requirements.

Does this also pertain to the NCEE?

MR. VILLACORTA: We are quiet about the NCEE in order to give flexibility to the Ministry of Education, Culture and Sports as well as the Congress to determine the necessary screening examination that will determine which of the high school graduates are qualified to enter the collegiate level. We placed here, however, "subject to admission and selection requirements." The intention is to prevent students or applicants who failed the admission requirements of a certain school or who failed to meet the academic requirements once they are admitted, to insist that they remain in that school.

MR. OPLE: Yes.

MR. GUINGONA: Additionally, this qualification refers to both governmental requirements as well as institutional requirements and would refer not only to the matter of admission, but to promotion and even graduation.

MR. OPLE: My concern, Madam President, is that the NCEE, as it now works out, seems to discriminate systematically against high school graduates in the rural areas in favor of the metropolitan or the urban areas, and the reason, I suppose, is because the general information content of these examinations can be very dominant; and where in urban areas children are routinely exposed to, let us say, electronic media, newspapers and other media of information and communication, then they tend to acquire a special advantage in NCEE examinations relative to their poorer cousins in the countryside where such facilities and amenities may be scarce or even inexistent. Therefore, I would feel more reassured pending the reforms in the NCEE, for equity purposes, if the intent of the committee under this section does not include the NCEE.

MS. ROSARIO BRAID: Madam President, earlier we noted the limitations of the NCEE as being more middle-class oriented in terms of bias. We also noted the intent to adapt tools to the needs of the disadvantaged by including not only verbal but also nonverbal ways of evaluating knowledge and aptitude among the lower classes. The Commissioner is right that at present it is really more elite or middle-class oriented.

MR. GASCON: Exactly. We agree totally with the Commissioner's observation. However, it was the consensus in the committee that although we all agree that there must be a review of the NCEE program, we do not wish to state anything about it categorically. And this is reflected in the record as this has been raised already.

MR. OPLE: That is good enough for me until the NCEE can be reviewed and probably reforms introduced so that people do not get overly penalized for the accident of having to be in nonurban areas.

I will now proceed to Section 4, page 4, lines 14 to 23. This has to do with the State promoting and protecting the status and standards of the teaching profession, together, of course, with academic and nonacademic personnel.

Over the years, I have been both disheartened, saddened and pained by the mass defection of the best and most experienced teachers from teaching to other career pursuits. It is, of course, known to us that a good many are impelled by necessity as well as by choice to go overseas and take up occupations normally beneath the training and profession of teachers. And I think the reason is because the career of teaching has become so unremunerative and uncompetitive with other career choices. In Bulacan, I know just about how many teachers have defected from teaching to become clerks in government agencies in Metropolitan Manila; and a significant number have decided to take up the call of overseas jobs.

There seems to be a talent allocation principle at work in society at any given time. Some of us are old enough to remember those days when teaching attracted the best and the brightest in our country. There are, of course, periods when such a career as law becomes very much a favorite of parents and youth who make the decisions together. There were periods when a military uniform probably commanded such glamor and power that I am told, in the Philippine Military Academy, one could have as many as 50,000 applicants, and only a few hundreds would be admitted.

But what we have seen with our own eyes over the past three decades is how teaching has ceased to attract a fair share of the talent pool of the nation. And we see the best and the brightest almost day by day desert teaching for more remunerative and more fulfilling pursuits. And, therefore, if the key to the quality of education — one of the keys anyway — is that education should have its fair share of the available talents in the land, then will the committee consider at the proper time using a more direct provision here so that the Constitution will prescribe a

true priority in the national budget for public school teachers so that we can make teaching more remunerative and more fulfilling, and so that we can insure that education in the future will have its fair share of talented Filipinos who will devote their lives to the future by teaching the young?

MR. VILLACORTA: Commissioner Uka would like to answer, Madam President.

THE PRESIDENT: Commissioner Uka is recognized.

MR. UKA: Madam President, I am with Commissioner Ople in his opinion. I believe that we should make teaching the honorable profession that it used to be many years ago.

I was one of those attracted to the teaching profession 57 years ago because, at that time, the Department of Education was number one in the appropriation act. Today I do not know what number it is. And as mentioned, many of the teachers have already resigned and become just mere domestic helpers in the Middle East. The average salary of teachers is less than one thousand. What can one do with P1,000 nowadays?

So, in those days, one cannot take a course in education unless he passed a very highly competitive examination, and I took that examination. So, forthwith, I was sent to the Philippine Normal College, and I was very happy about it, but as the years rolled by, the teaching profession went down in status, and so, many teachers have been downhearted.

I wonder if the Commissioner could suggest some ways to restore the status and honor of the teaching profession so that it will be a real profession. You and I, of course, realize, as I stated a few days ago, that the progress of a nation really depends upon its teachers.

MR. GUINGONA: Madam President, may I comment? I gladly support the views expressed by Commissioners Ople and Uka. I find it paradoxical that a person who is pointed to as a person in authority and, under the law, in loco parentis, is invariably taken for granted and is deprived of his just reward. And the result of this is the exodus that the Commissioner has spoken of, which, in the long run, is detrimental to the welfare of the students.

Our distinguished chairman has mentioned some statistics. May I add that in Southern Mindanao, the average salary of a faculty member is only P788.28 and the highest average is in the National Capital Region which is P1,496.33, which is even lower than the prescribed minimum wage.

MR. OPLE: Yes, Madam President. We are, of course, familiar with heroic efforts made by all administrations since the end of World War II to raise the levels of remuneration for the public school teachers. And it seems that each time they would do this, they ran into a wall, the wall being that one could not increase the salaries of teachers without creating similar and reciprocal demands for all the 1,500,000 employees of the government. And yet, for teachers, it should be somewhat demoralizing that nurses have won wage increases through the budget; the health workers represented by Commissioner Quesada, and remuneration for nurses in the government is fully competitive with the remuneration in the private sector. For teachers, however, this has been a forlorn hope during all these past several decades.

But if the committee agrees that here in Section 4, there is a direct constitutionalization of a mandate for budgetary priority to make teaching more remunerative and more attractive, in connection with the quality of education and the standards of the teaching profession set forth in the first sentence of Section 4, then a President who wants to make some meaningful change in the remuneration for teachers will be able to invoke, precisely, this provision in the Constitution and set them apart from all the rest of the government employees.

MR. UKA: Yes. I think the Davide amendment, together with the amendment of Commissioner Maambong, will greatly help in that.

MR. OPLE: I have to see these amendments. I would associate myself with them very gladly, if they convey this meaning that I am now giving to the committee and to the Commission. Otherwise, I think I would like to present my own proposed amendment.

My last intervention has to do with the language part.

MR. VILLACORTA: We are reserving that for a later time; we are concentrating now on education, if the Commissioner does not mind.

MR. OPLE: I will then wait for my turn during the discussion on the language part.

MR. VILLACORTA: Thank you.

MR. SARMIENTO: Madam President, may I ask that Commissioner Padilla be recognized.

THE PRESIDENT: Commissioner Padilla is recognized.

MR. PADILLA: Thank you, Madam President.

I suppose the committee will have no objection to inserting in the title, as well as on line 8 of Section 1, the words "AND SPORTS."

MR. VILLACORTA: We will have no objection, Madam President.

MR. PADILLA: I am inviting attention to page 3, Section 2 (c). It was mentioned this morning that the phrase which appeared in the 1973 Constitution regarding the religious schools and the 60 per centum of the capital of corporations or associations was deleted.

I have heard from the committee that many of the religious schools have been Filipinized. Does that mean that Filipino citizens are now the owners of the quality schools, like the University of Santo Tomas and Letran of the Dominicans, the Ateneo University of the Jesuits, San Beda of the Benedictines, and the Recoletos and De La Salle University? It seems to me that the word "Filipinized" may not be very accurate in the sense that the heads of these different universities are Filipino priests or Filipino educators. Does that really mean that all these colleges, including the San Jose de Recoletos in Cebu, the San Carlos University in Iloilo and other schools in important cities, have for their owners no longer these religious orders but Filipinos?

MR. VILLACORTA: The information we got was that the owners are Filipinos.

MR. PADILLA: But it cannot be so. Does that mean, for example, that Commissioner Regalado as Dean of the College of Law in San Beda, or Father Bernas as President of the Ateneo University are part owners of their respective schools?

MR. VILLACORTA: Not in that sense, Madam President. No, we are not part owners.

MR. PADILLA: Then, who are really the owners? Is it true, for example, that in La Salle they have organized a nonstock corporation? I doubt very much whether the real ownership has been transferred and is vested in Filipino citizens because I feel that all these schools, universities and colleges of many religious orders, as well as others, are probably Filipino corporations — 60-percent Filipino and 40-percent foreign are not the real owners of the land, the buildings and the equipment of all these schools, colleges and universities. When we say that schools are "Filipinized," we get the wrong impression that all the schools, even Don Bosco, for example, are now controlled and owned by Filipinos. Probably some of the principals, the heads or the teachers are Filipinos but I doubt it very much.

MR. VILLACORTA: Madam President, Commissioner Romulo is the Chairman of the Board of Trustees of De

La Salle University and he is more privy to the legal technicality of ownership of some university that was mentioned.

MR. PADILLA: Yes, but I wonder whether Commissioner Romulo owns De La Salle University or Father Bernas owns the Ateneo University.

MR. VILLACORTA: Maybe being lawyers, they would be in a much better position to enlighten us on this matter.

MR. PADILLA: Yes, that is the reason why I am trying to find out whether the word "Filipinized" is the solution to the problem. I believe it is not so. That is the reason I would like to retain the former provisions of the Constitution because they are more actual, more real. Schools form a corporation, and these are called nonstock or sometimes nonprofit. But who are the members of that corporation, and does that corporation have a legal personality? Who is the real owner of the lands, the buildings, the equipment and all that go into a first-class or quality college and university? In other words, when the committee tells us the schools have been Filipinized, it gives us the impression that the schools are now wholly owned by Filipino citizens. Frankly, I doubt very much the reality of such statement which probably is a matter of fiction in law — granting a Filipino corporation the right to own, administer and operate these many religious colleges and universities. It is very easy to say a school has been "Filipinized." I know that the heads or the presidents of these are Filipinos, but does that mean that they own these very valuable educational institutions?

MR. VILLACORTA: Commissioner Tan would like to say something.

SR. TAN: Madam President, may I try to answer? As far as the women orders are concerned, the women orders have a Filipino membership, and usually the Filipino membership is far more than the foreign membership. We organize ourselves into a corporation with the Securities and Exchange Commission. And so the Filipinos own everything. But the very small groups, like the Indonesians, the Spanish or the Japanese who come have no ownership because they have no Filipino counterparts. Is that better?

MR. GASCON: Father Bernas would like to say something.

FR. BERNAS: Madam President, I think Commissioner Padilla has a point. Ateneo, for instance, would have no difficulty with this. La Salle would have no difficulty with this. But I am not sure whether other religious groups will not have difficulty with this. I do not think that it is enough to say: "Well, if they are incapable of holding it, then let their Filipino counterparts take over." If there are no Filipino counterparts, then that is not possible. Or, the answer might be: "Let the archdiocese take over." That is fine if the archdiocese has the money to buy them out, which is not always the case.

So, in answer to this, I think, while some religious groups would have no difficulty satisfying a 100-percent ownership, I believe that others would have serious difficulty.

MR. ROMULO: Madam President.

THE PRESIDENT: Commissioner Romulo is recognized.

MR. ROMULO: On behalf of La Salle, I might as well indicate that they have no problems either. The approach in La Salle is that the Philippine Province of Christian Brothers, all of whom are Filipinos, has incorporated into a nonstock, nonprofit corporation. And La Salle, Inc., as it is known, then owns all of the other La Salle schools. So, in fact, all of these schools are owned by the Filipino members of the Philippine Province of Christian Brothers.

MR. PADILLA: That is it. There is probably a Philippine chapter, but the De La Salle Brothers are worldwide, just like the Jesuits, the Dominicans, the Benedictines, the Recolletos, et cetera — they are all widespread not only

throughout the nation, the Philippines, but even throughout the world. And by creating a Philippine chapter, I do not know whether in reality, the chapter would have full ownership of a portion of the entire ownership activities of these different religious orders throughout the world.

We mentioned nonstock institutions, and may I now go to page 4, lines 28 to 32, where there seems to be a distinction between a proprietary educational institution and a nonstock institution. Now, if it is a stock institution especially with private Filipinos as educators, the stockholders are limited to 10 to 12 percent by way of dividends so that the school will not become purely for profit because this might give way to the less desirable diploma mills.

What is a nonstock educational institution? Because it is nonstock, the institution is exempt from taxes and duties. On line 25, mention is made of educational foundations and I understand that the Araneta University with which Commissioner Guingona was formerly connected has been turned into a foundation. Sometimes the foundation is intended to be exempt from taxes, primarily to avoid taxes. Why should there be preference for the so-called nonstock over stock educational institutions? Why the distinction? And then the term "nonprofit" is also used. I do not know whether this is alternative or cumulative. If it is cumulative, then it must be both nonstock and nonprofit.

But we must realize that many educational institutions that have turned into foundations do not distribute dividends because they are nonstock, although they realize profits and these profits are utilized as fat salaries, generous allowances, transportation expenses, including travel, representation expenses so that practically nothing remains for the ordinary stockholder. The members of the board of directors are the ones that enjoy the benefits of all these educational activities. I cannot fully subscribe to this distinction — just because they say it is nonstock; they have no stockholder. But they have members and they are supposed to be enjoying more privileges than a stock corporation.

