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FOREWORD

The second issue of the *Scientia Bedista* highlights some of the studies and writings undertaken by the administrators and faculty members of San Beda College Alabang. As its release in January 2015 coincides with the month of the Papal visit to the Philippines, the writer found the inspiration to connect the articles featured in this journal to the meaningful messages of love, hope, courage, sacrifice, mercy, and compassion imparted by our beloved Pope Francis to the Filipino people. Thus, the second volume of this institutional publication is themed around the subject of selfless love for others, most specially for the underprivileged.

In the first article, *Maize: Mexico's Gift to the Filipinos*, Rev. Fr. Anselm M. Manalastas, OSB provides a comprehensive illustration of how the corn, an important grain in Mexico, has become an essential part of the Filipino cuisine. With its nutritional benefits as a carbohydrate-rich food, not only has the corn or "mais," served as a good substitute for rice in times of food shortage or famine but it has likewise become the subject of Filipino ingenuity in terms of culinary art as manifested by the variety of corn-based food innovations like binatog, mais con yelo, cornick, and chichacorn among others.

Fr. Manalastas also presents *maize* as an important element of the Filipino culture. Through the legendary tales he injects in his study, it is interesting to note how the author's priestly character manifests itself in the way he deepens the moral lesson embodied in the story. In this particular piece of writing, he presents *Maisa* as the pretty girl who was so obsessed with her golden hair that all she wanted to do was to comb it day and night. Her vanity and self-absorption had been well-tolerated by her parents until the day when she neglected her responsibilities to her sick father. This eventually caused her to turn into a corn plant. Fr. Manalastas preached that parental love must incorporate good teachings and discipline in order to uplift the moral and spiritual well-being of a child.

Maisa's character can be paralleled to the corrupt leaders who were so preoccupied with their self-serving interests that they fail to consider the needs and welfare of others. Pope Francis, staying true to his role as our spiritual father, has consistently emphasized to the Filipino people, particularly to the politicians who welcomed him at the Malacañang Palace, "*Leaders should be outstanding in honesty, integrity, and commitment to common good.*" He further challenged every Filipino from all levels of society "*to reject every form of corruption which diverts resources from the poor.*" Furthermore, he passionately urged the members of the clergy, during his homily delivered at the Manila Cathedral, "*Never be comfortable in a system of inequality,*" – a glaring manifestation that the highest leader of the Catholic Church is a strong advocate of social justice.

Dr. Cecilia A. Navarro's *Catholic Higher Education for Social Justice: A Journey to ASEACCU* serves as the most fitting feature in this edition as it directly supports Pope Francis' pro-poor campaign. In the article written about the 22nd ASEACCU Annual Convention held on August 27-30, 2014 at the Ateneo De Davao University which she herself attended, she gave an account of the keynote address delivered by His Eminence Luis Antonio Cardinal Tagle on this year's theme, "*Catholic Higher Education for Social Justice,*" followed by the discussions in Conversation sessions 1, 2, and 3 in which various resource speakers from different schools from the Southeast and East Asian regions, including the Philippines, presented their academe's

contribution to various advocacies such as *The Inclusion of the Poor in the Society*, *The Search for the Common Good*, and *The Role of the Catholic HEI in Social Dialogue*.

In his speech, Cardinal Tagle appealed to the higher learning educational institutions to join forces and support the Church in the pursuit of social justice by engaging in research works, imparting social awareness to students, and offering services that will help promote equality and human dignity. He urged Catholic colleges and universities to be committed in their service to the Church – the urgent kind of service that proclaims the true meaning of TRUTH, “*for without truth, freedom, and justice, human dignity is extinguished*,” he explained.

Truth, freedom, and justice are the very elements highlighted in Prof. Maria Teresita Ingles’ *Gunita ni Oryang: Sumasalamin sa Imahe ni Gregoria De Jesus*. A study written in Filipino, it serves as an avenue for the revelation of the many truths behind the silent but heroic role that women played during the 1896 revolution as narrated by Oryang herself in a memoir composed in November 1928. The article gives an interesting account of the many sacrifices and challenges embraced by the wife of Andres Bonifacio in her battle against oppression and fight for freedom. Overcoming the indescribable pains of losing her only child, father, brothers, and husband during the revolutionary process and eventually finding a new love serve as a clear manifestation of the conviction, resilience and strength of a Filipino woman.

Unknown to many, Gregoria De Jesus is a writer and a poet. Her resounding prophetic voice on the unparalleled value of truth remains relevant up to this day, “*Matakot sa kasaysayan pagkat walang lihim na hindi nabubunyag*.” Her character serves as an epitome of the bravery, strength, and essence exhibited by women both in history and the present times.

During the recent Papal visit, the exceptional and priceless value of women did not escape the perceptive mind and eloquent speech of Pope Francis. In his spontaneous message delivered to the Filipino youth, he said, “*Women have much to tell us in today’s society. Sometimes we are too “machistas” and we don’t allow enough space to women. But women can see things from a different angle to us, with a different eye. Women are able to pose questions we men are unable to understand. Look out for this fact: she is the only one who has put a question for which there is no answer. She couldn’t put it into words but expressed it with tears*.” The Pope was referring to the question asked by Glyzelle Palomar, a street child who had been exposed to drugs and prostitution at a young age, “*Why does God allow these to happen?*”

Glyzelle’s question must be the very same query being asked by victims whose rights have been violated yet have been denied of justice. It must be a similar question posed by anyone who could identify with Atty. Ulpiano P. Ulan’s article, ***The Right to Privacy: Student Freedom from School Tyranny***.

Dean Ulan’s study explores a person’s right to privacy which is not confined to one’s right to keep some information about himself a secret. As provided in article 26 of the Civil Code of the Philippines, “*Every person shall respect the dignity, personality, privacy and peace of mind of his neighbors and other persons. The following and similar acts, though they may not constitute a criminal offense, shall produce a cause of action for damages, prevention and other relief: (1) Prying into the privacy of another’s residence; (2) meddling with or disturbing the private life or family relations of another; (3) intriguing to cause another to be alienated from his friends; and (4) Vexing or humiliating another on account of his religious beliefs, lowly station in life, place of birth, physical defect, or other personal condition*.”

The article is a must-read not only for school administrators, educators, and learners, as it tackles issues covering the students' right to privacy in educational institutions such as search of one's belongings, drug testing, and access to and release of school records, but likewise for any ordinary individual who engages in gossiping with the deliberate intention of assassinating another person's character to cover up his own or his friends' faults. Though not considered as a criminal offense under the Philippine laws, gossip is a form of murder, as reflected by Pope Francis in his homily delivered on September 13, 2013 in Santa Marta, Vatican City. He said, *"If you speak ill of your brother, you kill your brother. And every time we do this, we are imitating the gesture of Cain, the first murderer in history."*

Pope Francis also made emphasis on the care of God's creation, a concern which is directly addressed through the final article in this journal.

Dr. Cynthia A. Zarate's ***Primer on Solid Waste Management (SWM) Program: Basis for Drafting an SWM Policy in San Beda College Alabang*** is a relevant study that examines the history of waste disposal which dates back in 320 BC, various waste management programs initiated in different schools since 2008, Republic Act No. 9003, also known as the Philippine Ecological Solid Waste Management Act of 2000, and the present state of SBICA's waste management system which the researcher used as her basis in establishing a proposal on the solid waste management policy statement most suitable for San Beda College Alabang. As Pope Francis has consistently appealed to the faithful to care for the environment, hopefully, Dr. Zarate's paper could kick-start a formalized waste management program in this educational institution which aims to work for the loving service of God.

A school that works for the Lord's service regards love as the premium learning to be inculcated in the students' mind, heart, and soul. As expressed by Pope Francis during the Youth Encounter held at the University of Santo Tomas, *"What is the most important subject that you have to learn in the university? What is the most important subject that you have to learn in life? To learn how to love. This is the challenge that life offers you: to learn how to love. Not just to accumulate information without knowing what to do with it. But through that love, let the information bear fruit."*

San Beda College Alabang is a school for the Lord's service -- a kind of service motivated and characterized by love, humility and selflessness. To borrow Pope Francis' words, *"Real love allows you to spend yourselves, to leave your pockets empty."* However, before the fullness of love is reached, its basics must first be satisfied. *"Justice is love's absolute minimum,"* a conviction popularized by Pope Paul VI (the first Pontiff who visited the Philippines in 1970) and reaffirmed through the words of Pope Benedict XVI, *"Justice is inseparable from charity."* In other words, love encompasses fairness and sacrifice. Yes, that is how things should be in an environment where the merciful and compassionate love of Christ reigns -- for the very essence of mercy and compassion is SELFLESS LOVE -- a love that is directed to others (the needy, the deprived, the oppressed, the lost, the last, the voiceless, and the powerless), and not to one's vain self. Simply put, love is placing another person's welfare above one's own.