If we discourage stock corporations engaged in education, then who among the Filipinos who are better economically situated can be induced to invest in more educational institutions? I think we should encourage more Filipinos to engage in this very delicate task of education. But the way it is, there is not enough incentives for Filipinos with some resources to invest in educational institutions. Why? If one is a stockholder, he gets 10 percent, at most, out of profits. If he is not a stockholder, it is only the few on top of the institution that get all the benefits. These are matters that should be carefully appreciated. I wonder whether I am talking sense or, in the opinion of the committee, I am talking nonsense.

MR. VILLACORTA: On the contrary, the points that the Gentleman raised are very interesting to us and they shall be given the serious consideration that they deserve.

MR. PADILLA: Sometimes we hear of a Marcos Foundation, and nobody knows what that Marcos Foundation is, except for the fact that its purpose is not to pay taxes.

Personally, I would want all educational institutions to pay their income tax. Maybe, we should not impose customs duties on necessary equipment, such as laboratory equipment or those for all technical or scientific requirements because that will help the quality of education. But once the institution, whether stock or nonstock, has paid its faculty the correct salaries and, I would say, even encourage salaries through proper administration, they are able to invite more students because of their management, as well as their quality of instruction, and they realize profits. Why should there be a difference, especially in the exemption from payment of taxes, particularly the income tax?

MR. GUINGONA: Madam President, in response to Commissioner Tadeo's inquiry, I pointed out that there are

occasions when educational foundations, because of the payment of fat salaries, bonuses, allowances to ranking officials including the board of trustees, might even be giving a lesser residual benefit for the benefit of the students than a proprietary school. I gave the example where a nonstock, nonprofit educational institution might spend 30 percent for the salaries, leaving only 70 percent for the benefit of the students. Whereas a proprietary school might have a 10-percent return on investment plus 15 percent on salaries which is a conservative amount in view of the fact that in these proprietary schools, the owners are on top of the situation as far as expenditures are concerned. A total amount of only 25 percent will be removed from the 100 percent which would give 75 percent or a bigger percentage for the benefit of the students.

With regard to what Commissioner Padilla said about nonencouragement of Filipinos to invest, it is not only nonencouragement, but there is also the problem that those who are already in education might want to pull out. As a matter of fact, that is what UE had intended to do, but the Ministry of Education, Culture and Sports intervened. Earlier, UE had a total student population of 60 thousand and that has been reduced to 30 or to 40 thousand. And it is reasonable to conclude that if they have four or five buildings, at least, one building will be vacated. And so now, the school would want to make use of the vacated building for purposes other than education because they do not have enough students. And since this is capital belonging to the owners, they have a right to make use of this. And that is what I am afraid of; if the profit, the return on investment or ROI, or the attraction is gone, owners of schools may decide to pull out and the ones who will suffer are the students.

MR. PADILLA: That is why I cannot understand the less favorite, you might say, attitude towards so-called proprietary schools. I agree that education should not be like a business. But when we want to encourage Filipinos to invest in education and in educational institutions, we cannot encourage, if there be what they call in an absolute term, nonprofit investment for the investing stockholders. That would be contrary to human nature. Of course, when we want to make more profits in agriculture, in industry, in commerce, well and good. But there are some who would prefer to invest part of their surplus capital to help elevate or even disseminate education to our people. But why should we always say "nonprofit," as if we expect to gain only a 10-percent dividend?

MS. ROSARIO BRAID: Madam President, I think the intent or spirit of this provision is to encourage broadbase ownership. We will note that a module is the cooperative module, whereby ownership was based on all the faculty and other nonfaculty members, and other members of the population who are interested in education. An example is the Centro Escolar University which is now a cooperative, rather than an ownership based only on a family or a few members. In other words, it is really spreading the benefits or profits to more rather than to a few. This is what this provision intends to achieve.

MR. PADILLA: The Commissioner mentioned Centro Escolar University, but it pays some reasonable dividends to its stockholders. And that is what I would like to foment rather than to always stress the sacrificial nonstock or nonprofit nature, because then there will be no incentive to invest in good educational institutions. I agree that education should not be for profit; but education should not be nonprofitable also. We envision, for example, faculty members and the members of the management owning and operating the school. But the fact is that these faculty members and these employees cannot. They do not have the capital necessary to own a land and to construct a building for a school. To spread out the stockholdings to the faculty members, to the members of management and even to the public is good. But we cannot do that if it is an exclusive nonstock, nonprofit association. Centro Escolar University, I believe, is a progressive university, and it has attracted many students, especially girls. And they pay reasonable, very low, but reasonable dividends. And that can be an attraction to people investing in private educational institutions.

MR. GUINGONA: Madam President, may I add that I fully support the idea of a cooperatively owned educational institution, but as I pointed out yesterday, the problem is that if we are to expect the faculty members

and the nonacademic personnel to take over the cooperatives, from the pragmatic point of view, this is not going to be possible for some time. That is why I was suggesting that perhaps legislation might be enacted in the future, which would provide soft loans to the faculty members and nonacademic personnel, so that if they have an investment of P5,000 or P10,000, they could borrow on very easy terms five times that value so that, together, they might be able to pool enough resources to buy even a small school.

MR. PADILLA: Another point I would like to raise is regarding exemption from taxes on line 32 of page 4. Does the phrase "as may be provided by law" mean that this Article on Education, Science, Technology, Sports, Arts and Culture has to be followed by the Department of Education, Culture and Sports as well as by the Congress without further discretion or latitude to provide for what is necessary in the promotion of public, as well as private education?

MR. VILLACORTA: No, Madam President, this article provides such latitude and there are other sections that incorporate the phrase "provided by law," such as Section 2 (C), Section 2 (F), Section 4 and Section 5 (C). So, throughout the article, we have this qualification that provisions would be detailed by law, or the details of several provisions would be provided by legislation.

MR. PADILLA: Madam President, instead of providing for free education including for the secondary school, why do we not just say that the Congress shall give to education a substantial or the biggest share in the budget? Before, education used to have the biggest share of the national budget; it was only President Marcos who gave the biggest share to the military. This is better than saying that the State shall give free primary, elementary, including secondary education, which we cannot fulfill. I read in the papers yesterday that it would involve P21 billion.

MR. VILLACORTA: Only P10 billion.

MR. PADILLA: Is that for free high school?

MR. VILLACORTA: Yes.

MR. PADILLA: There are many provinces and cities which provide free high school education. If we transfer this responsibility to the State or to the national government, these cities with very few free high schools may feel that it has already become the burden of the State and may not continue to establish and maintain their free high schools anymore.

MR. VILLACORTA: The proposal of the Commissioner that we include the sentence "Congress shall give the biggest share to education" is very much welcome but more as an addition or a supplement to the provision guaranteeing free public education up to the secondary level. And, moreover, we could include in the intendment as we interpret this provision with respect to the State's providing free public education that it should not mean that city governments providing free high school education should not stop from doing so just because of this provision.

MR. PADILLA: But, Madam President, we cannot provide as a duty of the State the giving of free secondary education, especially to the entire nation. We have to first give the public school teachers their just salary or wages by providing or at least mentioning this as free, something that is more than what was provided in the 1935 and 1973 Constitutions — the first one (1935 Constitution) was for free primary education only; the second (1973 Constitution) was for free elementary education; now we are saying free secondary education. We are even saying subsidized tertiary education. But these are all visionary, I believe, considering the present economic resources of the country.

MR. GUINGONA: Madam President, I do not know if this is the perception of the committee, but my own perception is that when we say it is the duty of the State to provide education, we are referring to the State without any particular allusion to either national or local. Therefore, it may be the national or the local or both, that would maintain the schools that will provide education.

MR. SUAREZ: Madam President, may we be recognized to seek clarification?

THE PRESIDENT: Commissioner Suarez is recognized.

MR. SUAREZ: Thank you, Madam President.

Commissioner Padilla, who was a distinguished Member of the Senate of the Philippines at the time Mr. Marcos declared martial law, mentioned about constitutionalizing in this Article on Education, Science, Technology, Sports, Arts and Culture, the matter of allocating a greater portion of the budget appropriations to be devoted for educational purposes. Madam President, I would like to clear up only two points: Is my understanding or the information we received correct that sometime in 1972 the Education Department received something like 28 percent of the budget, which under the Marcos administration had been reduced only to something like 11 or 12 percent?

MR. PADILLA: I do not know the exact figures, but I said that Congress used to give out of the annual appropriations a bigger percentage to education, but it was only during the time of President Marcos in order to strengthen himself with the military that the greatest share in the budget was shifted, instead of education, to the military.

MR. SUAREZ: Thank you.

In other words, if we reverse the priority from military to education, we might be able to satisfy the proposal presented by the distinguished members of the committee.

MR. PADILLA: No, I do not believe we can.

MR. SUAREZ: Yes, we hope we can.

MR. PADILLA: Madam President, we have to be realistic. We cannot give free secondary education, free high schools throughout the nation — that is a dream; that is a hope. But I have said a few times: Let us not give our people false hopes because when these are not fulfilled, their disillusionment, their disappointments will be greater.

MR. VILLACORTA: Madam President, may I just reply to that. The P10 billion that we cited is just a 10-percent increase in the budget allocated for education. The deputy minister for higher education, Victor Ordoñez, was here this morning and he said he is willing to be quoted that he does not foresee much difficulty, from the point of view of the Ministry of Education, Culture and Sports to provide free public high school education. I think this was reiterated by Education Minister Lourdes Quisumbing. So these are coming from the mouths of the Ministry of Education officials themselves who do not foresee any crisis in terms of providing free public high school education.

MR. UKA: Madam President, may I make a brief comment? I think we have the money. What we should do is to observe priorities. Let us, as I said, restore the Ministry of Education as the premier department because, after all, education is a number one priority in this country. So, it is a matter of restoring it. But if we keep on downgrading the Ministry of Education, Culture and Sports we will never be able to get all we want for education. We should not permit appropriations for other departments to be above the appropriation for education because education is really very important. The progress of a nation depends upon education. The teachers are working very hard and

they are so submerged in their work. We even make use of them during election as poll clerks. They do all kinds of work like food production and all that, and many of them, very charming teachers, even forget to marry. It is a good thing I did not forget.

MR. PADILLA: Madam President, I thank Commissioner de los Reyes for giving me a copy of the Tribune of September 1, where it says:

Education Minister Lourdes R. Quisumbing has expressed doubts on the capability of the Aquino administration to finance free education up to high school. Quisumbing apparently backtracking from her call for free education up to the secondary level, said upon arrival from Singapore that her initial stand which had been proposed in the Constitutional Commission is quite impossible. How can our country finance education up to the secondary level when a richer country like Indonesia could not even afford it?

MR. VILLACORTA: I have not read that news report, but if indeed it is accurate, it is backtracking because the report of Manila Bulletin last Saturday, if I am not mistaken, was that Minister Quisumbing was for free high school education.

MR. PADILLA: Maybe she was expressing a desire, a realization of what should be. I also like to extend free high school education, if possible, but she must have realized that it is impractical, if not impossible, at least from the point of view of financial resources.

MR. SUAREZ: Thank you.

May I clear up one more point? I know that Commissioner Padilla would like us to realize this dream that we are all talking about, and he was very kind enough to suggest that probably we should leave it up to Congress to appropriate a greater portion of the budget in order to implement this thinking and this dream.

MR. PADILLA: I was mentioning that as a fact in previous Congresses.

MR. SUAREZ: And being an acknowledged constructionist, does Commissioner Padilla think this can be done appropriately by way of a directive in the Article on Education? If the Gentleman thinks so, I will give my support.

MR. PADILLA: I am not in favor of always mandating Congress but this Commission has been very repetitious with such statements as "the State shall establish and maintain"; "the State shall provide"; "the State shall," and so forth, and so on. I am not in favor of so many provisions like those because we are practically depriving Congress of its discretion and judgment.

MR. SUAREZ: But I take it, in this particular instance, that the Commissioner is willing to sponsor any resolution.

MR. PADILLA: No, I do not want to provide another clause, like "the State shall" or "the Congress shall," but we would want Congress to give to education the biggest share, much higher naturally than the share of the military. But I would prefer to leave that to Congress and not for this Commission to mandate Congress. That is our propensity here. We are always mandating Congress; and not only that, we are even imposing many duties on the State. I am not in favor of provisions like those; besides I have criticized these in a few of my observations.

MR. SUAREZ: Even by way of concretizing the thoughts which the Commissioner expressed to us only a while ago, would he not be amenable to making a proposition which he has envisioned in our Constitution?

MR. PADILLA: I have already answered that. I do not like to say "the State shall" or "the Congress shall."

MR. SUAREZ: Thank you.

MR. PADILLA: There are in this article nice words like "comprehensive," "complete," "adequate," "integrated." Should we not only allow Congress or the President to establish minimum requirements regarding what schools and colleges should be recognized or allowed to operate, and not put maximum ceilings so that we can encourage more schools provided that they comply with certain minimum requirements? I do not see any minimum requirements here, except the optimum requirements.

MS. ROSARIO BRAID: Madam President, let me respond to Commissioner Padilla's first statement about the concept of "comprehensive and integrated." We will note that the term "integrated" was contained in the 1973 Constitution. "Comprehensive" is a term we would like to use because we feel that we should give a mandate to Congress to reexamine the goals, the structures and the ends of education, and we do not think that we could do that by just specifying how many or what kinds of schools should be established, but that we should at least come up with the minimum statements of some desired structures and processes. With the use of the term "comprehensive," we are saying that we do not believe that formal schooling is the only end of education. We believe that other kinds of education are as important; and so this is why the term "comprehensive" is here to mean that the family, or the other nonschool institutions are just as important.

MR. PADILLA: They are all important; there is no question about that. However, the Gentleman mentioned words like "formal," "nonformal," "informal," "indigenous." To the average Filipino, these words are not very clear, not even to me. Why do we not just say, after setting the goals of education, that the schools which will be recognized will have to meet minimum standards or minimum requirements, and that the maximum is open to all, including college, postgraduate, and/or the so-called liberal education? But more important is the giving of instruction to all the people with minimum requirements from both public, as well as private schools, instead of saying "formal," "nonformal," "informal" or "indigenous." I thought we were interested in encouraging one standard of education for all our people.

MS. ROSARIO BRAID: I do not think that is what we wanted. We are trying to show here that education is so important to be uniform. We are suggesting that there are various alternative systems of education; and we are suggesting here that if we just focus on minimum schooling requirements, we are failing the very ends of education which is, that it should be undertaken by other sectors of society and that the school should coordinate with the home, the Church, the mass media, and other community institutions. Therefore, we do not give the impression that all resources of the State should be given to formal schooling. And it is this spirit of our awareness that we should expand the processes and the structures of education to mean that all important sectors of society should carry on the function of education.

MR. PADILLA: There is no question that education first starts in the family; and there is no question that the Church has a great deal of influence on education. But when we are talking of schools, especially public schools, and those private schools engaged in primary, elementary, and high school education, we have to provide, or at least let Congress provide, for minimum requirements to establish and operate such schools.

I am not saying that education is limited to the schools, no. In fact, there must be the relation between the family, the parents, the faculty, the other sectors, including the Church, because that is very important for moral character and spiritual values, rather than these words.

MR. GUINGONA: Madam President, in connection with Commissioner Padilla's inquiry as to the meaning of the word "integration . . ."

MR. PADILLA: No, I am not asking for the meaning.

MR. GUINGONA: What was the Commissioner asking then?

MR. PADILLA: I was saying that we used good words, nice words, like "comprehensive," "complete," "adequate," "integrated," et cetera, but we do not let Congress provide for more facilities for education for Filipinos to invest in stock corporations, but that Congress should provide the minimum requirements for the establishment and maintenance and operation of such schools without giving any limitation to the further expansion of higher education.

Thank you, Madam President.

MS. ROSARIO BRAID: Thank you.

MR. SARMIENTO: Madam President, may I ask that Commissioner Bacani be recognized.

THE PRESIDENT: Commissioner Bacani is recognized.

BISHOP BACANI: Madam President, what I would like to ask the committee, I will just ask them in private consultations, so I waive my chance to ask.

MR. VILLACORTA: Thank you for giving us a respite. (Laughter)

SUSPENSION OF SESSION

MR. SARMIENTO: Madam President, on the basis of a popular request that we suspend the session for a few minutes, may I move that we suspend the session to give our Commissioners time for their merienda.

THE PRESIDENT: The session is suspended.

It was 4:35 p.m.

RESUMPTION OF SESSION

At 5:16 p.m., the session was resumed.

THE PRESIDENT: The session is resumed.

MR. SARMIENTO: Madam President.

THE PRESIDENT: The Acting Floor Leader is recognized.

MR. SARMIENTO: Madam President, may I ask that Commissioner Tadeo be recognized.

THE PRESIDENT: Commissioner Tadeo is recognized.

MR. TADEO: Madam President, Section 2 (a), lines 14 and 15 on page 2 reads: "All educational institutions shall inculcate nationalism . . ." Maaari bang malinawan lang ako rito ng komite kung ano ang ibig sabihin ng "nationalism"?

MR. VILLACORTA: Commissioner Tadeo, kanginang umaga ay nilinaw namin na sa nasyonalismo ay napapaloob din dito ang patriotismo. Ang patriotismo ay pagmamahal sa bayang tinubuan ngunit ang nasyonalismo ay nakahihigit sa patriotismo sapagkat dito ay kasama ang pagmamahal at kumpiyansa sa ating mga kababayang Pilipino, kayat ang nasyonalismo ay higit pa sa paggalang sa mga simbulo at sa mga sagisag ng bansa, sapagkat kasama rito ang ating katapatan o commitment sa interes, sa kapakanan at kinabukasan ng ating mga kababayan.

MR. TADEO: Naniniwala ba ang komite na ang nasyonalismo ay dapat tumagos sa ating Saligang Batas?

MR. VILLACORTA: Tumagos?

MR. TADEO: Naniniwala ba ang komite na ang nasyonalismo ay dapat tumagos sa ating political system?

MR. VILLACORTA: Naniniwala ang aming komite, Commissioner Tadeo.

MR. TADEO: Naniniwala ba ang komite na ang nasyonalismo ay dapat tumagos sa ating economic system?

MR. VILLACORTA: Opo, Kagalangalang na Tadeo.

MR. TADEO: Naniniwala rin ba ang komite na ang nasyonalismo ay dapat tumagos sa ating sining at kultura?

MR. VILLACORTA: Naniniwala ang komite ryan.

MR. TADEO: Sa paniniwala ng magbubukid ang ibig sabihin ng nasyonalismo ay ganito: Pananalig at pagtitiwala sa kakayahan ng Pilipino. Ganoon po ba ang inyong pagkaunawa rin?

MR. VILLACORTA: Isa yan sa mga bahagi ng nasyonalismo.

MR. TADEO: Kung ang ibig sabihin ng nasyonalismo ay pananalig at pagtitiwala sa kakayahan ng mga Pilipino, gusto ko lang basahin ang isang bahagi ng 1973 Constitution tungkol sa wika: "Sakaling magkaroon ng pagtatalo, mangingibabaw ang teksto sa Ingles." (In case of conflict, the English text shall prevail.)

May probisyon ngayon at nagpapasalamat ako sa nagawa ng komite — "Sakaling may pagtatalo, ang teksto sa Pilipino ang mangingibabaw." Dito ngayon masusubok kung talagang tumatagos ang nasyonalismo sa ating Saligang Batas. Ang ibig sabihin ng nasyonalismo ay paniniwala at pananalig mo na makalikha ng isang wika, isang wikang siyentipiko, makabayan, makamasa, hindi elitismo at mapagbuklod. Iyon ang ibig sabihin. Kaya ngayon masusubok natin ang nasyonalismo sa wika pa lamang pagdating natin sa bahagi ng Wika, sapagkat maliwanag dito ang probisyon ng 1973 Constitution. Uulitin kong muli ang probisyon ng 1973 Constitution: "Sakaling magkaroon ng pagtatalo, mangingibabaw ang teksto sa Ingles." Pagkatapos ang probisyon ngayon: "Sakaling may pagtatalo, ang teksto sa Pilipino ang mangingibabaw." Sinasabi natin na ang nasyonalismo ay dapat tumagos sa ating Saligang Batas at dapat itong tumagos sa ating wika. Mayroon kang paniniwala, pananalig na makapagpaunlad, makapagpausbong ng isang wikang Pilipino. Ngayon, liliwanagin ko pa. Ang ibig ding sabihin kung ang nasyonalismo'y tumatagos sa ating Saligang Batas, makikita natin ito sa panig ng ekonomiya. Hindi ka makakakita ng 60-40 na equity. Ang pagbungkal ng likas na yaman ay hindi nagbibigay ng 60-40 na pagbabahaginan sa mga dayuhan, pati na sa public utilities. Kung sinasabi nating ang nasyonalismo'y tumatagos sa Saligang Batas, ibig ko lamang tanungin ang komite kung hanggang sa national economy at patrimony lamang tumatagos ang nasyonalismo.

REV. RIGOS: Madam President, bago natin iwan ang paksa ng "language," maaari po bang magsalita nang kaunti?

Commissioner Tadeo, hindi po kami naniniwala na kapag ang isang tao ay nagsasalita sa wikang Pilipino, he is more Filipino than a person who speaks English.

Iyon po lamang ang nais kong sabihin tungkol dito. Sa amin pong pagkakilala, nationalism is much beyond our ability to speak the national language. Kaya huwag nating isiping kapag Pilipino na ang ating salita, tayo ay nationalist.

MR. TADEO: Paglilinaw lamang, Madam President. Kapag sinabi nating ang nasyonalismo'y tumatagos, gayun din sa political system. Maraming pagkakataong maraming dayuhan ang nagiging bisita ng mga magbubukid. Sinabi ng mga dayuhan sa akin:

"Jimmy, hindi namin makita ang Filipino identity. Ang inyong political system ay isinunod sa American model. Ang inyong economic system ay free trade. Kapag manood ka ng telebisyon o kaya manood ka ng pelikula, hindi mo makita ang Pilipino. Wala siyang identity. Maaari ba, Jimmy, isalarawan mo kung anong ibig sabihin ng Filipino identity"?

Para sa amin, kapag ang nasyonalismo ay tumatagos sa ating political system, makikita ng iba ang isang political system na angkop sa pangangailangan ng Pilipino. Kapag tiningnan nila ang ating economic system, nakikita nila ang economic protectionism, ang Filipinization at national industrialization. Kapag tiningnan nila ang ating kultura, kamukha ng bayanihan, iisipin nila kung gaano kaganda ang bayanihan upang makita nila ang Filipino identity. Kapag pinanood natin ang mga sayaw ng Bayanihan Dance Troupe na pinapalangkapan sa buong mundo, kitang-kita ba ninyo ang inyong sarili? Kapag nakikita natin ang tinikling, kitang-kita natin sa ating mga sayaw ang ating sarili. Ang ibig bang sabihin ng tumatagos ang nasyonalismo ay kapag tiningnan natin ang ating political system, kitang-kita natin ang political system na angkop sa Pilipino, ang economic system na tumatagos sa kanyang pangangailangan, sining at kultura?

Pagkatapos may isa pa silang tanong. Kung ang ibig sabihin daw ng nasyonalismo'y pagtitiwala at pananalig sa kakayahan ng Pilipino, bakit naririto pa ang U.S. military bases? Ang ibig nilang sabihin, sa kabila ng mayroon tayong tatlong daang libong kawal, wala pa rin tayong paniniwala at pananalig na kaya nating pangalagaan ang seguridad laban sa external aggression.

MR. VILLACORTA: Tinatanong ba ninyo, Commissioner Tadeo?

MR. TADEO: Binibigyan ko lamang ng diin sa komite na ang ibig sabihin ng nasyonalismo ay faith in the Filipinos — ang ibig sabihin ay pananalig at pagtitiwala sa kakayahan ng Pilipino na magpakadakila. Iyon po ba ang ibig din ninyong sabihin?

MR. VILLACORTA: Iyan ang ibig sabihin ng nasyonalismo.

MR. TADEO: Salamat po.

MR. GASCON: Madam President, ang mga tanong ni Ginoong Tadeo ay nakatuon na ngayon sa ating wika. Nais ko lamang tanungin sa ating Floor Leader kung mayroon pa bang mga tanong patungkol sa edukasyon. Kung wala ay tumuloy na tayo sa pangalawang bahagi ng ating artikulo — Wika.

MR. TADEO: Madam President, binibigyan ko lamang ng diin ang ibig sabihin ng nasyonalismo sa edukasyon — ang pananalig at pagtitiwala sa kakayahan ng Pilipino, sapagkat mahalagang mapalagay sa Journal na ang ibig sabihin natin ng nationalism ay faith in the Filipinos.

MR. GASCON: Totoo po iyan at naibahagi na rin iyan ni Commissioner Sarmiento kanginang umaga. Subalit bago natin talakayin ang Wika, nais ko lamang tugunan ang mga ilang impresyon na naibahagi kangina. Ang una ay tungkol sa tanong kung kakayanin ba ng pamahalaan na magbigay ng libreng edukasyon para sa lahat, hanggang sa secondary. Nasa paniniwala ng komite na kakayanin ng pamahalaang magbigay ng libreng edukasyon. The State can provide free education. We feel that, first, it is a matter of prioritization; and to reprioritize from the misprioritization which occurred during the Marcos regime.

To highlight this further, let us look at certain figures. A bullet costs P5. One bullet would equal one notebook and one pencil. In the 30-minute encounter, thousands of bullets are used up. So first, as far as notebooks and pencils are concerned, if we can allocate more funds towards producing textbooks, notebooks and pencils for our students instead of bullets, perhaps we will not have a problem. One V-150, armored personnel carrier (APC), the type we all saw at EDSA last February and which costs P60 million would be equivalent to the cost of running 12 bureaus, agencies and institutes under the Ministry of Education, Culture and Sports for one year — this is just one APC.

One F-5E fighter which costs \$5 million is equivalent to the cost of running four state colleges and universities in Metro Manila with a population of three to five thousand, or seven state colleges and universities in Western Visayas, or seven state colleges and universities in Mindanao for one year. That is just one airplane which could service almost 50,000 students in one year. One Sikorsky helicopter which we recently bought — I believe we bought eight — costs about \$10 million or the cost of running eight state colleges and universities in Central Luzon for one year. So, the question of whether or not our government can afford education is very clear. The issue is reprioritization.

MR. DE CASTRO: Madam President.

THE PRESIDENT: Commissioner de Castro is recognized.

MR. DE CASTRO: I wish to remind the committee that we cannot put a price tag on national defense and security.

Thank you, Madam President.

MR. GASCON: Just as much as we cannot put a price tag on education.

MR. SARMIENTO: Madam President, may I ask that Commissioner Aquino be recognized as the last interpellator on Education.