To love fairly and fully is definitely not easy. . . but with God's amazing grace coupled with one's humble conviction, it can be done.

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MAIZE: MEXICO'S GIFT TO THE FILIPINOS

Fr. Anselm M. Manalastas O.S.B.

The Manila-Acapulco Trade was a medium of connection between Spain, Mexico, and the Philippines. The sole economic link between the Philippines and a foreign market (Mexico) that obtained the sanction of the Spanish Crown, it was the result of Miguel Lopez de Legaspi's search for a return route to Nueva España from the Philippines. Inevitably, this trade essentially became an enterprise that shipped oriental goods to Mexico. On the galleons' way back to the Philippines, on the other hand, they brought home the annual subsidy (subsistence income) for the Philippine Colonial Government – *situado*.

However, the Manila-Acapulco Galleon Trade was by no means only an economic phenomenon. It was an avenue for the exchange of cultures between the two colonies of Spain (the Philippines and Mexico). This economic enterprise became the channel of mutual exchange of cultural elements that, in effect, enriched both parties. Such cultural elements pervade up to the present.

This paper seeks to contribute to the present discourse on the links between Mexico and the Philippines. Specifically, it endeavors to enrich the present knowledge about such links in the area of flora, especially those that are edible. It is the conviction of the writer that such plants, though of Mexican origin, gained acceptance in the Philippines, became part of the Filipino consciousness and thereby becoming part of our culture. The product of such exchange is undoubtedly Filipino.

Food as Historico-Cultural Artifact

Food is a part of culture.¹ It is not simply a necessity; it is more than an “abstract item in accounts” as in merchandise that is consumed, it is “a concrete item” that is eaten.² It is something special because it signifies something other than nourishment.³ Although ordinary and obvious, it is not insignificant, for in its ordinariness and obviousness, we find culture.⁴

Food is a historical and cultural artifact that reflects the history and cultural development of a nation. During the Filipino experience of Spanish colonization, foodstuffs in the form of fruits, vegetables, and cuisine, came to our shores via the galleon trade. The Filipinos, in encountering these food items, accepted them, and made them their own.

Food is a cultural artifact because foodstuffs resemble, even in their “new residence”, their original names in their native land.⁵ Thus, the plant we are about to discuss still resembles

¹Angelo Lorenzo Salvación, *Pagkaing Mayaman sa Kahulugan, Kulturang Mayaman sa Pagkain: A Filipino Contextualization of Roland Barthes' Food as Sign* (Manila: Graduate School, University of Santo Tomas, 2014).

² Roland Barthes, “Toward a Psychosociology of Contemporary Food Consumption”, in *Food and Culture: A Reader*, 2nd ed., eds. C. Counihan and P. Van Esterik (New York: Routledge, 2008), 28.

³ Salvación, *Pagkaing Mayaman sa Kahulugan*...

⁴ Barthes, “Toward a Psychosociology of Contemporary Food Consumption”, 29.

⁵ E. D. Merrill, “On the Significance of Certain Oriental Plant Names in Relation to Introduced Species,” *Proceedings of the American Philosophical Society*, Vol. 78, No. 1 (Oct. 22, 1937), 115.

its Native American name. Maize also counts for a historical artifact because in our effort to examine it, we get to appreciate how we, as a people, assimilated it into our cultural and social life, especially in the form of legends, riddles, and stories. On the economic side, like other Mexican plants that reached the Philippines through the Galleon Trade, the maize played and continues to play an important role in the livelihood and industry of our people.

Because of the above considerations, this “Mexican immigrant” constitutes part of the Filipino experience of colonization by Spain, via Mexico. It also contributed to the overall economic, religious, political, and cultural experience of the Filipinos.

Corn, *Zea mays* L.⁶, in Filipino, *mais*, is a foodstuff that reached the Philippines from Nueva España. An essential food in the latter, it was one of the first grains that men learned to plant.⁷

It is a belief that maize originated from a type of wild grass called *teosinte*⁸, which the people in Mesoamerica, the Andes, and the Amazons planted some 7,000 years ago.⁹ Remnants of this plant constitute recent discoveries in the same places.

The domestication of corn changed the lives of the early inhabitants of the Americas. It became the foundation for the highly organized Olmec civilization.¹⁰ Mary Pohl, anthropologist from the Florida State University discovered that this civilization planted corn seeds along the shores of bays and lakes. Carbon remains from the areas near Tabasco in Mexico, for example, point to the possibility that these early humans cleared forests using fire through burning, more than 5,100 years ago. Furthermore, there were also a few grains of corn in the area, attesting that they also planted the grain.¹¹

For the early Mexicans, corn is not just a foodstuff; it is an essential aspect of their life and history. They had a number of names for the grain, among which are: “Our Mother” or “Our Life”. This very well shows how the natives consider corn as an important part of their existence.

This dependence and sense of importance as far as corn is concerned is also true of the other great empires of the Americas, including the Incas, Waris, and Tiwanaku. These also had sophisticated agricultural systems that made possible such structures as maintaining an army and putting up buildings of massive proportions (e.g., the pyramids of the Inca and Aztecs). Because of their agricultural prowess, these people were able to produce food in abundance, i.e., with surplus to feed a large number of people.

Owing to the fruitful harvesting of plants like the corn, humans settled and dwelt in

⁶ Domingo A. Madulid, *A Dictionary of Philippine Plant Names*, vol 1. (Manila: Bookmark, 2001), 459.

⁷ Jared Damond, *Guns, Germs, and Steel: The Fates of Human Societies* (London: W.W. Norton and Company, 1999), 126 and 128.

⁸ There are studies that suggest that early humans were not interested with this plant because of the hard and inedible covering. It took quite a long while before the produce of the plant became inedible. *Ibid.*, 137. Based on the studies of George W. Beadle, a graduate student in Cornell University during the 1930s, the chromosomes corn and teosinte are almost identical. John Doebley, “Tracking the Ancestry of Corn Back 9,000 Years”, *New York Times*, <http://www.nytimes.com/2010/05/25/science/25creature.html>

⁹ John Crawford, “On the Migration of Cultivated Plants in Reference to Ethnology: Articles of Food,” *Transactions of the Ethnological Society of London*, Vol. 5 (1867), 179.

¹⁰ Jill Elish, “Anthropologist Finds Earliest Evidence Of Maize Farming In Mexico,” *Florida State University News*, <http://www.fsu.edu/news/2007/04/10/maize.farming/>

¹¹ *Ibid.*

homes and built structures. Their ability to store food in quantity enabled them to look into aspects of living other than hunting and gathering (food). They developed art, crude technologies, religion, and myths. The great Mayan and Aztec people, for example, had progressive agricultural systems such that they were able to establish cities and construct edifices using advanced engineering and architectural systems. These civilizations also produced beautiful potteries, wood, metal and stone crafts and exquisite weaving patterns. They also developed an advanced system of astronomy, calculating with precision the movements of the planets, the patterns of the sun and the moons. The Aztecs likewise invented the almost exact calendar that reckoned months and years. The body of literature that forms part of the legacy of these people still remains to be unlocked.

The civilizations of Mesoamerica organized political and legal systems. They traded with nearby peoples and engaged in wars arising from conflicting interests with the latter. In all these, the ample supply of food and grain ensured the stability and strength of the people. Surely, such supply of food enabled them to maintain huge armies of men bearing arms to protect their territories and interests and at the same time propagate their cultural influence on the vanquished.¹²

Uses for the Corn

The use of the corn as source of food varied among civilizations. The Incas of Peru did not only boil the kernels; they had a different way of cooking the grains of corn. For over a thousand years, they made the corn into a snack, the equivalent of the modern “pop corn”. The husks, grains and “tassels” (flowers that produce the pollens that produce the corn) that go back to 6,700 - 3,000 years ago that were discovered were in Paredones and Huaca Prieta in Southern Peru attest to this.¹³

A number of observations arise from the above discovery: First, these artifacts reveal the existence of a progressive agricultural system even before the dawn of colonization. The natives planted and cultivated grains like the corn. Second, they did not only employ a uniform method of cultivating the corn plant. Side-by-side with the advanced and organized system of farming, they likewise discovered varied ways of cooking the produce of their farms, thereby further developing the science of farming and harvesting and enriching their cuisine.¹⁴

Corn in the Philippines

Bernal asserts that the Spaniards brought the corn to the Philippines in the hope that it could become a worthy substitute to rice in times of food shortage, especially in times of famine.