THE PRESIDENT: Commissioner Aquino is recognized.

MS. AQUINO: Madam President, I was observing the drift of the discussion and the interpellation on the Article on Education and I think that we are sorely missing the aspect of economics in education. Economics is at the crux of the national educational policy. In fact, it is incumbent upon us to study the underpinning importance of economics and economic development in the national educational policy of the country. As it stands now, the focus and the thrust of the national educational policy is to promote and develop vocational and technical training. I do not personally oppose this kind of a thrust. What I deplore is when we develop vocational and technical training to be able to condition a docile labor force that will accommodate the needs of multinational profits.

As early as 1961, the IMF-World Bank in the education sector of its report, came out with the study that the reason for the difficulty of prospects of multinational investment in the country is the lack of qualified manpower. After this study, the IMF-World Bank saw to it that education is a priority in its agenda in the Third World countries. Actually, there is a hidden agenda to this. The long range perspective is to develop a new and captive generation of docile manpower for multinational concerns, and that the national educational policy should be aligned, steered and stimulated in the direction of creating good investment prospects for investments. This is the kind of cultural imperialism that has permeated the system of national education and this, I think, is the proper thrust and concern of the Article on Education. For example, it is not surprising for us now to hear a high school student talk of the blessings of our colonial conquest. It is as if we would have remained a primitive Filipino people without the colonization of the Americans, and that we would not have availed of the benefits and joys of television or the ecstasy of Coca-Cola without colonial conquest, as if colonial conquest were a benevolent gesture.

If we want to be absurd about it, colonial mentality or being very trustful of colonial masters can be very useful; and if we work according to this drift, then we can say that multinational investment may do the country ultimate good and ultimate benefit. But, of course, we have settled that agenda already in the debates on the national economy and patrimony. However, I have always believed in the proposition that education is the handmaiden of economic policy, and this is one thing that we cannot afford to ignore.

On the matter of academic freedom, academic freedom becomes real only when we are able to entrust the teachers as the agents of social change with enough confidence and skills to be able to redirect cultural and value formation. This may be in the nature of some kind of a fight between the Davids and the Goliaths, but as a prominent Chinese philosopher said, "When today the locusts are fighting with the elephants, tomorrow the elephants may be disemboweled."

The point I am trying to drive at is, we should underscore the fact that education is not just geared towards self-development or the promotion of national identity, but that it can be used effectively to advance strategic economic interest. And, unfortunately, I think the committee has missed on that.

MS. ROSARIO BRAID: Madam President, I think the concerns of Commissioner Aquino have been discussed by the committee. There are studies, like the Philippine Normal College studies, which criticized the nonformal and even the vocational education in the past as having catered principally to multinationals. And that if we do, for instance, respond to the Ranis Report, as I mentioned earlier this morning, which is demand-oriented and which caters to the need of entrepreneurs who will create jobs, rather than be job-seekers in multinational agencies, then perhaps this is the direction to which vocational education should address itself to. We are quite aware of the Commissioner's concerns because we do know that many of these vocational courses were tailored to dressmaking, cosmetics, when there are not enough people who will go into these professions because the needs in the community are more for creating, for coming up with handicrafts and small-scale industry, rather than dressmaking or cosmetology. So we are aware of that.

This is why we underscored creative and critical thinking in order that we are ensured that we understand the economics of education. As we have mentioned earlier, we should ensure that schools do not create an inequality where the reality now is for those children of white-collar parents receiving six times more subsidy than children of farmers.

So these are the inequalities in education. We hope that by moving into new structures, by moving into more demand-oriented vocational education, we move away from satisfying the needs of multinationals, helping create more disparities where there are already disparities in terms of the products of the educational system, especially from schools charging high tuition fees, which tend to increase the inequality in society.

So, if the Commissioner could give us additional provisions that will strengthen our provisions to this effect . . .

MS. AQUINO: I had to raise that point because I want us to be conscious of the sophisticated subtleties of economic imperialism that capture the mind and the thought processes of the young and impressionable minds; of economic imperialism that enters through the backdoor through IMF-sponsored textbooks, through IMF-sponsored scholarships and through IMF-sponsored programs. The point I am driving at is that, when we spell out an educational priority program, it is not as if we are unilaterally dictating our terms here. We have to grapple with a very formidable adversary, and that is the interest of extroverted global trade.

MS. ROSARIO BRAID: I think the problem really is a holdover, all because we have to admit that the planners, the implementors of the educational system are themselves a product of neocolonial education. But to be able to accept and grapple with that fact and to get away from this orientation and to move away to a different orientation is, perhaps, a concern which should be done by the legislature and the Ministry of Education, Culture and Sports. But it is enough that we mandate it. It should be nationalist; it should be creative and critical in order that we can move away from all these ills that were mentioned, which the committee has acknowledged in terms of their evaluation of the educational system.

MS. AQUINO: Thank you.

MR. BENNAGEN: Madam President.

THE PRESIDENT: Commissioner Bennagen is recognized.

MR. BENNAGEN: This is on behalf of the committee and I am reacting to the remarks of Commissioner Aquino.

I think the committee is aware of the intimate relationship between education, on the one hand, and political and economic processes, on the other. In our sponsorship speeches, we did point to this extremely intimate relationship, and we feel that in any kind of state society, the educational system is reduced to nothing more than a reproducing agent of the relationship of inequity and domination. In one of the papers that were cited by Commissioner Rosario Braid, she pointed out that in the Philippine case, education has indeed contributed to this production of unequal relations. It is for this reason that we provided for a number of proposals in language, in science and technology in particular, as well as in the arts and culture.

But we would like to find out whether Commissioner Aquino has already a number of proposals that would hopefully strengthen these provisions which seek to underscore the need for an educational system that criticizes but also precipitates society in the direction of a self-reliant and truly sovereign nation.

Would Commissioner Aquino have proposals right now which could be submitted to the committee?

MS. AQUINO: No, I just wanted to underscore the need for focus because I went through the provisions as recommended by the committee. We cannot, of course, overemphasize the need for the values of nationalism, the values of patriotism, self-independence, but I think we have overlooked the need for knowledge. And any meaningful education is the one that teaches how to learn.

The fact is the philosophy behind education is not to keep children in school, but to prepare them to leave school.

MR. GASCON: Madam President, we totally agree with the manifestations of the Commissioner and, in fact, we feel that the educational system has a major role to play in as far as becoming more relevant to the Filipino people and to the various national interests and goals of our society, our government, and our socioeconomic life. However, we would like to request if Commissioner Aquino could present some concrete amendments. For example, when we speak of learning or knowledge, Section 2 (a) speaks also of critical and creative thinking.

MS. AQUINO: Yes, but with respect to the committee, it impresses me like a colatilla — as if we are saying: "By the way, we should also impart knowledge."

MR. BENNAGEN: Madam President, one little note before I sit down.

I think the points raised by Commissioner Aquino are indeed very valid, and it looks as if the article as formulated, failed to emphasize these points. For example, in relation to the schooling movement, we thought that Section 1 (d) is partly a response to that in the sense that we do not simply leave to the school as a formal school system the whole task of reforming or reshaping society. It allows for other educational systems full play to counteract the necessarily reproductive function of formal schooling because we are aware that formal schooling merely codifies that which already exist in social relations.

MS. ROSARIO BRAID: Yes.

MR. BENNAGEN: Perhaps, the committee could look into strengthening further these provisions which allow a greater variety of learning systems.

MS. ROSARIO BRAID: Madam President, we had about three provisions on these but for brevity's sake, we shortened them to one: the concept of the schooling — nonformal education and self learning — independent study systems which have been discussed at length, but which we have to shorten because of the necessity of focusing

on the present structures and restructuring.

MR. BENNAGEN: Yes.

MS. ROSARIO BRAID: There has been a lot of criticism on coming up with future systems. Actually, if we had our way, we could have really moved away from the present system and move into a radical system. But it is the fact that the committee feels that we have to attend to the structuring of the present system.

MR. BENNAGEN: I am sure that the members of the committee have all these in mind, but based on the remarks of Commissioner Tadeo earlier and the remarks of Commissioner Aquino, it would seem now that as formulated, the article failed to underscore these intentions.

Thank you, Madam President.

MR. GASCON: We will consider some amendments in that regard.

Commissioner Uka would like to give some remarks.

THE PRESIDENT: Commissioner Uka is recognized.

MR. UKA: Madam President, I fully agree with the observations of Commissioners Aquino, Tadeo and Bennagen because education really consists of learning, and learning is defined as the acquisition of knowledge, habits, abilities and attitudes through experience.

Thank you.

MR. SARMIENTO: Madam President, before we adjourn and proceed to a caucus, may I move that we tackle Language after Education. We have only three interpellators for this Section on Language.

THE PRESIDENT: Is there a need for a sponsorship speech to explain the rationale of Section 1, so that for the next session we can be prepared for the interpellation?

MR. VILLACORTA: There is no need for sponsorship.

MR. BENNAGEN: Madam President, there is no need for a sponsorship speech?

MR. VILLACORTA: Madam President, we can go ahead with the interpellation.

THE PRESIDENT: So, what is the pleasure of the Acting Floor Leader?

MR. SARMIENTO: We have only three interpellators, Madam President.

THE PRESIDENT: This is on Language. What does the committee say?

MR. VILLACORTA: We accept that suggestion, Madam President.

THE PRESIDENT: Please call on the first speaker.

MR. SARMIENTO: May I ask that Commissioner Tingson be recognized.

THE PRESIDENT: Commissioner Tingson is recognized.

MR. TINGSON: Madam President, I will try to be as brief as I can.

First, I should like to ask a question regarding line 9, under Language, which reads: "The national language shall be further developed on the basis of Philippine and other languages." To what particular language or dialect does the word "Philippine" refer to?

MR. VILLACORTA: The chairman of the Subcommittee on National Language is Commissioner Rigos and he will answer that question.

REV. RIGOS: We have in mind the different dialects and languages of the Filipinos when we say "Philippine languages."

MR. TINGSON: I see. The subcommittee did not have any particular language in mind?

REV. RIGOS: Nothing in particular.

MR. TINGSON: I am very glad to hear that because those of us who are not Tagalogs believe that we have just as many beautiful "malaming" words which need to be incorporated into our lingua franca — for example, the word "Inday" which means sweetheart, my love, my sunshine, my honey, my darling, all rolled into one. That should be incorporated in our national language.

REV. RIGOS: The Gentleman is right. In fact, the word "Inday" is very popular now in Metro Manila.

MR. TINGSON: That is what I noticed, and the Ilonggo dialect is not too far behind Tagalog. For instance, the word "bana" refers to husband, and the word "asawa" refers to wife. But we notice that in Tagalog, we only use "asawa" for both husband and wife. So, these points truly justify the recommendation of the committee that our lingua franca should be developed on the basis of Philippine and other languages and I think this would be more acceptable. For example, in the Indonesian Republic, they were able to develop Bahasa Indonesia within one generation, literally.

But I am bothered about the Philippines which is not well-known to many people around the world. One time, I sent a letter to my wife in the Philippines from Larnaka, Cyprus, and the postmaster of Larnaka, believe it or not, did not want to believe that there was a country known as the Philippines. When I was in Ohio, an American lady approached me and asked, "Excuse me, but which part of the Philippines is Cuba?" That may sound almost ridiculous but our country is not too well-known and yet, I have an air-letter form in my possession, but it does not have the word "Philippines" at all, instead it contains the word "Pilipinas." So, if the average American or European does not even know where the Philippines is, how will the world know that "Pilipinas" is Philippines? It is spelled with a "P," but sometimes we write it with an "F," this is why our tourists and our visitors are confused.

Could anybody in the committee please tell me if our Bureau of Posts was authorized to change the official name Philippines to "Pilipinas"?

MR. VILLACORTA: Madam President, "Pilipinas" is also an official name. If we may remind the body, the stamps of the Spanish-speaking countries have the names of their countries in Spanish. For example, the stamps of Spain say "España," not Spain.

REV. RIGOS: And the fact that Commissioner Tingson received that letter indicates that the postmaster knew where to send it.

MR. TINGSON: No, this was an air letter, which we were supposed to send outside of the Philippines. I am bothered because I am not aware of any official act by the Congress mandating that our country could be called officially by any other name except "Philippines," so I think the committee should look into that.

MR. GASCON: The Pilipino translation of Philippines is "Pilipinas."

MR. BENNAGEN: Madam President.

THE PRESIDENT: Commissioner Bennagen is recognized.

MR. BENNAGEN: Let me express my appreciation for the remarks of Commissioner Tingson, because these are arguments for deciding that a national language is a kind of national symbol. But in the proposal, we mean Filipino, not merely as a national symbol, not merely as an instrument for national identity and national unification, but also as an instrument for national growth and development. In due time, we will try to explain the connection of Filipino as a language with the efforts in the development in science and technology and even in trade and commerce. We feel that it is time we decide as a nation, the way Indonesia and Malaysia decided in their own due time that they should have a Bahasa Indonesia and Bahasa Malaysia.

MR. GASCON: On the query of Commissioner Tingson whether there was any official act of changing the name Philippines to "Pilipinas," Commissioner Azcuna told me that the 1973 Constitution had a Filipino translation of Republic of the Philippines which was promulgated, and that is "Republika ng Pilipinas." So it had been officially promulgated; therefore, it does not need any congressional act.

MR. TINGSON: What bothers me, Madam President, is that of Americans and Europeans who do not know our language. We are calling our country a name which is only known to us here in the Philippines

MR. GASCON: I think that is our prerogative as a sovereign nation. Besides, after the people's power revolution I do not think there is one single country in the world that does not know where the Philippines is.