¹² Discoveries from such archeological sites as in Waynuna, Peru suggest that many empires emerged in South America as a result of corn cultivation. Nicholas Bakalar, “Corn, Arrowroot Fossils in Peru Change View on Pre-Inca Culture,” *National Geographic News* (National Geographic.Com/News, 02 March 2006), 1. Crawford shares this point. See “Plants in Reference to Technology”, 180.

¹³ Remy Melina, “Evidence Found for Oldest Popcorn in South America,” *Live Science*, <http://www.livescience.com/18034-oldest-popcorn-evidence-peru.html>

¹⁴ The Waynuna site yielded remains of powdered corn. It appears that the inhabitants of the area made use of stone mortar and pestle to grind corn kernels into flour. They likewise made another corn specie into popcorn. “Corn, Arrowroot Fossils in Peru Change Views on Pre-Inca Culture”, *National Geographic News*, October 28, 2010.

Gaspar de San Agustin supports this claim, citing the role that corn plays in the Philippines. In his opus *Conquistas*, he stated:

*“El maíz, traído de la America, ha sido gran remedio para suplir la falta de arroz...”*¹⁵

The Spaniards introduced the corn to the Filipinos as a substitute to their staple food. Like rice, corn is nutritious and laden with carbohydrates. This would make it useful to the Filipinos who work in the fields since it provides for strength and stamina. San Agustin provides the rationale for the choice of corn as substitute for rice:

*“(El maíz...ha sido gran remedio para suplir la falta de arroz...) por la facilidad con que se logra y el mucho fruto que rinde.”*¹⁶

Corn is easy to cultivate and harvest. This makes it a sure crop because it can be cultivated anywhere in the Philippines. It does not demand too much care too such that farmers can engage in tilling other plants side-by-side.

The hope to substitute rice with corn was however confounded. The native Filipinos did not buy the idea of letting go of their usual grain. They still preferred the lowly *sinaing*--- boiled rice. Compared to the latter, corn requires a longer time for boiling, necessitating the use of more firewood. Bernal adds:

*“Un tiempo se trató de suplir el consume del arroz con él del maíz. No se pudo lograr en parte porque a la mujer filipina le pareció que el trabajo de preparar el maíz en forma de tortillas era excesivo.”*¹⁷

The Spaniards in the Philippines also looked down on the corn grain. They disdained it for being the staple food fit for hogs.

In the end, rice still remained as the grain of preference among the residents of the Philippines; corn could not compare with it in terms of taste and savor when eating:

*y que el sabor no era tan agraaable como el del arroz hervido en agua, la famosa ‘morisqueta’*¹⁸

Tamales

The Aztec, Mayan, and Inca peoples have been eating tamales for the longest time. According to the website www.culinary-cooking-schools-institutes.com, this foodstuff dates back as far as 5000-7000 BC. Lady Aztecs prepared the tamales as “take-out” food for their husbands who went to battle. They mashed corn grains --- *tortilla* and mixed it with meat. It was a perfect meal for soldiers who were always on the move and who were always ready for action. On the other hand, the introduction of the tamale had something to do with the growth of the Aztec, Mayan, at Incan populations. As their numbers increased, the concern of finding a way to feed the growing population. They then had to figure out an effective way of feeding them. The women then devised the *nixtamal*, the main ingredient of tamale. This food is solid on the

¹⁵ Gaspar de San Agustin, *Conquistas de las Islas Filipinas 1565-1615*, trans. Luis Antonio Meñeru (Manila: San Agustin Museum, 1998), 74.

¹⁶ Ibid.

¹⁷ Rafael Bernal,

, 1965), 115.

¹⁸ Ibid.

stomach and is easy to prepare.

Tamale is derived from the Nahuatl (Aztec) word *tamalii*, which means “wrapped food”. In 1550, when the Spaniards arrived in Mexico, the Aztecs fed them tamale. Based on the observation of the newcomers, the Aztec soldiers ate this food because it was convenient to carry, easy to re-heat, and has a longer shelf life.¹⁹

There is a variety of shapes and sizes of the tamale. It is mixed with a number of ingredients, including meat (beef, chicken or pork), seafood, vegetables, peanut, and fruits. It may also be mixed with red, yellow, green and black chili sauce, raisin and cinnamon. With the passing of time, many other kinds of tamale emerged: those with chocolate, fish, the meat of frog, goat, quail, wild boar, tadpole, rabbit, turkey, and such vegetables as mushroom, squash shoots, etc. The tamale also later contained cheese, potato, and tomato.

As far as preparation is concerned, the tamale is put inside corn coverings or husks, banana, avocado or any fruit-bearing leaves, paper or the bark of trees. It is cooked by steaming, grilling, or fried.

Among the Hispanics, the preparation of the tamale has social dimensions. Because of the enormous amount of work involved in its preparation, cooking the tamale is always an occasion for family bonding. The ladies assist one another in peeling, cutting, mixing of ingredients; they help each other in mashing the corn, steaming, grilling or frying the tamale. For almost the entire day, the members of the family are involved in this task in the kitchen. This is also the reason why families and friends, neighbors and acquaintances, are able to renew their ties.

The tamale in the Philippines, on the other hand, is made from sticky rice. It also has the following ingredients: peanut, pork, chicken, egg, etc. It is placed inside banana leaves and steamed.

The Filipino tamale has a twist from the Mexican counterpart. Whereas the latter is food for a full meal, the latter is a delicacy and a dessert (what is called *minindal*—snack). It is a staple dessert during special gatherings and feasts when families enjoy eating the blend of sweet and salty, with a touch of chili in the tamale. The preparation of the tamale is also an occasion for family bonding and strengthening of social ties.

Despite differences in preparation, even ingredients, the Mexican and Filipino tamale are but two different faces of the same foodstuff that passed from one cultural setting to another.²⁰

Binatóg, Mais con ielo, Cornick, and Chichacorn

Binatog or boiled corn kernels is a popular snack and street food that is a Filipino innovation on the corn. In this dish, corn is boiled in water and salt until puffed. Excess water is drained and the corn is placed in a bowl or plate then topped with either sugar or salt (depending on the preference of the eater and sprinkled with a generous amount of grated coconut).

¹⁹ www.progressotamale.com

²⁰ Doreen Fernandez, *Palayok* (Manila: Bookmark, 2000), 55.

This simple yet satisfying Filipino street food often brings memories of the lowly Binatog vendor who roamed around the streets of every barrio. As in the city streets, this vendor rides a big bicycle with two covered pails (*timba*) secured at the back, with one pail holding all the boiled corn kernels while the other one contains the grated coconut, salt, sugar, and serving spoons. Men and women, young and old alike excitedly approach him, holding their own bowl or container for their share of the binatog. The “Magbibinatog” or Binatog vendor advertises his product, shouting to the top of his voice ...“*Binatoog!!!*”

Mais con yelo is another sweet and refreshing Filipino innovation of the corn. This beverage, popular especially in the summer, is made of corn kernels, milk, sugar and cubed ice. It is an easy Filipino minindal (snack) that is commonly sold along the streets or even by ubiquitous vendors selling thirst quenchers.

Cornick is actually fried corn. It is the Filipino’s variant of corn nuts. Cornick pieces are typically small and crispy, mixed with garlic, with other common flavors like chili cheese, adobo, barbecue, *lechón manok* also known as roasted chicken, and sweet.

There are many brands of the cornick that have now become part of the cornick industry. These have become popular if not iconic among Filipinos, especially Overseas Filipino Workers (OFWs). Some of the more popular ones include *Boy Bawang* (literally "Garlic Boy" in Tagalog), Corn Bits (corn with some other grains like green peas and nuts), and Safari.

A popular variety of cornick is the lighter and crispier chicharrón-like *chichacorn*, a compound of “chicharron” and “corn”. It is a semi-popped style of cornick that makes use of glutinous corn from the Ilocos Region of Northern Philippines. The corn is treated with lime before frying.

The Maize in the Filipino Belief

The maize seeped into the native culture of the Filipinos. Evidence to this is the passing on of a popular belief, especially in the form of legends and folklores on the origin of the maize. Among the Hiligaynons, a major language group in the Philippines, this is how the maize came to be:

The Legend of the Corn²¹ (Hiligaynon)

Chief Marikudo of Panay was very angry. His men had reported that unknown thieves had robbed the graves of the dead. The thieves had stolen the gold trinkets –necklaces, beads, bracelets, rings and earrings –buried with the dead in honor of the anitos.

“Sound the gong!” Chief Marikudo ordered a soldier. “Let the people assemble. We will catch the grave-robbers and punish them.”

The soldiers obeyed the order of Chief Marikudo. He sounded the gong several times so that even the people in remote villages would hear.

²¹ *Philippine Folk Literature: The Myths* compiled and edited by Damiana L. Eugenio (Quezon City: University of the Philippines Press, 1993), 419-421.

Arika, one of the thieves, at once knew the meaning of the gong's sound. He knew that their act had been discovered. So in haste lest he be caught, he gathered the golden beads, earrings, rings, and other jewels that he had stolen from the graves of the dead, place them in a piece of dried banana leaf, and buried them behind his hut. Having done this, he obeyed the call of the gong.

All the people were gathered before the chief's palace. In no time they were told why they had assembled. The high priest led the incantations to the anitos and invoked Bathala to guide them to the path of the thieves. Soon there stood an old woman in the middle of the crowd. "I have seen the thief who broke open the hallowed graves of our fathers. It is this man!" said the woman pointing to Arika. "I saw him early this morning hurriedly coming from the graveyard while I was in the field hunting for mushrooms."

Arika trembled with fear and grew pale. He knew it was death by the inch if he should be proved guilty. The sad part of it was that he was the only one seen by this woman. The two who helped him she had not seen. "It is not fair to die alone when we were three," he thought, so he told the high priest about his companions. They were caught and tried. The sentence was death by the inch. They were each tied to a tree where ants abounded, to be starved and bitten till they died.

In the evening, Maya, Arika's sweetheart, crept to help her convicted lover. There were guards posted to watch the three prisoners, but they were asleep. Maya brought food to Arika and also a weapon, a pinuti. With this Maya cut the bonds that tied Arika. She gave him the sharp pinuti afterwards, but before they could get away, one of the guards awakened and saw Maya and the prisoner fleeing. The guard awakened his sleeping companions and they ran after the two.

Arika and Maya hid in the bushes. When a guard passed them by, Arika stood up to kill him. This he did with his pinuti in one slash, but when he turned away, another guard grappled with him and they wrestled on the ground. Arika fought hard but was stabbed in the side. When Maya saw that her lover was in danger, she pulled out her dagger from her breast and drove it into the guard's back. The guard dropped dead. Maya then helped Arika, and they ran on. "We must go away from this place," said Maya.

"Yes, we will do that," agreed Arika, "but first we will take along the gold I stole. We must have something with which to start life together."

This they agreed to do, so they picked their way to Arika's hut, wary of any pursuing soldiers who might have been sent to recapture the prisoner. Arika's wound was bleeding profusely and was hurting him. He and Maya rested several times before he reached his hut. Arika looked very weak. Holding his side where blood flowed fast, Arika fell to the ground near the spot where he had buried the stolen jewels. When he recovered, he tried to dig the soil with his hands.

"Here," he said to Maya. "I buried the gold here."

Both of them were surprised to see small green sprouts breaking through the soil where the gold had been buried. They could see them in the faint reddish light

of dawn. “They have grown, Arika,” said Maya wonderingly, but Arika did not hear. He was gasping for breath and soon died. Maya wept bitterly and vowed to take care of the little plants that her lover’s life had paid for. This she did in remembrance.

The plants grew rapidly day after day. They grew tall and had long broad leaves. One day Maya saw some ears coming out of the sides of the stalks. Several weeks later Maya looked to see what was inside the ears. She removed the husks and found red seeds lined in several rows close to each other. In other ears she found golden seeds. These were the first golden and red corn.

Legends are narratives based on what people hold as true. They are a mixture of traditional, common knowledge of a people, locality or event. Legends reflect what a (group of) people holds as valuable.

In the Hiligaynon legend on the corn, jewelry and precious objects belonging to the dead, ended up in somebody’s hands. These were for offering to God but evil men’s intentions thwarted this noble intention. Because of this event, King Marikudo had to announce to the people the unfortunate turn of events. The ritual of prayers for Divine intervention in the speedy identification of the perpetrators’ whereabouts begins.

Filipinos hold dear their faith in God. The depth of their faith in the God- Creator is inestimable in that anything that has the mark of sanctity (places, persons, and objects) is directly related to it. Filipinos believe in the existence of the spiritual realm and they invoke the Spirit that gives them strength.

This legend likewise reflects another typical character trait of Filipinos, i.e., they value companionship. A person cannot live alone; he has to be with somebody or with a group of people. They always have a need to belong, either to a family, peer or community. Filipinos have the facility to belong; they are adaptable to circumstances and are resilient to every situation. This makes him value moments when he is with his group. Conversely, Filipinos find difficulty when conditions force him to live by himself, apart from others. This conscious awareness of the value of community goes on to the deeper levels of Filipino understanding. A person does not suffer alone; his group suffers with him. Similarly, a person does not succeed alone; his group also triumphs with him.

There is another version of this story²²:

A long time ago, there was a husband and wife whose livelihood was planting vegetables. They would sell their harvest and on other times would eat them if they were not able to sell it.

The couple was blessed with a beautiful baby girl. She was called Maisa. The girl had a pretty, long, and smooth hair. Maisa’s hair shone like gold whenever light would hit it. She loved to fix herself. She would comb her hair frequently to keep her hair smooth and tangle free.

Her father would usually remind Maisa to stop combing her hair and help with the household chores. However, her mother would just let her be as she found her to

²² <http://www.alamat.com.ph/2011/09/alamat-ng-mais-corn-legend.html>

be cute. Maisa was still young, she thought, she would soon outgrow her vanity and help out.

However, her mother was wrong. Maisa became even more vain and would not stop fussing about her hair. She would now spend hours combing her hair and trying on different hairstyles.

One day, Maisa's father got sick. Her mother needed to go to the market. She needed to sell the vegetables in order for them to have money to buy medicine for her father.

Before going to the market, Maisa was reminded by her mother to take care of the household chores. She told Maisa to prepare their food, as she would surely be late in going home. She was also to take care of her sick father and feed him. Their crops were also to be watered because the earth at their yard was arid. Maisa grudgingly nodded with her mother's reminders. She assured her mother that she would do all of what she was asked of.

Maisa was about to start her household chores when she happened to pass by their mirror and saw her hair's reflection. She stopped and took out her comb from her pocket and started going through her hair. She thought of spending a few minutes of combing her hair; it was still early she said. Maisa did comb her hair however because she was so engrossed with it she didn't notice that hours had passed. She also didn't notice her father softly calling her asking for something to eat. She was too busy with her hair.

The sun had set and Maisa's mother soon got home. Her mother noticed their crops wilting due to not being watered for the entire day. She looked for Maisa and found her in front of the mirror combing her hair.

Maisa received a scolding from her mother for not doing any household chore. She got even angrier when she found out that Maisa did not feed her sick father anything. She told the girl that she wished Maisa's hair would be thinner so that she would not be spending time on it. Tomorrow, they would have Maisa's hair cut shorter. Maisa cried as she went out of the house. Her mother, however, did not follow her. She went straight to the kitchen to cook food for her sick husband.

When her anger had subsided, the mother went to look for Maisa but the girl was nowhere to be found. She was neither in their yard nor in the houses of her friends. Nobody knew where Maisa had run.

One day, while cleaning in their yard, the mother saw an unusual plant that grew on their lot. She watered it everyday. A few weeks had passed and the plant had a fruit. It had yellow grains. Furthermore, the fruit had thin golden hair that was smooth and soft to touch. The couple cried when they saw the fruit's hairs. It reminded them of their daughter's beautiful hair.

They both agreed that the plant was their missing daughter. The plant was soon called mais.

Legends are interesting stories concocted about people's actions, good or bad and mean to teach a lesson. The story imparts to the reader or listener the following lessons:

Vanity is conceit and can alter the goodness of a human being. Maisa was a pretty girl. This was something good. However, her sense of beauty made her think only of herself; she no longer performed her household chores because she was preoccupied with combing her beautiful hair.