MR. TINGSON: I agree with the Commissioner and we are all proud about that. In the 1971 Constitutional Convention where I was a member, we suggested, among other things, that we could rename the Philippines. However, after deciding it, there were no further changes. Does the committee also consider this article?

MR. GASCON: Madam President, that question will be considered in the General Provisions. This article is only on language. The changing of the name of the country is under the Article on General Provisions chaired by Commissioner Rosario Braid.

REV. RIGOS: Would Commissioner Tingson entertain one very short story about the Philippines, when the Philippine issue was being discussed by the United States Congress at the turn of the century? Here it goes: During lunch break, two congressmen happened to be seated beside a chaplain and they asked him where the Philippines was. They did not know where the Philippines was. And the chaplain, who probably was not a Baptist like Commissioner Tingson, said: "Well, I do not know exactly where the Philippines is, but I remember in the New Testament the Apostle Paul had a letter to the people of the Philippines."

MR. TINGSON: Madam President, my wife and I were in Philadelphia, and a beautiful young American excitedly told me and my wife that she had just come from her honeymoon and that she spent it in beautiful, tropical Philippines. I was a little bit suspicious, I did not want to believe her, although I was honored with the thought. So I insisted to ask: "Where did you spend your honeymoon with your husband?" "Oh," she said, "out there at Waikiki Beach."

But anyway, Madam President, I am glad that our country is better known now.

One more question, Madam President, and I shall be through. On page 15, lines 18 and 19 state:

The Constitution shall be promulgated in Filipino and English and shall be translated into the regional languages.

Madam President, I do not speak Spanish although we studied it, but I like the language. However, Spanish is being sidetracked by us, almost insulted to the extent that we want to just abolish it altogether. Cannot the committee, at least, entertain an amendment to include the translation of our work in Spanish, because copies of this will inevitably find their way to the libraries in Spain and Latin American countries? They would want to read

it in Spanish. And besides, Madam President, many of our histories are written in Spanish — El Filibusterismo and Noli Me Tangere are written in Spanish.

With the help of the President and my colleague here who speaks good Spanish, I tried to write something and we improved on it.

Señora Presidenta, segun nuestro compañero, Honorable Francisco Rodrigo, tenemos que hablar, tenemos que leer y tenemos que escribir mas en Espanol en nuestro pais para tener mas practica. Se dice Señora Presidenta: "La practica es la madre de la ciencia." Todavia, Señora Presidenta, hay algunas personas entre nosotros aqui en Filipinas que no saben Ingles mas que Español. Entonces, compañeros, hay necesidad de publicar tambien nuestra Constitucion en este lenguaje que ocupa segundo lugar en el mundo.

Muchas gracias, Señora Presidenta. [**]

THE PRESIDENT: Que dice el Señor Azcuna? [**]

MR. AZCUNA: Would the Commissioner please translate that.

MR. TINGSON: Puedo tambien pero corto nada mas. Pero, Señora Presidenta, es claro que tenemos que publicar este trabajo en Español tambien.

MR. GASCON: Maraming salamat po sa inyong mungkahi.

MR. TINGSON: But levity aside, Madam President, I would like to present an amendment on line 19 to read: "The Constitution shall be promulgated in Filipino, English and SPANISH and shall be translated into the regional languages." Let us be thankful to Spain for teaching us Spanish. Let us be grateful to America for teaching us English. We may speak bamboo English but it is still English. Let us thank all these countries that have been good to us. I would like the body to know that I do not like the idea of our not remembering sometimes those who have showered blessings upon us.

MR. VILLACORTA: Will the Honorable Tingson yield to some questions? Does he know the reason why in spite of almost 400 years of colonization under Spain, we still do not speak Spanish?

MR. TINGSON: Porque tenemos que hablar mas siempre en Español para tener practica. That is the trouble. We studied Spanish but we do not speak it.

MR. VILLACORTA: No, Madam President, my question is: In Latin American countries, those that were under Spain speak Spanish. How come we do not speak Spanish now? Is it because we are so dumb that we could not learn Spanish?

MR. TINGSON: Is it because we are lazy to learn two languages, English and Spanish?

MR. VILLACORTA: No, the reason, Madam President, and this is historically proven, is that the Spaniards did not want us to learn Spanish during their time. And here we are, the Spaniards are gone and we want to learn Spanish and we want to enshrine it in our Constitution; whereas, when they were here, they themselves did not want us to learn Spanish. The reason, Madam President, and again it is in the records and even in the novels of Dr. Jose Rizal, is that the Spaniards felt we were too inferior than the Indians of Latin America to learn the language, la lengua de los angeles. Does the Commissioner know what the Spaniards call our language? It is lengua de los caballos, language of horses. I am not trying to muckrake here and dig into the bitter past of Filipinos. The point that I am trying to put across is that we are already an independent country. The Spanish period is way back in the past and to try to redeem the so-called glory of our Spanish past is, I think, unnecessary especially because, as I had pointed out, when the Spaniards were here, they did not want us to learn their language, and why should we

try to care for their language at this point in time?

MR. TINGSON: We are the loser, Madam President, if we refuse to learn a language which is second in the world today.

MR. GASCON: Madam President, we would consider any amendment later on, because we realize that Spanish is a beautiful language. However, first and foremost we have our own language. We have our own identity and we should encourage this. This speaks of our own language. Madam President, permit me to make a reaction to the Commissioner's proposal which is: "The Constitution shall be promulgated in Filipino, English and SPANISH." I feel that perhaps later on there will be some translations in Spanish which could be sent abroad. So I do not believe that the Constitution should be promulgated in Spanish. In fact, we should even give priority to its being written in the regional languages prior to its being written in Spanish. This is the Constitution of our people.

MR. TINGSON: Madam President, I would settle for translating it also into Spanish.

MR. GASCON: That is right. But we should again give greater priority to its translation into the regional languages prior to its translation into Spanish because more people would benefit from its being translated into the regional languages than into Spanish.

MR. TINGSON: But the Commissioner does not deny the fact that Dr. Jose Rizal, our national hero, spoke and wrote his novels in Spanish.

MR. GASCON: Not at all, Madam President.

MR. TINGSON: May I present an amendment to that effect later on, Madam President?

MR. GASCON: Yes, the Commissioner may during the period of amendments.

MR. TINGSON: Thank you very much.

MR. BENNAGEN: Madam President, I just would like to add that when we speak of Filipino and English as official languages and of promulgating the Constitution in Filipino and English, we do not preclude the other languages as courses to be taught in schools. The students are given the freedom to choose. And, also, the other languages can be taught via the literature of the other countries. I wish to inform the honorable Commissioner Tingson that this is already being done in a number of schools particularly at the University of the Philippines where the literature of other countries is taught in the proper languages, not through translations.

So when we speak of Filipinizing ourselves, our consciousness, we speak of incorporating also other foreign influences which we feel are relevant to the overall thrust of growing up as a nation. I think we pointed out earlier in our sponsorship speeches that when we speak of Filipinizing ourselves, our language in particular, we are not throwing away all other foreign influences. We are saying that we will now be more critical in terms of selecting those influences that will support our struggle for self-determination as a nation.

THE PRESIDENT: Commissioner Padilla is recognized. Is it also in Spanish?

MR. PADILLA: Si, Señora, lenguaje de Castellana, el Castellano o el Español. Yo no creo que durante la administracion Española España no ha querido enseñar el lenguaje Castellano. De hecho nuestros heroes nacionales empesando con el Dr. Jose Rizal, escribio en Español no solamente sus dos novelas inmortales, el Noli Me Tangere y El Filibusterismo, sino que ha escrito versos que el mundo Español admite es superior a los escritos de muchos Españoles y Mexicanos. El Mi Ultimo Adios, Mi Retiro y otros versos, son excelentes mucho mejor, mejores que los escritos por los Españoles mismos. Y no solamente Dr. Rizal, todos sus compañeros en el esfuerzo de mejorar la situacion Filipina bajo la colonizacion de España, Marcelo H. del Pilar, Emilio Jacinto, y

otros, y despues de ellos hay muchos Filipinos que dominaban el lenguaje Español. Por ejemplo, Don Claro M. Recto y otros de indole aprendieron el Castellano y dominaron ese lenguaje y tenemos que realizar que el Español es el idioma segundo solamente el Ingles en el mundo porque tenemos no solamente America que llaman que con la excepcion de Brazil que hable Portugues, todos hablan el Español.

No es verdad que los Filipinos no podian aprender el lenguaje Español. Mis padres hablaban el Español, yo hablaba el Español en la familia, pero desgraciadamente por la influencia Americana y otras influencias extranjeras, muchos de mis hijos ya no hablan el Español. Pero el no hablar el Español no es una virtud, me parece que es una desgracia del pueblo Filipino, y por eso que el immortal poeta y heroe Jose Rizal, siempre decia en su El Filibusterismo que lo que necesitaba el pueblo Filipino era mas educacion porque solamente por medio de la educacion y con eso los idiomas no solamente Filipino o Tagalog, sino tambien el Español y ahora el Ingles son muy importantes para el progreso del pueblo Filipino.

Es una desgracia digo, que la generacion presente y la generacion futura no pueda hablar el lenguaje Español. Pero yo creo que debemos cultivar este lenguaje. A veces hablamos de foreign language, Aleman o Frances, o Italiano, esos no tienen ninguna comparacion con el lenguaje Español. Hemos tenido a España por mas de tres o cuatro siglos y es una desventaja el no haber tenido el deseo y el interes de preservar, de conservar este idioma muy elegante de Madre España.

Como podemos nosotros, por ejemplo, sentir los sentimientos de nuestro heroe nacional especialmente en sus versos, si solamente tenemos que recurrir a translacion, traducciones en vez de leer el original? Mi padre siempre me pedia que ponga de memoria los versos del Dr. Rizal, y muchas veces me imponia la obligacion de recitar estos versos ante el y muy bonitos, muy hermosos, mejores que los que han hecho los Españoles y los Mexicanos.

Muchas gracias. [*]

MR. VILLACORTA: Señor Comisionado, solamente necesita usted leer los libros de los historiadores y tambien el capitulo en El Filibusterismo titulado, Las Dificultades De Un Maestro para saber la verdad de que los Españoles no querian enseñarnos la lengua Castellana.

Y, Señor Comisionado Padilla, quisiera preguntarle a usted: Cuantas personas aqui le entendia a usted cuando usted hablaba en Español? [*]

MR. PADILLA: Eso es lo que yo digo, es una desgracia para esa generacion que no puedan comprender siquiera el lenguaje Español.

Yo convengo que España no queria educar mucho el pueblo Filipino porque la teoria era que era mas facil colonizar y continuar el gobierno Español si la masa Filipina no esta bien educada. Yo concuerdo con eso, de que no querian que se eleve la esfera educacional intelectual del pueblo Filipino, pero no necesariamente no enseñar al pueblo la lengua Española. Hay mucha diferencia. Yo concuerdo de que no querian educar al pueblo Filipino porque es mas facil dominar a un pueblo que sigue ignorante mas bien que a un pueblo educado. Pero eso no quiere decir que no debemos conservar, ni mucho menos, no deberiamos haber aprendido la lengua Española. [*]

MR. GUINGONA: Señora Presidenta, podria dirigir una pregunta al Honorable Comisionado Padilla?[*]

MR. PADILLA: Con mucho gusto.

THE PRESIDENT: Just this one, and we will end this discourse in Spanish.

MR. GUINGONA: Quisiera saber, Señor Comisionado, que es su deseo? Es su deseo que debemos incluir en nuestra Constitucion la provision de que esta Constitucion se debe promulgar en Español, o, estaria usted satisfecho si podriamos decir solamente que nuestra Constitucion seria traducida a nuestros dialectos y tambien en

Español? [*]

MR. PADILLA: No, yo concuerdo con la recomendacion del Comisionado Tingson, que nuestra Constitucion sea tambien traducida en Español. [*]

MR. GUINGONA: Gracias. [*]

THE PRESIDENT: I think we have to cut short this discourse in Spanish much as we were, I suppose, enjoying it. Let us proceed, Mr. Floor Leader, to the next speaker.

MR. SARMIENTO: Yes, Madam President. After the exchange of the two colorful religious ministers, may I now call on another minister, Commissioner Ople.

THE PRESIDENT: Commissioner Ople is recognized

MR. OPLE: Thank you, Madam President. I, and several others too, wanted to raise a point of order because of the misfortune that we belong to a younger generation deprived of the opportunity to know Spanish, but, of course, a certain regression to the past will do no harm to the deliberations of this body.

Madam President, we are now on the subject national language. I congratulate the committee for taking this overdue historic decision to recognize Filipino as the national language of the Philippines. And, of course, I think the record will have to indicate a few crucial points. Will the committee offer an explanation as to the difference between Filipino with a capital "F" and Pilipino with a capital "P"?

MR. VILLACORTA: Madam President, we had passed around a position paper, "A Note on The Filipino Language" authored by Dr. Ernesto Constantino of the Linguistics Department of the UP and we concurred with his differentiation in that Filipino is different from Pilipino which is based on only one language, Tagalog. Filipino, on the other hand, is based on different Philippine languages. Also, Pilipino is based essentially on the language usage and peculiarities of the Tagalog group; while Filipino is based on the language usage, similarities and peculiarities of the different Philippine ethnic groups.

I think Commissioner Bennagen would also like to elaborate on this.