Aside from providing the necessities of life, parental love must incorporate good teachings and discipline in order to raise a child who is spiritually and morally sound. The couple in the story loved their child but that same love reinforced Maisa's laziness and irresponsibility. Even their words and reminders were unable to correct her penchant for beautifying herself, regardless of the situation and its demands. Maisa's apparent lack of concern for the sick father shows how the parents' love can lead to the unfortunate lack of discipline and care for others. There is a related passage from the *Florante at Laura*, a Tagalog rhythmic poem that Francisco Baltasar wrote in 1838 concerning this theme:

*Ang laquí sa layao caraniua,i, hubád
sa bait at muni't, sa hatol ay salát,
masacláp na búnga ng malíng paglingap,
habág ng magulang sa irog na anác.*

The person who grows up in affluence is usually stripped
Of right reason, of (right) judgment bereft,
The unfortunate result of distorted care
The mercy of the parent to his dearest child.

*Sa taguríng bunsót, licóng pag mamahál
ang isinasama ng báta'i, nunucál
ang iba'i, marahil sa capabayaan
nang dapat magturong tamád na magulang.*²³

From the term "my youngest", crooked love
Emanates a child's wrong ways
Others, through negligence, perhaps
Of the lazy parent who teaches not (the child).

Parental love encompasses all other forms of love except of course God's love. Parents' love for their children is noble indeed; it is next to God's love. Come to think of it, a parent's love for his child is in fact God's gift to humankind.

As the characters in the story experienced, we take people and things for granted, later on to realize their value when it's too late. Such is the sad fate of many; a love that goes unappreciated, much less reciprocated. As in the story, children take their parents for granted, hardly appreciating them for their countless sacrifices.

Patience, humility, simplicity, compassion and acceptance are values that are worth cultivating and pursuing in one's personality. Maisa had to learn the hard way how to be a person of these virtues. The imbibing of the same will undoubtedly lead to favorable results. The legend

²³ <http://www.gutenberg.org/files/15845/15845-h/15845-h.htm>, 32.

too attests to the fact that those who fail to learn and implement the same virtues will suffer a bad end, like Maisa.

Riddles on the Corn

Riddles are considered one of the wealth of Filipino literature. The custom, thought, everyday life, and native environment of the Filipinos are pictured by means of riddles. Answering riddles is a native game of the mind common among Filipinos.

Riddles have been a central part of Filipino tradition since well before the country became a colony of Spain, and the tradition persisted throughout the colonial period and into modern times. They are an important part of the oral history tradition of the country and have been passed down for several generations.

Some of the riddles popular in the Philippines are versions of riddles that are found in most cultures, while others are unique to the islands. Although thematically, some of the riddles may be similar to riddles found in other countries, they are also distinctly Filipino in their references. When told in the native languages, the riddles employ many poetic devices that are, unfortunately, not always possible to capture in the translated version. They usually rhyme and they often rely on simile and metaphor to offer clues for the one guessing the answer them. Sometimes too, the figurative language is difficult for non-Filipinos to understand, since the references and descriptions may be unique to a region in the Philippines. Lastly, some of the objects referred to in the riddles may be foreign to outsiders not familiar with Filipino culture.

Riddle making is one fertile ground upon which the maize apparently took root. In many regions in the Philippines, there are many riddles on the corn. Below are some samples:

Tagalog – (Occidental Mindoro)

Isang pamalo-palo, libot na libot ng ginto.
(A stick for hitting, surrounded in gold)

Nagtapis nang nagtapis nakalitaw ang bulbolis.
(All dressed up, when the pubic hair is seen)

Tiningnan nang tiningnan bago ito nginitian.
(Looked at intently before being smiled at)

Puno'y kanyon, daho'y ispada, bunga'y botilla.
(The body is a cannon, the leaves are swords, and the fruit is a bottle.)

Bikol – HD (Masbate)

*No agbulong sinan espada,
No agbunga sinan botella.*

*Ang dahon inispada,
ang bunga binotilla.*

*Ang lindog bagakay, an dahon espada,
Ang bunga botilla.*

Cebuano – (Negros Oriental, Bohol, Misamis Oriental)

*Ang dahon niya espada,
Tubo and lawas niya
Botelya ang iya bunga.*

Hiligaynon – (Iloilo)

*An dahon bagan espada,
An bunga bagan botelya.*

Waray – (Samar, Leyte)

*Daonan magispara
Bungawon ma botelya.*

Subanon – (Zamboanga del Norte)

*Enispada yang daon,
binutilya yang bunga.*

Pampanga

*Kanyamanan ka, pero manga pangisngis ka.
(You take delight when eating it,
yet you make a face when biting it.)*

Ilokano (Tarlac, Pangasinan, Ilocos Norte, Cagayan)

*Ania daydiay makan nga kitaem pay nga
Nalaing sacanto kanen.
(What is the food that you have to peep into before eating)*

Conclusion

Maize is an important grain both in Mexico and the Philippines. In Mexico, it has for many centuries been an essential source of food that made possible the establishment of empires and cities. Known to Filipinos as mais, the corn became part of the colonial experience of Filipinos. Originally met with resistance, it nonetheless seeped into Filipino consciousness, as it became a good addition to the rich cuisine of the people. Furthermore, it also became an essential element of Filipino culture as it is the subject of such cultural elements as legends and riddles. Truly, mais is Mexico's gift to the Filipinos!

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CATHOLIC HIGHER EDUCATION FOR SOCIAL JUSTICE:

A JOURNEY TO ASEACCU

Cecilia A. Navarro, Ph.D.

The Association of Southeast and East Asian Catholic Colleges and Universities (ASEACCU) is a regional association of Catholic Universities in countries within this geographical area. The purpose of the organization is to promote Catholic higher education and to be a support for the local Churches. ASEACCU also aims to contribute to educational dialog on an international level beyond the Southeast and East Asian region.

ASEACCU's Mission to serve as a forum towards the shared goals of member institutions may be pursued through the following and other appropriate means:

1. The collection, exchange, and dissemination of information. This may be done through newsletters and other publications as well as through facilitating information networking among member institutions.
2. The organization of meetings, symposia, workshops and seminars on topics and concerns related to the mission of the association.
3. The exchange of faculty, administrators and students.

At present, there are 68 member institutions located within the Southeast and East Asian regions. These include the Philippines, Japan, Korea, Indonesia, Australia, Thailand, Taiwan, Cambodia and the International Federation of Catholic Universities (IFCU). They are encouraged to attend the annual meeting and the general assembly which will be held in one of the member countries.

The 22nd ASEACCU Annual Convention was held in Ateneo de Davao on August 27-30, 2014. The activity was attended by administrators, faculty and students from the member schools. The journey with ASEACCU officially opened with the celebration of the Holy Mass and followed by the keynote address of his Eminence Luis Antonio Cardinal Tagle, Conversation Sessions 1, 2 and 3 by different speakers on this year's theme: Catholic Higher Education for Social Justice.

His Eminence Luis Antonio Cardinal Tagle: On Catholic Higher Education for Social Justice.

The lack of social justice in the country is the consequences of lives being destroyed and human community in fragments. The higher Catholic learning institutions are not exempted in the pursuit of social justice. The Catholic Church values social justice without neglecting the other level of justice and this involves the rights of person to maintain the dignity of human beings. Social Justice must be based on solidarity of love, not contractual where what one can offer and what the other party can give.

As Catholic colleges and universities, we must be committed to serve the Church and human family. There is an urgent kind of service proclaiming the meaning of truth for without truth, freedom and justice, human dignity is extinguished.

Cardinal Tagle continued with his discourse by citing the factors on why there is a shift by the Catholic Church on arguments regarding social justice. Below are the following reasons:

1. A reflection of the Church on her mission is the embodiment of the very nature of the Church;
2. The changing nature of society where people are aware of the historical structure of the society and the mission of the Church is to convert society;
3. Increase awareness of the social injustice which victimizes not only individuals but also communities, gap between the poor and rich, conflicts, hunger and the like;
4. Relationship between theory and practice where before, theory is defined as knowledge applied to practice. Presently, practice is being understood as the source of knowledge the way, we interpret the world;
5. The voices of the developing world where injustices, colonization and such are rampant.

Cardinal Tagle ended his discussion by stating a challenge to the member colleges and universities to these involvements:

1. Ecology (environment) may have an effect on social justice and its consequence in human lives which is the abuse of mother nature;
2. The inclusion of growth in our society does not include the poor. The challenge is how to promote the inclusion of the poor in the growth of the nation and how colleges and universities involve themselves in visualizing growth for the poor;
3. Curtailment of religious freedom is a grave injustice. How can colleges and universities be involved on this aspect;
4. Ethnic groups can come together and be a part of the mainstream. We can learn from their culture;
5. Trafficking in human persons where slavery comes in new forms in the gist of employment or labor opportunities. The Business Schools must do something about this concern.

Cardinal Tagle called the higher learning institutions to come together and help the Church in the pursuit of social justice through research, learning and services for the good of humanity.