MR. BENNAGEN: Madam President, noon pong 1971 Constitutional Convention napag-usapan na rin iyan at nabanggit nga na ang Pilipino ay batay sa Tagalog, pero dahil nga sa tutol ang karamihang hindi Tagalog at sa pangangailangan din ng pagpapatatag ng isang wikang pambansa batay sa mga iba't ibang wika sa Pilipinas ginawang Filipino dahil alam natin ang alpabeto ng Pilipino ay walang letra "F" samantalang may mga ibang wika sa Pilipinas na mayroong letra "F" So, may symbolic value rin ito. Ibig sabihin hindi lamang Tagalog ang batayan ng wikang pambansa kundi lahat ng wika sa Pilipinas. Ako po ay isang Ilokano.

MR. OPLE: Yes, Madam President, at the present stage of development of Filipino, especially, this is taught and actually utilized in the University of the Philippines. Filipino with its main features, that is to say, with a capital "F," is not yet really highly distinguishable from Pilipino with a capital "P." Will the committee agree to that construction?

MR. VILLACORTA: The qualification "highly distinguishable" is appropriate. It is not highly distinguishable. So we agree with the Commissioner, Madam President.

MR. OPLE: Thank you. And the developments in grammar, syntax and the rules of language that have pertained to Pilipino with a capital "P," although amended to become highly liberalized, will not be discarded because we are recognizing Filipino with a capital "F" as the national language. Will that be correct?

MR. VILLACORTA: It is inevitable, Madam President, that the starting point would be Pilipino because that has

already been developed in the past as an evolving national language, but then this does not mean that we should limit ourselves to the syntax or to the vocabulary of Pilipino which is based on Tagalog.

MR. OPLE: I agree with the Commissioner. I myself see Filipino as being different from Pilipino with a capital "P," in the sense that Pilipino is a more malleable, more dynamic, more open-ended national language, not only ready but also very eager to receive contributions from all the other languages of the Philippines. Will that be the committee's position as well?

MR. VILLACORTA: Yes, Madam President. In fact, the linguists who were our resource persons in our different public hearings said that the language structures of all Philippine languages are similar to each other. So there will be no difficulty in incorporating words from different Philippine languages and dialects. Moreover, researches showed that it is much easier for different ethnic and language groups to learn another Philippine language than to learn English or another foreign language.

MR. OPLE: That is very true, Madam President. It is not uncustomary for a Cebuano or a Bicolano in Manila to learn Tagalog in two months so that he or she becomes fluent in conversation.

MR. GASCON: Madam President, Commissioner Bennagen would like to add something.

MR. BENNAGEN: We would like to add that the provision on page 5, line 9, which states: "developed on the basis of Philippine and other languages" includes also non-Philippine languages, such as English and French languages. For example, if we say: "Ipaxerox mo nga ito," the word "xerox" will be standardized as part of Filipino.

MR. OPLE: So that means the language is open to all influences.

MR. BENNAGEN: That is right, but a major task would be, therefore, standardization.

MR. OPLE: Does the committee, however, believe that the enrichment, expansion and indefinite strengthening of the living language through assimilation will have to be done in the course of the evolution of this language, and that it is not the intention of the committee to prescribe certain quotas, according to quotas of assimilation from different languages, in accordance with a certain fiat of the government?

MR. BENNAGEN: No, Madam President, because we look at language as an organic thing which has its own logic of growth; therefore, we must follow that. But what we are saying is that government ought to be able to accelerate or speed up the development of that language, respecting its own logic of development.

MR. OPLE: Thank you for that clarification.

I now proceed to Section 2 which states:

The official languages of the Philippines are Filipino and English, until otherwise provided by law. The regional languages are the auxiliary official languages in their respective regions.

We have just witnessed, and some of us participated in what others thought was an anachronistic proceeding, an exchange of statements on the floor conducted in the Spanish language.

Spanish, let us admit it, is generally seen by the younger generation as an anachronism, if only because 100 years now part us from the last time that a substantial number of Filipinos spoke Spanish. Spanish, together with Tagalog, was the language of the Malolos Republic. It was very difficult in 1898 and 1899, during the formation of Filipino nationality, to depart from Spanish. And some of the speakers remarked the fact that both the *Noli Me Tangere* and the *El Filibusterismo* were written in Spanish. But, of course, there had been lot of changes in the world of political system since 1898 and 1899 and Spanish had tended to recede, as English continued to emerge

as a dominant lingua franca of mankind, especially of trade and commerce and of science and technology.

But may I submit, Madam President, that history is turning on its hinge again. Today, Spanish no longer seems to be an anachronism. Outside our own country, it is emerging as the world's number two language. It is the second language of the United States of America. It is the first language of 400 million Latin Americans, perhaps much more than that, if we include the entire Iberian civilization, which includes the Philippines. By the year 2000, according to all the economic think tanks, most of Latin American countries will become dynamic industrialized nations belonging to the OECD. And, of course, Miami even now is emerging as the great nexus of a new dynamic trade between Latin America, North America and Western Europe and there is no question that there will be repercussions across the Pacific of the emergence of the Iberian nations as newly industrialized nations just a couple of decades from now. Therefore, I would like to find out whether the committee would be receptive at the appropriate time.

Spanish, as a valued historical legacy, is acknowledged in this section of the Constitution, not as a compulsory subject to be taught in schools — I think that has been a complete failure — but as a language, to be taught on a voluntary basis and encouraged by the government and by policy, both in its development and propagation, with nothing compulsory about it. Everything will be voluntary. In that manner, we are not paying so much a homage to the past but looking forward to the future, in the very near term, when the economic interaction of the Philippines with the rest of the world can be vastly facilitated if we had a group of Filipinos capable of speaking and writing this language. What I have in mind is just an acknowledgment of this language in the Constitution without imposing it as a language of instruction or a compulsory subject to be taught in our schools.

I remember when Prince Juan Carlos came here a few years ago. He went to the Rizal Park and bowed his head in apology to Dr. Jose Rizal, and I thought that marked a turning point when we should start recovering from the Spanish trauma to which we are all heirs. But that is with respect to Spanish, and at the proper time I, in association with some Commissioners, would like to propose an amendment with the committee's indulgence.

MR. VILLACORTA: Like other amendments, Madam President, we shall consider the Commissioner's amendment at the proper time.

MR. OPLE: Thank you very much, Madam President. And finally, with respect to the auxiliary official languages in their respective regions, will the committee consider again at the appropriate time an amendment that will also extend the aid and protection of the State to the development and propagation of these regional languages so that public funds may be lawfully spent on their development and propagation?

MR. VILLACORTA: We would welcome that amendment, Madam President.

MR. OPLE: Will the committee also consider an amendment so that it will be explicit in the Constitution that these regional languages may be taught as elective courses in state universities?

MR. VILLACORTA: Certainly, Madam President. I see other committee members nodding; so I think the Commissioner should leave everything to us.

MR. OPLE: That is a good augury for what is to come. Thank you very much, Madam President.

MR. VILLACORTA: I thank the Commissioner.

MR. BENNAGEN: Madam President, we just want to underscore that the general principle enunciated by Commissioner Ople on the voluntary learning of Spanish applies also to the other languages as they create their own demand; for instance, Japanese and Mandarin which are creating their own demand and people are learning these on a voluntary basis. I think on that basis we shall entertain the amendments.

MR. VILLACORTA: Madam President, I just would like to announce the change of venue of the caucus among the members of the committee and those who have amendments after this evening's session to the South Lounge. So in particular, Commissioners Azcuna, Maambong, Davide, Tingson, Padilla, Monsod, Aquino, Ople and Bacani submitted their amendments.

MR. OPLE: Madam President, if we are not ready with our proposed amendments now, anyway they have been identified in their outline, can we present the complete proposed amendments tomorrow morning?

MR. VILLACORTA: The Commissioners can, Madam President.

MR. OPLE: Thank you very much, Madam President.

MR. SARMIENTO: Madam President, may I ask that Commissioner Davide be recognized.

THE PRESIDENT: Commissioner Davide is recognized.

MR. DAVIDE: Thank you, Madam President. I seek enlightenment on some of the proposals on language. In the proposal, it is now clearly stated that the national language of the Philippines is Filipino. As correctly pointed out by the committee earlier, in the 1971 Constitutional Convention provision, it is stated categorically that the Batasang Pambansa shall take steps towards the development and formal adoption of a common national language to be known as Filipino.

Is it, therefore, our understanding that when the 1972 Constitution was allegedly ratified in 1973, the common national language to be known as Filipino was actually evolved and developed by any process by the Batasang Pambansa, for which reason in the 1986 Constitution we now would consider Filipino, which was supposed to be adopted and promulgated by the Batasang Pambansa, as the common national language?

MR. VILLACORTA: Madam President, we consulted many language experts on this matter, and they said that even before the 1973 Constitution was promulgated, there was already a language evolving which we can rightfully call Filipino — a lingua franca that incorporates different words from several Philippine languages.

MR. DAVIDE: I am sure, Madam President, that the 1971 Constitutional Convention conducted several public hearings and that several linguists were all invited. But what came out as a provision was that the Batasang Pambansa shall take steps to evolve and formally adopt a national language to be known as Filipino. It was clearly an indication that as of the adoption by the 1971 Constitutional Convention of that particular provision, there was no such language known as Filipino.

MR. VILLACORTA: Madam President, a language is not legislated. It is not evolved primarily through legislation, although legislation can help expedite the development.

MR. DAVIDE: Yes, but the Batasang Pambansa was mandated precisely to take steps for the evolvement and formal adoption of that language to be known as Filipino. So necessarily it is a fact that the Batasang Pambansa did never take any step.

MR. VILLACORTA: May I know from the Commissioner what would convince him that there is an existing language called Filipino? What would be the indicators or signs?

MR. DAVIDE: That is exactly what I am about to ask: What were the indicators that the committee took to now conclude that there is such a thing as a language known as Filipino?

MR. VILLACORTA: First of all, the assumption is that people do not necessarily call that lingua franca Filipino. In other words, we are not closely associating a living lingua franca with what people call it. They may be speaking it, but they may not be calling it Filipino. Am I right, Madam President?

MR. DAVIDE: Anyway, the point of reference is the provision of the 1973 Constitution. I now would ask for clarification: What was the lingua franca of the Philippines before the adoption of the 1973 Constitution?

MR. VILLACORTA: The lingua franca at that time was not fully evolved. This was the testimony of many language experts.

MR. DAVIDE: In other words, there was no lingua franca before the adoption of the 1973 Constitution.

MR. VILLACORTA: Commissioner Bennagen would like to say something.

MR. BENNAGEN: Madam President, there was already a lingua franca in the sense that when somebody from Batanes meets somebody from Cebu, they would evolve a kind of language, except that it was not yet popularly known as Filipino.

MR. DAVIDE: I will ask categorically the question: Was there a lingua franca before the adoption of the 1973 Constitution?

MR. BENNAGEN: There was, Madam President.

MR. DAVIDE: What was the name of that lingua franca?

MR. BENNAGEN: It was either referred to by some linguists as Filipino, others as Pilipino and others just simply as national lingua franca.

MR. DAVIDE: So it was not really very categorically denominated as Filipino. Now, let me finish my question. Some Filipinos call it Pilipino and others call it Filipino. Is there any specific written authority to the effect that a lingua franca known as Filipino actually existed before the adoption of the 1973 Constitution?

MR. BENNAGEN: Does the Commissioner mean a legal document or act?

MR. DAVIDE: Not necessarily a legal document, but any book maintaining that Filipino was a lingua franca before the adoption of the 1973 Constitution.

MR. BENNAGEN: Yes, I can refer the Commissioner to some of the articles by Dr. Ernesto Constantino.

MR. DAVIDE: Does the Commissioner refer to Mr. Ernesto Constantino who submitted this afternoon this so-called note on the Filipino language?

MR. VILLACORTA: Yes, Madam President.

MR. DAVIDE: Is he the same Mr. Constantino who, together with Dr. Consuelo Paz, Professor Rosario Torres Yu and Jesus P. Ramos, submitted to us this mimeographed sheet entitled: "Proposal Para sa CONCOM: Probisyon para sa Pambansang Wika"?

MR. VILLACORTA: Yes, Madam President.

MR. DAVIDE: And may we know, for purposes of record, whether the language used in this "Proposal Para sa CONCOM: Probisyon para sa Pambansang Wika" is Pilipino or Filipino?

MR. VILLACORTA: The language used is Filipino, with an "F." If the Commissioner will look at page 5, it states: "Ang mga probisyong ipino-propose dito. . ." That is not Tagalog or Pilipino; it is "universalistic."

MR. DAVIDE: I am not really very familiar with Tagalog because I am a Cebuano, but I got the impression that the so-called Filipino is also based on Philippine languages which are really the native dialects. Is that not correct?

MR. VILLACORTA: They are not dialects. We have been used to calling them "dialects" but they are languages

on their own.

MR. DAVIDE: Nevertheless, whatever it is, they are native languages, sometimes known as native dialects.

MR. VILLACORTA: They are wrongly called native dialects.

MR. DAVIDE: So definitely this Filipino language used in this proposal of Constantino, et al is based on the Philippine or native languages.

MR. VILLACORTA: I had not read it carefully, but I would imagine that it has incorporated some native languages.

MR. DAVIDE: Yes, Madam President, because I am going to show that perhaps there is really no basis yet for a common national language known as Filipino. I can challenge anyone that this language which the committee had admitted to be Filipino — I am referring to the language of Constantino, et al — is not really Filipino.