Conversation Session 1. The Inclusion of the Poor in Society

Atty. Romeo Cabarde opened his discussion by stating the Ateneo motto:” Men and Women for Others”. He mentioned how Ateneo de Davao University supported the plight of the indigenous people, the Bangsa Moro, people with HIV-AID, migrant workers, LBGT (Lesbian, Bisexual, Gay, and Trasgender) group and others. He further emphasized that an effective action towards this endeavor is to empower the oppressed and the marginalized. Inclusion of the poor in society means that people must have a voice and a choice and therefore there is a need for multicultural discussions, interreligious faith conversations, and dialogues with tribal minorities. On the part of Ateneo de Davao University, the School is giving free legal assistance to victims of human rights violation and promotes gender equality.

Dr. Myrna F. Ramos, Vice Chancellor for Mission, External Affairs and Advancement, De La Salle University-Dasmariñas, Cavite stated in her presentation with the mission statement of the University: “saving the last, the least and the lost” for social transformation. DLSU

involves the government, community in its programs and activities in the forms of education and formation, health programs, advocacy programs, environmental programs with (Disaster Risk Reduction Management), livelihood and entrepreneurial development programs, research and linkages and sustainable community development programs.

Atty. Francesco Lois V. Sarenas narrated how her organization (Sentro ng Alternatibong Lingap Panligal) supports the inclusion of the poor in society. She mentioned that the organization is providing developmental and alternative legal assistance to women that are usually residing in the hinterlands. The organization was established in 1987 which focuses on the women sector and doing programs involving women in particular, local governance, peace and order and labor cases among others.

Fr. Roberto Exequiel N. Rivera, SJ gave the participants a vivid account on his personal experiences regarding the animosities between the Muslim minority in the south and the military forces. He included that all of these atrocities are caused by poverty which he termed as “dependency theory”. The rich and powerful countries are dependent on the poor countries on labor and raw materials that are often than not are exploited and therefore an equal distribution of wealth is being called upon to close this gap.

Professor Augustina Salustri, Head of Educational Development Institute of Soegijapranata Catholic University, Semarang, Indonesia discussed the topic on promoting social engagement among Education students in their psychology class through service learning action and results. Service Learning (SL) method seems to be the most balanced approach in combining learning with personal and social development for secondary and college students using activities that are: (1) organized and structured, and meet actual community needs; (2) integrate into students’ curriculum; (3) provide structured time to reflect and write about the service experiences; (4) provide opportunities to apply newly learned academic skills and knowledge; and (5) enhance both academic learning and a sense of caring for others.

Conversation 2. The Search for the Common Good

Fr. Roberto Layson, OMI (Santo Nino Parish, Sultan Kudarat) stated in his presentation that helping the poor is not a matter of choice. An evolving context requires new vision, one that is inclusive of interreligious dialogues and peace-building ideology. His congregation is presently conducting seminars to teachers, youths, barangay officials to eradicate the biases on religion and culture. With these actions taken, reconciliation is needed to heal the past. Dialogue with rebels and military personnel are being conducted with the belief that no one has a monopoly of goodness neither no one has the monopoly of evil.

Dr. Renante Pilapil, Dean of College of Arts and Sciences, Ateneo de Davao University lectures on Political Philosophy based on the teachings of St. Agustin, Aristotle, St. Thomas Aquinas on the search for common good. He explained that common good means that there is a common life shared by the community. Common good can only be achieved by people working for the same good. Individualism rejects the goal of common good and loss of solidarity. Common good can only be derived by continuous dialogue and collaboration because of plurality of culture, religion, beliefs among others.

Fr. Joy Pelino, Social Action Center, Diocese of Marbel, Kidapawan, South Cotabato, narrated his experience on the gross violation against the Bla’an indigenous people regarding the construction of the Tampakan copper and mining project where the mining area is home to 7 ICC,

with Ancestral Domain Title, 4000 directly impacted and displaced, disenfranchisement of Traditional Leaders, undermining Customary Laws and Tradition where desecration of sacred places were done, land and forest destruction, persons and unique cultural identity as people and threatening their survival: food and livelihood. He concluded his lecture by asking the question: “in search for the common good, then whose goods are these”?

Professor Yohannes Widodo, faculty of Universitas Atma Jaya Yogyakarta, Indonesia presented his research on the topic: *KKN UAJY: Serving for and Learning from the Poor*. KKN is an acronym for *Kuliah Kerja Nyata* which literally means ‘learning through real work’ or a student study service scheme or social obligatory internships program for students. KKN is to be understood as meaning activities carried out by students for the benefit of the community which are regarded as part of their vocational and civic training. It is very much associated with efforts to involve students and, more generally, institutions of higher education as a whole in national development and to prevent theory from becoming divorced from practice.

His research shows that KKN UAJY has changed paradigm or concept of working for the community to be working with the community. As a university with values or characteristics of excellence, humanist, inclusive and integrity, UAJY bent on maintaining of the image and the quality of KKN to be more contextual by changing ‘development paradigm’ into ‘empowerment paradigm’.

KKN implements Education for Sustainable Development (ESD) by giving knowledge and skills for people to create learning community (lifelong learning) to find new solutions for environmental, economics, and social problems they faced. There are two benefits of KKN: people become more prosperous, and students gain valuable experience for their maturation process. Students also gain experience solving problems of society in general; interdisciplinary knowledge gets more and more about people's lives in general.

KKN is able to inspire and transform students because they have first-hand experience with limitations and simplicity of life of the villagers, emotional bond with people, and learn about lives of people. Students find many things that were not previously encountered or experienced. They were experiencing, seeing, and engaging directly with people. KKN is a memorable experience and brought in their lives and even able to change their lives and perspectives. KKN became the most memorable learning process in their life as a student.

Universities produce graduates who are more aware of the complex conditions, changes, and problems that the people face in the process of development. Therefore, the graduates of universities can be prepared to overcome problems pragmatically and interdisciplinary. The process of 30 days of KKN is the key so that alumni of UAJY are able to work in a team in the society, to foster interdisciplinary interaction and bring leadership spirit of the students from various problems exist at KNN takes place.

Relations among UAJY, local government, other stakeholders, and members of the community are strengthened. UAJY will be able to play a broader role and adapt their educational and research activities to the actual demands of the developing society.

Conversation 3. The Role of the Catholic HEI in Social Dialogue

Most Eminence Orlando Cardinal Quevedo, OMI, DD, Archbishop of Cotabato explored on dialogue and peace as fundamental dimensions of the identity and mission of Catholic higher education.

The Context of Mission includes culture. Culture may be in the forms of language, beliefs, traditions, values, laws, arts which are considered a way of life. Under this context is the pluralism of cultures, a rich mosaic of ancient cultures including indigenous. There is also the challenge of an emerging world culture composed of secular, materialist, hedonist, consumerist, and relativist. At the same time, we also see the blessings being experienced on emphasis on human freedom, human rights, equality, scientific technological advancement, social communications, and new avenues of dialogue, interconnectedness and solidarity. Our society is being driven by a post-modern spirit such as rejection of the sacred, rejection of religious and moral meta narratives. Another context of the mission of Catholic higher education is the clash of cultures characterized biases and prejudices, historical experiences. Poverty is also perceived as an issue caused by regional economic disparities due to the rising developments in some countries and exacerbated by economic globalization, corruption and economic and political imbalances. Another concern under the mission of the Catholic higher education is religious freedom where there is discrimination because of religion, impact of extremism, intolerance, and violence in South East Asia and also the increasing awareness of the necessity of dialogue and collaboration. Social communications have become the prime formator of values and attitudes and a new *areopagus* of evangelization. Ecology is under siege caused by environmental degradation, global warming and climate change and natural disasters brought by drought, floods, and soil erosion. Women is another concern of the mission that maybe characterized by patriarchy, traditional customs and practices, discrimination, abuses, violence and also growing activism and “empowerment” through education and therefore needs for relational equality in daily life. The youth of Asia continent must be part of this mission because many are impatient and idealistic, restless and drifting and deeply influenced by the post-modern spirit.