The committee admitted that Filipino has assimilated the words of Philippine or native languages. But the first paragraph of the proposal alone does not contain any definite Cebuano word. We notice here that there are more Spanish words like: comunicacion, dominio, privado, publico, termino, concepto, oficial, efecto, colonial, educacion, cultura, gobierno, complicado, complicadong situacion, decolonizacion and so on.

MR. GASCON: Madam President, that is correct. As we asserted a while ago, the Filipino which we are recognizing now as the national language is still a developing language. And if the Commissioner will refer to a note on the Filipino language, it is even similarly asserted here that at this stage of the development of Filipino, this language bears more similarities with Tagalog than with any other Philippine language.

One can see that the similarities between Filipino and Tagalog are greater than the similarities between Filipino and, say, Cebuano or Hiligaynon. But this does not necessarily mean that the language which is continuing to be developed will not assimilate more words from other Philippine languages.

MR. DAVIDE: That is correct; I have no quarrel about that. The only point is that the proposal of the committee would consider Filipino as the national language. Or, as correctly stated or even more emphatically stated, that Filipino is the national language. But the fact of the matter is that there are no concrete findings; there are no definite studies pointing to the development of the language known as Filipino.

The gap between 1973 and 1986, with full public knowledge that the Batasang Pambansa took no step whatsoever to evolve and formally adopt the language, is a concrete evidence or a specific demonstration of the fact that what ought to have been developed as our national language known as Filipino was never at all developed as such.

The conclusion of the linguists, Madam President, in the light of the absence of any step taken by the government to evolve and formally adopt it would necessarily mean that it is on the basis of their own perceptions, not on the basis of the actual growth, the actual propagation, the actual evolvement and the formal adoption of the language.

MS. ROSARIO BRAID: Madam President, the evolution or the development of Filipino as a national language was hampered by the bilingual policy of the government. If we only discard this bilingual policy, and with this legal mandate now of making Filipino the official language, I think we will move ahead towards enriching the national language.

MR. DAVIDE: I wish I would not be misconstrued as objecting to Filipino as a common national language. I am for it. It is only in the matter of a presumption that it is already the national language.

The point is that probably we should just adopt the provision in the 1973 Constitution that we shall develop a common national language to be known as Filipino, based on Philippine languages and, perhaps, with assimilation

even of foreign languages, in like manner that Mr. Constantino himself, who claims that his position paper is in Filipino, has adopted Spanish words.

MR. VILLACORTA: Madam President, that would be slowing down the pace of the development of the national language, if we go back to the 1973 Constitution's provision. Let us look at what happened between 1973 and at present. There have been no resolute efforts on the part of the government to really develop the national language officially. What we are talking about is the living lingua franca. Madam President, we can provide the Commissioner with the research literature which will hopefully convince him that there is a living lingua franca called Pilipino. But on the basis alone of the proposal in Filipino which the Commissioner has before him, I agree that it is not convincing enough. That is why we can provide the Commissioner with other evidences of the existence of Pilipino.

MR. DAVIDE: I would be very glad, Madam President, to take time to be convinced, but the point is that, if the development of the common national language mandated by the 1973 Constitution was hampered, perhaps we can improve the wording of the 1973 Constitution by saying: "Congress shall take steps for the full development and the full enrichment of a common national language to be known as Filipino." And, perhaps, we would mandate the establishment of a National Language Commission. So, in other words, we should be realistic; we should attack the problem as it now exists, but we should mandate for its full development and future enrichment.

MR. VILLACORTA: To make it really stronger, Madam President.

MR. DAVIDE: That is right, Madam President.

MR. VILLACORTA: We can work together on that, Madam President; that is why we would want the Commissioner to be present in our caucus this evening.

MR. BENNAGEN: May I just add, Madam President. I think we should be able to distinguish between attitudinal and technical problems. I think the attitudinal problem requires us to assert that we have a language, and also to recognize the limitation of that language. So when we speak of Filipino as it is, we are also saying that the elements are already there, but they require fuller development. This is the reason why in the second sentence of Section 1, we say that it shall be further developed. But I think it is important to assert it as part of our national identity. I think it is more of an attitudinal problem.

MR. DAVIDE: It is not just a question of attitude, Madam President. We know for a fact that language is a very divisive issue; it is an emotional issue. We do not think of Tagalog and Cebuano alone. We have to think of the other regional languages and dialects.

MR. BENNAGEN: I think we accept that, and that is exactly why we consider this.

MR. DAVIDE: So we should be objective in our approach on this issue so as not to make it very explosive.

MR. OPLE: Madam President.

THE PRESIDENT: Commissioner Ople is recognized.

MR. OPLE: May I just contribute some additional information to this debate. Commissioner Davide is right that in the 1973 Constitution, what is said there is that the regular National Assembly or the Batasang Pambansa shall take steps to develop and adopt a national language to be known as Filipino, with a capital "F." It was a compromised settlement in the 1971 to 1973 Constitutional Conventions where Pilipino, with a capital "P," was actually allowed to remain as an official language, but in effect it was set aside as the national language in favor of Filipino with a capital "F." I think the issue posed by Commissioner Davide is very central. It merely means that we should go back to the formulation of the 1973 Constitution so that the future Congress shall take steps to

develop and adopt a national language to be known as Filipino, with a capital "F," although the Commissioner grants that this Filipino is much more than the old Pilipino, with a capital "P" — open to assimilation from other languages and, therefore, much preferable.

Regarding the question of Commissioner Davide of the extent of the steps that have been taken, I think oblivious of government, tremendous social and cultural forces in our country and outside have already definitely settled this issue of Filipino, with a capital "F," as the national language. I am not speaking of the formality of Filipino, but there are two million Filipinos now scattered throughout the world, including 600,000 contract workers in 117 countries. And when they communicate among themselves — many of them are from the South, others are from the North — especially in Saudi Arabia where we have 250,000 of them, invariably, they communicate in what we now call Filipino, with a capital "F." It is not the Filipino of Bulacan, of Laguna, of Cavite or of Batangas; it is the patois of Metro Manila. And although this language is spoken by Filipinos who come from all provinces and cities of the country and abroad, it will never pass master with Commissioner Soc Rodrigo of Bulacan. We have to accept it as the reality that we do have, thank God and the forces of history, this new common bond of a national identity wherever we go, wherever we are, wherever we fraternize with our countrymen.

So I see nothing wrong at all. We do no violence to the truth, to history or to any law when we support the committee's position recognizing Filipino, with a capital "F," as the national language of the Philippines. It is, of course, understood that this is not a closed system. It is not static; it is not bound hand and foot by the Balarila of Lope K. Santos in 1946 and 1947. It will evolve freely and the people will choose just how much of it will be Cebuano, how much of it will be Ilonggo, how much of it will be Ilocano, in the days to come.

I think what is remarkable now as the new feature of Filipino, with a capital "F," is that it is keen to accept assimilation from all the other languages of our country and from all other influences where the possibility of the infinite enrichment of this national language of the Philippines exists.

I do not accept this stream of Spanish words in the paragraph read by Commissioner Davide. It jars the ears of a Tagalog from Bulacan. Why can we not endure all of these barbarities, if they help form a new common language for Filipinos? Maybe in due course, this patois of Tondo, of Manila, of Makati or of Quezon City will acquire its own more civilized formation, its morphology will improve and its literature will rise.

So I think we are on the right track, Madam President, when the committee proposes, and the rest of us support, the recognition of Filipino, with a capital "F," as the national language and also when it ensures that the other native languages of the Philippines, like Cebuano, will also be subject to the aid and encouragement of the State so that they will also develop collaterally with the national language. So Cebuano and Ilocano can also be taught in the University of the Philippines as elective courses for people, like this humble Representation who wants to learn three native languages at the same time. Instead of learning these in the now famous night clubs of Cebu or even of Roxas Boulevard, I would demand the right to be taught Cebuano in the University of the Philippines. So, Madam President, I submit that the committee deserves the support of this Commission in its historic decision to recognize Filipino as the national language.

MR. DAVIDE: Madam President, we have no disagreement that we call the common national language Filipino, with a capital "F." It is just a matter of how it shall be worded. I agree that perhaps among Filipinos abroad — I have not interviewed anyone of them — they can speak a common language but I do not think that such a common language has been denominated as Filipino. Basically, it is really Pilipino based on Tagalog. There are many Cebuanos abroad; there are many Cebuanos now who can speak Pilipino or Tagalog, because Pilipino is taught in our schools. Although the common national language is to be known as Filipino, in our public schools there is no such subject known as Filipino. It is Pilipino and my children are taking courses in Pilipino. So, perhaps, we can

just align it in such a way that we recognize the Filipino as a common national language, but we should not say that it is now the common national language. As I have demonstrated, even in what Mr. Constantino had said is the Filipino, not only in the first paragraph of the proposal have I underlined the Spanish words. All over it I underlined them and the language really became more awkward. It looks less Filipino as a matter of fact. It is more alien in effect. So I do not want to make it of record that this language on which this proposal of Constantino, et al is based is Filipino. I hope the committee would reconsider its admission that this is Filipino, the national language. At the proper time, I will introduce some amendments.

Another point, Madam President, which is just a follow-up on the Spanish language. I cannot speak Spanish but I am in favor not only of translating the Constitution into Spanish but also of making it as one of the official languages. These would not make us less Filipinos. I would invite the eyes of the members of the committee toward their back on the seal of the Republic of the Philippines. We still have the Spanish lion and the great American eagle on the seal. Would maintaining the seal of our mace and flag and of the Sagisag ng Presidente with the Spanish lion be an act of a Filipino which would really be anti-Filipino? I do not think so. Perhaps that lion on the seal would continue to remain not only because of history. In short, let us not forget also the past. It would not make us less Filipinos in any language or in any way.

Thank you very much, Madam President.

MR. GASCON: Madam President, why does Commissioner Davide wish to try to redeem the so-called glory of our Spanish past, which I think is unnecessary especially because, as I have pointed out, when the Spaniards were here they did not want us to learn their language? Why should we try to care for their language at this point in time?

MR. TINGSON: Madam President, we are the loser, if we refuse to learn a language which is second in the world today.

MR. GASCON: Yes, Madam President. We would consider any amendments later on because Spanish is a beautiful language.

MR. TINGSON: Madam President, I would like the Constitution to be translated into Spanish.

MR. GASCON: Madam President, first and foremost, we have our own language. We have our own identity and we should encourage this. This speaks of our own language. Second, if the Commissioner would permit me to make a reaction to his proposal that the Constitution shall be promulgated in Filipino, English and Spanish, I feel that perhaps later on there could be some translations into Spanish which could be sent abroad, but I do not believe that it should be promulgated in Spanish. In fact, we should even give priority to it being written in the regional languages. Why does the Commissioner wish Spanish to become an official language?

MR. DAVIDE: Madam President, there had already been statements, a matter of public knowledge, that Spanish is the second language of the world today and we have the projection of Commissioner Ople and definitely many more Filipinos are going abroad. It would make the Filipinos more proud as Filipinos if they could speak the Spanish language. And, moreover, we lawyers have the Philippine Reports where many of the decisions are in Spanish. We have good literature in Spanish. I was even about to rise a few minutes earlier when the communication on the floor was in Spanish. I do not know how it was recorded. But this proration in Spanish was really beautiful and we listened to it even if it is not even an official language. I do not know if it will appear in the record of the Commission. Nevertheless, it would only show that perhaps it is high time that we should also recognize Spanish as an official language. I was very happy to hear the chairman of the committee and Commissioner Guingona talking in Spanish. It is a beautiful language. I cannot speak it but I enjoy listening to it.

MR. GASCON: Yes, it is a beautiful language. But does the Commissioner have any statistics to show how many Filipinos right now speak the language called Spanish?

MR. DAVIDE: I would put it this way, Madam President. Does the committee have statistics to show that only a very, very negligible minority speaks the Spanish language? I do not think we base our judgment on statistics, in like manner that when we took up the matter of ownership of private educational institutions, I was asked for statistics yet the committee was not prepared with statistics. So the point is, let us not consider statistics. Let us consider culture among others.

MR. GASCON: Yes, Madam President, that is right. How come the Commissioner prefers to make our national language Pilipino instead of Filipino which is more widely spoken than Spanish? How come he prefers to make Spanish an official language which is not spoken by a majority of the Filipinos? There is inconsistency when we speak of our official language.

MR. DAVIDE: There is no inconsistency, Madam President. I mention Filipino as a common national language. We distinguish between a common national language and an official language.

MR. REGALADO: Madam President.

THE PRESIDENT: Commissioner Regalado is recognized.

MR. REGALADO: Madam President, on the matter of Spanish being an official language, has the committee looked into that presidential decree, the number of which escapes me at the moment, which holds that up to now Spanish is an official language and shall continue to be so until such time as all the archives in Spanish have been translated into English or the national language? This is pursuant to the provision of the 1973 Constitution that until such time as Congress shall provide otherwise, then the official languages shall be Filipino and English. But, subsequently, the then President issued a presidential decree making Spanish still an official language up to now.

In connection with the comment of Commissioner Davide, I agree that despite the mandate of the 1973 Constitution it would appear that Congress never took any steps to develop a national language. I was wondering, however, whether or not the committee has looked into the possibility that the Institute of National Language has taken some positive steps. I know that there was such an institute which was even reinforced by appointments of President Marcos. But I am not aware of any official report as to what steps that Institute of National Language took pursuant to the constitutional mandate because, possibly, there might really have been steps taken pursuant to that mandate that they develop the national language.