Cardinal Quevedo discussed the identity and mission of Catholic institutions of higher education which included four “essential characteristics”. First, a Christian inspiration not only of individuals but of the university community as such; second, a continuing reflection on the light of the Catholic faith upon the growing treasury of human knowledge, to which it seeks to contribute by its own research; third, fidelity to the Christian message as it comes to us through the Church; and lastly, an institutional commitment to the service of the people of God and of the human family in their pilgrimage to the transcendent goal which gives meaning to life. The results of these are: intellectual, moral and religious development, education of the whole person, social justice and social responsibility, professional competence and service and lifelong learning

Another part of his lecture is on “Dialogue as Mission” where Cardinal Quevedo defined dialogue as a form of encounter. In the language of the Church, it is the inter-religious dialogue and proclamation. Pope Francis expressed that dialogue has an expansive meaning which involves: □ Dialogue with the State; □ Dialogue with society, including cultures; □ Dialogue between faith, science, and reason. “The Church realizes that the *silent witness of life* still remains the only way of proclaiming God’s kingdom in many places in Asia where explicit proclamation is forbidden and religious freedom is denied or systematically restricted” (EA, no. 23).

Cardinal Quevedo discussed the importance of dialogue and peace proclaiming the “Gospel of Peace” (Eph. 6:15) and social dialogue towards the common good and peace. The success of this can take effect through the following requirements: recognition of human dignity and human rights, mutual respect and understanding, openness of mind, trust and love, building consensus, and building community in diversity.

Lastly, Cardinal Quevedo called the Catholic Institutions in Higher Education to be role models to the academic community, to conduct inter-cultural dialogue (including interfaith dialogue) of life, sharing experiences, cultural and religious and theological exchange. A

continuing education to justice and peace, building a culture of justice and peace, curriculum and lived school experience, laboratories of dialogue and reconciliation, zones of justice, and zones of peace must prevail among Catholic higher education. He concluded his discussion by stating: “if the mission of Catholic higher education is part and parcel of the mission of the Church to proclaim the Gospel of peace, the journey of authentic dialogue towards justice, peace and harmony in our broken world cannot but be the journey of Catholic universities and colleges”.

Fr. Joel E. Tabora, SJ, President, Ateneo de Davao University, discussed the “Role of Catholic HEIs in Social Dialogue” by identifying crucial factors to attain social justice. These included: Philippine society, Muslim independence, Bangsa Moro homogenizing thrust, Bangsa Moro work in progress and transitional justice.

Professor Renato dela Cruz, faculty of Miriam College, Quezon City, presented a study of the Lukan Beatitudes from the Perspective of Solidarity with the Poor. The Christian faith cannot be truly alive if it is devoid of any ethical responsibility for society. Solidarity and the preferential option for the poor are constitutive dimensions of the faith. These convictions are given flesh by some Filipino men and women, as well as groups of church people, who take conscious choices to be with the poor, and who are willing to suffer sacrifice, and even to lay down their lives for the sake of the poor and the marginalized in our society. Exposures and immersions among the communities of the poor and the oppressed sectors of our society, in order to be in contact with the life and experiences of the poor, are intrinsic components of any serious faith-and-justice involvement. What is the basis for Christian involvement in the socio-economic-political sphere, and more pointedly, for this “option for the Poor”? Some theologians say that it derives its deepest foundation from the theological, or more specifically, the Christological character of the Christian faith. Consequently, the love of Christ for the poor must be the model of this preferential love.

This Lukan Beatitudes focus on the poor and the marginalized with a deep compassion for the destitute and the needy is primarily the reason why the Lukan beatitudes are the subject of this study. The beatitudes are to be seen in the context of solidarity with the poor, precisely because God is, by choice a God of the poor, the oppressed and the afflicted. It is here that Luke shows us how Jesus indeed identified himself with the poor. The Lukan beatitudes therefore, are a rallying cry for the Church to live as faithful witnesses of the love of God.

The conference culminated with presentation of the annual report from the ASEACCU President, Reverend Fr. Michael Calmano, SVD. The occasion was a perfect venue to interact with the different nationalities and appreciation of their culture and heritage. Also, a cultural presentation showing indigenous dances and songs, city tours of Shrine Hills and Museo Dabawenyo were a welcome treat from the host university, Ateneo de Davao University. The conference officially ended with a Holy Mass which was celebrated by Most Reverend George Rimando, Auxiliary Bishop of Davao.

Conclusion

In conclusion, society must learn from the teachings of Pope Francis who affirmed that justice is a basic right for all human beings, and it is based on the fact that we are all children of the same creator. He said: “To administer justice is one of the greatest actions of man: when justice is done late, or it is not done at all, the human dignity is wounded, causing unspeakable sorrows and pains.”

The Holy Father, Pope Francis recommended the just distribution of earth's goods, so that nobody will lack the basic needs. As he remarked: "How sad it is to see along the streets of our cities poor people, especially children without house, without food, without education and without love." By giving what is due our neighbors, it is only then that justice is attained and peace is restored.

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GUNITA NI ORYANG: SUMASALAMIN SA IMAHE NI GREGORIA DE JESUS

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Ang puhunang dugo at buhay sa pag-ibig sa bayang
Tinubuan, ay ginaganti ng kadusta-dustang kamatayan;
Datapwa't sa huli'y lumiliwanag ang ilaw ng
Kasaysayan, upang ang lalong may malalabong mata
Ay makakita, na siya ring magpapadilag sa
Karangalan ng pagkatunay na makabayan at
Susumpa sa kasamaan ng mga taksil.

- Andres Bonifacio

Ipinagdiwang nang nakaraang taon ang ika-150 taon ng pagsilang ni Andres Bonifacio,²⁴ ang ikatlo at huling Supremo ng Kataas-taasang Kagalang-galangang Katipunan ng mga Anak ng Bayan (K.K.K.A.N.B.) o Katipunan.²⁵ Maraming inilunsad na mga palihan, pagtatanghal, kumperensiya, proyekto at iba pang mga gawain upang gunitain at alalahanin ang kaniyang kabayanihan at mahalagang ambag sa kasaysayan ng Pilipinas, higit lalo sa Kasaysayan ng Himagsikang 1896 laban sa mga kolonyalistang Espanyol.

Sa isinulat na akda ni Andres Bonifacio na pinamagatang *Ang Dapat Mabatid ng mga Tagalog*, nanawagan siya para sa pagmulat ng kaisipan at kagyat na kumilos upang wakasan ang mahabang panahon na kaalipinan ng mga Tagalog upang itaguyod muli ang kaginhawaan ng tinubuang lupa. Winika niya na,

Panahon na ngayong dapat na limitaw ang liwanag ng katotohanan; panahon nang dapat nating ipakilala na tayo'y may sariling pagdaramdam, may puri, may hiya at pagdadamayan. Ngayon panahon nang dapat simulan ang pagsisiwalat ng mga mahal at dakilang aral na nagwawasak sa masinsing tabing na bumubulag sa ating kaisipan; panahon na ngayong dapat makilala ng mga Tagalog ang pinagbuhatan ng kanilang mga kahirapan. Araw na itong dapat kilalanin na sa bawat isang hakbang natin ay tumutuntong tayo at nabibingit sa malalim na hukay ng kamatayan na sa ati'y inuumang ng mga kaaway.

*Kaya, O mga kababayan, ating idilat ang bulag na kaisipan at kusang igugol sa kagalingan ang ating lakas sa tunay at lubos na pag-asa na magtagumpay sa nilalayong kaginhawaan ng bayang tinubuan.*²⁶

²⁴ Ipinanganak si Andres Bonifacio noong 30 Nobyembre 1863.

²⁵ Ang Katipunan, isang mapanghimagsik na samahan, ay itinatag sa Tondo, Maynila noong Hulyo 7, 1892. Binuo ito upang pagbuklurin ang mga Tagalog upang makisangkot sa isang pambansang Himagsikan upang wakasan ang mahigit sa tatlong dantaon ng pananakop ng mga kolonyalistang Espanyol. Bukod sa pagiging isang samahan, ang katipunan ay isang pamahalaan, na siyang itatanghal at hahalili bilang pamahalaan sa panahon na mapagwagian ang Himagsikan at mabawi ang bayan mula sa mga estadong kolonyal ng Espanyol.

²⁶ Kalaw, Teodoro M., Ang Himagsikang Pilipino, Manila: *National Historical Institute*, 1989. pp. 4-5

Sa unang taon ng pagkakatatag ng Katipunan, tanging mga kalalaki lamang ang maaaring maging kasapi ng samahan. Ngunit noong Hulyo 1893 napagkaisahan ng pamunuan ng Katipunan na ibukas na ang samahan sa hanay ng mga kababaihan upang higit pang mapalawak ang kasapian. Gayunpaman, ang pagtanggap sa magiging mga bagong kasaping babae ay nilimitahan at nararapat lamang na sila ay asawa, kapatid, at anak ng mga lalaking kasapi nito.²⁷ Kalimitang nabigyan ng mga tungkulin ang mga kababaihan gaya ng pagbabantay sa mga bintana ng mga bahay-pulungan upang magbantay, tagapagtago ng mga lihim na dokumento, pag-iingat ng mga bandila²⁸ ng Katipunan.