MR. VILLACORTA: Madam President, in relation to that we got a letter from the office of the Director of the Institute of National Language signed by several officers and members of the Surian ng Wikang Pambansa. They said, and I quote: "Kaisa ninyo kami sa Pilipino, na ang pinakabuod o nucleus ay Pilipino." So we agree with the Commissioner in his espousal of Filipino. With respect to the development of Filipino, pursuant to the provision of the 1973 Constitution, we know for a fact that the Surian had been working very hard to liberalize the development of the national language by being open to the incorporation of words from other Philippine languages. As a matter of fact, the alphabet has been expanded to include f, v, c, z, and others.

MR. REGALADO: That is right, Madam President. On the comment of Commissioner Davide that the word Filipino, with a capital "F," appears not to be recognized because what is taught is still Pilipino, with a capital "P," I recall that about three years ago the Supreme Court and the Ministry of Education required all law students who were expecting to graduate within that year or the years thereafter to take Pilipino I and II, if they had failed to do so during their pre-law courses. We can check this out with the records of the MECS as well as with the records of the Supreme Court. This is what bothers us. It is not a question of the letter "P" or "F," because the word

Pilipino, with a capital "P" has a meaning distinct from Filipino with a capital "F." This Pilipino referred to the basic Tagalog that we had then, unlike the Filipino, with a capital "F" which presupposes that the etymology will involve the assimilation from different sources of the terms that will be used therein, even Spanish and English. For that matter, I do not see why we should hesitate to emulate. If we look at the English dictionary, we will see that most English words are taken from Anglo-Saxon, Welsh, Spanish, French and even Tagalog. "Bundok" or "boondock" is already in the English dictionary, so Tagalog is a rich language. In Bahasa Indonesia, the words are put in their own spelling; like the word "department," they put it department." It already becomes Bahasa Indonesia.

MR. VILLACORTA: That is right, Madam President.

MR. REGALADO: Madam President, we put "ministry" m-i-n-i-s-t-r-i. It already becomes Pilipino. So we should not necessarily be alarmed just because some foreign words get ingrafted into our dictionary because I am putting a parallelism with the English language, which is now the international language. We know how rich it is, and yet I do not see anything there that is indigenously American, except, I suppose, the Indian names. Almost every English word in the dictionary draws from foreign sources, and, I think, that is also what we should take as the proper attitude.

THE PRESIDENT: Commissioner Suarez is recognized.

MR. SUAREZ: Thank you, Madam President.

This is only a point of information because I heard the Honorable Regalado mention Spanish being an official language. I think he is correct because I have with me a copy of P.D. No. 155, which was issued on March 15, 1973, wherein it is provided, among other things, that the Spanish language shall continue to be recognized as an official language in the Philippines while important documents in government files are in Spanish and not yet translated either into English or Pilipino language.

THE PRESIDENT: Thank you, Commissioner Suarez.

The Acting Floor Leader is recognized.

MR. SARMIENTO: We have two more interpellators, Madam President: Commissioners Suarez and Maambong. So I ask that Commissioner Suarez be recognized.

THE PRESIDENT: Commissioner Suarez is recognized.

MR. SUAREZ: Thank you, Madam President. Being a native of Pampanga, I am not really emotionally disturbed by the use of the letters "f" and "p" or interchangeably.

Madam President, may I call attention only to a few points which we would like to clarify. For example, in the matter of other languages, I heard Commissioner Bennagen say that this is with reference to non-Philippine languages. In other words, this could be Spanish, English, French or any other language. Is our understanding in this regard correct, Madam President?

MR. BENNAGEN: Yes, Philippine and other languages. As pointed out by Commissioner Regalado, that is how a language grows. It picks up from other languages with which it comes into contact and that is how it is enriched.

MR. SUAREZ: Thank you, Madam President. In our search for a common national language in order that we can forge unity among our people, years have been spent and wasted. But the committee proposes in Section 1 that steps shall be taken by the government to further develop, enrich and use it as a medium of communication in all branches of government. Does the committee have a time frame for the adoption of these steps and measures?

MR. BENNAGEN: I do not have any idea, but these can be done in a number of days. In Malaysia, I think they did it in four years from 1967 to 1971, after which their language became an official and a truly national language. I think these depend on the political will of the people. That is why we are saying that rescinding from the problem of unplanned development, which is what was described by Commissioner Ople in the sense that it grows naturally outside of the formal institutions which develop this, and taking an aggressive program by formal institutions like Congress and a version of the Surian in developing a language can shorten its rate of growth.

MR. SUAREZ: Thank you, Madam President. When the Commissioner speaks of the language of instruction being conducted at all levels of the educational system, is he thinking of doing it all at the same time or gradually?

MR. BENNAGEN: Madam President, maybe that can be left to Congress. In 1971, we started at the University of the Philippines using a kind of Filipino. And this language has been used not only in the humanities and engineering, but also in the social as well as natural sciences subjects like physics and chemistry.

MR. SUAREZ: Was this in the collegiate level? The Commissioner did not start from the elementary level.

MR. BENNAGEN: Yes, Madam President. It was encouraged by then President Salvador P. Lopez. These were fused as a medium of instruction and also as subjects.

MR. SUAREZ: Thank you, Madam President. When the Commissioner speaks of auxiliary official languages in their respective regions, what exactly does he have in mind?

MR. BENNAGEN: In addition to Filipino and English, they can be accepted also as official languages, even in government and in education.

MR. SUAREZ: So that not only will they be a medium of instruction or communication but they can be considered also as official languages.

MR. BENNAGEN: That is the intention of the committee. We should respect also the regional languages. Incidentally, we consider Arabic also as a regional language in the sense that it is used in the Muslim areas.

MR. SUAREZ: Madam President, for example, in conducting trials before the Regional Trial Courts in Cebu, could Cebuano be used as an official language?

MR. BENNAGEN: Yes, Madam President, if they feel adequate in using it. I think the question of adequacy should also be considered.

MR. SUAREZ: What will happen to the poor Pampangueño lawyers who will attend trials in Cebu. Do they have to master Cebuano also?

MR. BENNAGEN: They have to master Filipino as a national language.

MR. SUAREZ: Thank you, Madam President. My last question is a little more difficult. I suppose the committee deliberately omitted the phrase which appears in the 1973 Constitution that in case of conflict, the English text shall prevail. So in the interpretation of this Constitution, which according to the Commissioner shall be promulgated in English and Filipino, which text would prevail?

MR. BENNAGEN: I would say Filipino. But since our deliberations this afternoon are in English, Spanish, assuming that that was transcribed, and Filipino, then I would imagine all of these will have to be taken into account.

MR. SUAREZ: May we know the reason of the committee in dropping this particular provision appearing in the 1973 Constitution, Madam President.

MR. BENNAGEN: Our chairman wants to be recognized.

MR. VILLACORTA: We kept quiet about it because it is such a controversial question. We were divided in the committee on this issue and we thought that we throw it to the floor and let the body decide.

MR. SUAREZ: Thank you, Madam President. We really need guidance as to what text would prevail in the interpretation of these constitutional provisions, especially because many of them may go up to the Supreme Court for review. I think we should really resolve that matter, Madam President.

MR. VILLACORTA: I thank the Commissioner.

MR. SARMIENTO: Madam President, I ask that Commissioner Maambong be recognized.

THE PRESIDENT: Commissioner Maambong is recognized.

MR. MAAMBONG: Madam President, last August 5, 1986 I was with Don Miguel Cuenco. We were invited to appear before the committee and during that meeting, I suggested an amendment to Section 1 which was accepted upon the support of Commissioners Rigos, Brocka, who, unfortunately, is no longer with us. The amendment to Section 1 which was accepted by the Committee reads:

In the development of the national language, due consideration should be given to the dialects and languages of the Filipinos.

However, this accepted amendment is no longer found here, instead I find this sentence which reads:

The national language shall be further developed on the basis of Philippine and other languages.

My question, Madam President, is: Is this present formulation now a reformulation of the one which was accepted by the committee?

MR. VILLACORTA: Yes, Madam President. In fact, it is stronger because what the Commissioner had proposed is only to give due consideration. Now it is categorical: "developed on the basis." So it is not just giving consideration to Philippine languages but it also provides that the national language shall be further developed on the basis of Philippine dialects and other languages.

MR. MAAMBONG: In other words, the amendment which I proposed and which was accepted by the committee is actually captured by the present sentence which is now in Section 1.

MR. VILLACORTA: That is right, Madam President.

MR. MAAMBONG: Thank you very much.

May I go back just for one question. I do not know whether or not this can be answered by the committee. I notice, Madam President, that in some past letters of instructions the schools were enjoined to implement integration of family planning in their curricula. I was wondering whether this is properly a function of educational institutions, considering that in the formulation of the provisions on education now we are giving educational institutions some leeway in the presentation of their instructions. Is this envisioned at all that implementation of family planning procedures will be handled by the schools, Madam President?

MR. VILLACORTA: We really did not take that up, Madam President, but I think this is directly related to the controversial issue of right to life.

MR. MAAMBONG: Precisely, Madam President.

MR. VILLACORTA: And I think in the General Provisions, as well as in the Article on Family Rights, this will

be covered. Until such time that we resolve that issue, probably it might be premature to include that in the Article on Education.

MR. MAAMBONG: Yes, I think so, but just for the advance information of those who are involved in this issue, may I read for the record LOI 47 which was issued on December 9, 1972 instructing the Education Secretary to inform all schools of medicine, nursing, midwifery, allied medical professions and social work to prepare, plan and implement the integration of family planning in their curricula and to require from their graduates sufficient instruction in family planning as a prerequisite to qualify for the appropriate licensing examination. This was followed by LOI 47-A directing the Secretary of Public Information to help implement the programs of the Population Commission by disseminating information on family planning. Probably we can take this up at the proper time.

Thank you very much, Madam President.

MR. VILLACORTA: I thank the Commissioner.

MR. SARMIENTO: Madam President, with the kind indulgence of the body and our President, may I ask that the honorable Chief Justice Concepcion be recognized as the last interpellator.

THE PRESIDENT: Commissioner Concepcion is recognized.

MR. CONCEPCION: Señora Presidenta, do not be alarmed. That was meant merely to tickle your interest. We have been discussing about Filipino and Pilipino. We have been discussing Spanish, as distinguished from Filipino.

May I start by saying that Filipino, with a capital "F" is Spanish. Our chairman, Commissioner Villacorta, has rightly pointed out the fact that language is something that cannot be imposed. It is something that develops. As a matter of fact, the Spanish language was not the Spanish language. It was Castilian language in much the same way that what we now call Filipino is actually Tagalog.

We speak about the Roman language. It was not the language of Italy. It was the language of Rome, but Rome governed not only Italy but practically the entire Mediterranean. Also, it was the capital of Italy eventually, so the language of the capital prevailed. And that is true, I think, of the Spanish language. The Spanish language was the Castilian language. And Spain was divided into several feudal communities. The Castilian formed part of a region which was never occupied by foreigners. The Muslims or Moors ruled Southern Spain. Now as to whether or not the Filipino language existed before, I have been informed that as early as the '20s, when Filipinos met other Filipinos in the US they did not address each other in English. But one of them would say a dirty word in Tagalog to determine whether the other is also a Filipino.

What I mean is that actually during the liberation, as Commissioner Ople had stated, some patriots wanted to develop the Filipino language, but they were too purist in their translation. Let us take for instance the word "seat" to which others refer as "bangko" or "chair." We generally use the word "silya", but Lope K. Santos gave thereto the name "salumpuwit". Who would be encouraged by this kind of translation? A good many of the words used in Filipino language are Spanish. The implication is this. There are a number of things in the past which were unpleasant then, like some of our unfortunate incidents in school. We had unpleasant moments with some teachers. But those unpleasant moments are now pleasant memories. We remember the past with a feeling akin to a happy and stimulating feeling. So, too, we have had our own disagreements here. I am sure that 20 years from now, we will remember those disagreements with a smile. The speech in Spanish of Commissioner Tingson is something we will never forget. We will always remember it in the right spirit, with pleasure. Occasionally, abroad, people who speak Spanish, which used to be and is Castilian, including those from Latin America, are

surprised to find that some Filipinos speak Spanish and asked: "How did the Filipinos learn to speak Spanish?" I answered: "That was before, but now the future of Spanish in my country is not so bright." Their reply is: "What a pity. Other people go to school to learn Spanish. You do not have to do that, but you want to shake it off." Now I do not look at Spanish as the colonial imposition that it was. The colonial power that dominated the Philippines is gone and I realize the fact that the Spanish language made it possible for us to establish contact with the rest of the world. It enabled us to read foreign books like those on the French revolution from which all of our heroes of the past have drawn inspiration and strength. But there are certain assets like the experience we gained from them that we should not discard; it is part of the enrichment of our culture. It is part of our political maturity. We have it already. Why shake it off? It is in this respect that I felt I should express my view which means that I agree with the suggestion that the Constitution be translated into Spanish. And whether or not it should be maintained as an official language, that will be dependent upon the will of the majority. But I strongly suggest that whatever may have been our unpleasant experience with the aliens is also an asset for us in the future. Let us learn from the sufferings that we had in the past. Let us learn that democracy is something that should be fought for. It can never come in a silver platter. One of the most unpleasant memories of our school days is that we had to seat it out, to learn from what little we know.

Thank you, Madam President.

ADJOURNMENT OF SESSION

MR. SARMIENTO: Madam President, I move that we adjourn until nine-thirty in the morning.

THE PRESIDENT: The session is adjourned until nine-thirty in the morning.

It was 7:29 p. m.

[*] Appeared after the roll call.

[**](Editor's Note: No translation provided in the Appendices.)

[*] See Appendix for translation.

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