Sa pag-aaral ng kasaysayan ng Pilipinas, kalimitang binabanggit lamang sa mga aklat sa kasaysayan ng bansa ang mga babaeng nakilahok sa Katipunan, bilang mga anak, asawa, kapatid at kamag-anak ng mga tanyag na mga bayani.²⁹ Dahil dito, ang kanilang mahalagang ambag sa Himagsikan ay hindi kagyat na nabibigyang-pansin at halaga.

Minsan na ring winika ni Jaime B. Veneracion³⁰ sa aking panayam³¹ sa kaniya na, “marahil ay lingid sa kaalaman ng mga kababaihan na may mga nasulat na ukol sa kanila.” Dagdag pa niya, “Maaari rin namang sa mga panahong yaon, wala pang sensitibidad sa kasarian o kamalayan ukol sa kasarian. Hindi tama ang hinuha na ang mga kababaihan ay walang ambag sa rebolusyong pakikibaka. Gumanap sila ng mga istrategikong papel; at nagkataon lamang na ito ay naiibang pagkasangkot.”

Sa “*Kartilla*”³² o Doktrina ng Katipunan na pinamatnugutan ni Emilio Jacinto, makikita ang pagpipita ng samahang Katipunan at ang mataas na pagkilala nito sa mga kababaihan. Sa bilang 11, mahigpit na itinakda na,

*Ang babae ay huwag mong tingnan isang bagay na libangan lamang, kundi isang katuwang at karamay sa mga kahirapan nitong buhay; gamitin mo nang buong pagpipitagan ang kanyang kahinaan, at alalahanin ang inang pinagbuhatan at nagg-iwi sa iyong kasanggulan.*³³

Ayon pa kay Dr. Veneracion, “ang dalumat³⁴ ng ating mga maagang mga historyador ukol sa himagsikan ay mababaw lamang. Limitado lamang sa labanan sa pagitan ng mga armas. Dahil dito, hindi nila nabigyang-pansin ang mapanghimagsik na pagkasangkot ng mga

²⁷ Sinasabing tinanggap si Josefa Rizal, kapatid ni Jose Rizal, bilang kasapi ng Katipunan dahil itinuring si Jose Rizal

bilang kasaping pandangal.

²⁸ Ang pagdisenyo ng ating bandila o watawat, ang pagbuo ng ating watawat para sa sumisibol na bansa, at ang panulaang nabuo sa panahon ng pakikibaka ay patotoo sa kasabihan na mayaman ang imahinasyon sa panahon ng paghihimagsik. Sa mga bandila ay masasalamang ang sinaunang pagpapahalaga sa kulay na pula para sa mandirigmang bayani, ang araw at bituin para sa tunguhin ng mga dakila at martir at ang kulay bughaw bilang simbolo ng dangal. Tulad ng binanggit na, ang bundok at sinag na araw ay naging isa pang simbolo ng sumisilang na kalayaan. Abrera, *et. al.*, *Kasaysayang Bayan*, p. 165

²⁹ Partikular na ng mga lalaking kasapi o pinuno man ng Katipunan

³⁰ Historyador, manunulat at patnugot ng maraming aklat pangkasaysayan, isa na rito ang *Agos ng Dugong Kayumanggi*.

³¹ Nang sumulat ako ng artikulo na pinamagatang, *Women of Revolution* noong 1994.

³² *Kartilya*

³³ Ang mga Pilipino sa ating Kasaysayan: *A Centennial Resource Book, Q.C.: The Philippine Centennial Commission in cooperation with the Asian Institute of Journalism and Communication*, 1998, p.85.

³⁴ konsepto

kababaihan, bata, at matatanda. Samakatwid, nagbigay-pansin lamang sa mapanghimsik na pakikisangkot ng mga naghimsik o kalalakhian.

Ilang mga Kababaihang nakisangkot sa Himsikang 1896

Ang kilusang Katipunan ay binuo ng malaking bilang ng mga kalalakhian. Noong Himsikang 1896, maliban sa armadong pakikibaka, marami ring iba't-ibang anyo ng pakikibaka, gaya ng mga tula, dula at komposisyong musikal na may temang makabayan. Kahit na ang mga babaeng naghanda at nagluto ng mga pagkain sa kanilang dulang, mga nag-aruga sa mga bata, mga naging tagapagtangan ng mahahalagang pahatid, mga nanggamot at nagbigay-lunas sa mga sugatang mga nakipaghimsik ay ganap na nag-alay ng mga kapaki-pakinabang na ambag upang ito ay sumulong. Anuman ang kanilang naging bahagi, nakaramdam at naranasan din ng mga kababaihan ng lahat ang ligalig, agam-agam at hinagpis sa gitna ng paglagablab ng Himsikan 1896. Ngunit sinasabing nabaliwala at hindi naisulat ang mga karanasan at pakikilahok ng mga kababaihan sa Himsikang laban sa mga kolonyalistang Espanyol.

Ang Himsikang 1896 ay tagumpay ng mga kalalakhian at kababaihan na hindi natakot na lumahok sa pakikipaglaban at, naging magkatuwang sa hamon ng Himsikan. Isang magandang halimbawa sa ganitong pangyayari ay si Teresa Magbanua,³⁵ na noong una, may pag-aalinlangan si Heneral Delgado³⁶ na ibilang si Magbanua sa kanyang hanay. Kaya't kanyang winika, "*Ang ating bayan ay nangangailangan ng mga kalalakhian at kababaihan upang ipaglaban ang kalayaan. Hindi ba ako maaaring makipagdigma kahit na ako ay babae?*" Ngunit nang makita ng heneral ang kanyang kagalingang pang-militar, ipinagkatiwala nang nauna kay Teresa Magbabua na pamunuan nito ang isang maliit na pangkat.

Si Agueda Esteban, asawa ni Mariano Barroga, ay kasapi ng Katipunan na naging asawa kalaunan ni Lt. Kol. Artemio Ricarte. Higit sa kaniyang pagiging asawa, madalas siyang naglalakbay mula Cavite patungong Maynila upang bumili ng *salitre*,³⁷ tingga at tanso na mahahalagang sangkap sa paggawa ng amunisiyon. Nagsilbi rin siyang tagapagdala ng liham sa pagitan ng kanyang asawa at ni Heneral Artemio Ricarte,³⁸ dala-dala ang mga lihim na mga pabatid ukol sa mga planong opensiba laban sa mga himpilan ng mga Espanyol.

Si Marina Dizon naman na anak ng isang pinuno ng Katipunan, na kabilang sa Labintatlong Martir ng Cavite.³⁹ Siya ay naatasang itago sa kaniyang pag-iingat ang mga mahahalagang dokumento at mga listahan ng mga kasapi ng Katipunan. May pagkakataong muntik na siyang madakip ng mga gwardya sibil sa isang estasyon ng tren sa Maynila. Nagawa niyang tumakbo at magkubli sa likod ng estasyon kung saan mayroon isang palikuran at doon ay sinunog niya ang mahahalagang papel na dala niya. Hindi lingid sa kaniya na ito ang nararapat niyang gawin upang manatiling lihim ang samahan at, kapag napasakamay ito ng mga Espanyol ay malalagay sa alanganin ang mga Anak ng Bayan.

³⁵ Ang unang babae sa Kabisayaan na lumaban para sa Himsikan.

³⁶ Si Heneral Delgado ang pinuno ng Pwersang Mapanghimsik sa Kabisayaan.

³⁷ *Saltpeter* o isang uri ng sangkap na ginagamit sa paggawa ng posporo at paputok

³⁸ Nagtaglay ng sagisag na *Vibora*

³⁹ Naging tanyag ang Labintatlong Martir ng Cavite sa tawana *Trece Martires* na ipinapatay ng mga Espanyol

noong 1897. Sa kasalukuyan ang katawagang ito ay ipinangalan sa isang bayan sa Cavite.

Si Melchora Aquino, kinilala bilang Ina ng Katipunan, na mas kilala sa katawagang Tandang Sora ay nasa gulang na 83 sa panahon ng Himagsikan ngunit matapang niyang tinugunan ang mga pangangailangan ng mga naghihimagsik sa kainitin ng Himagsikan.

Naniniwala ang buong kasapian ng kilusang Katipunan, ang kalooban ng Maykapal ay napakalinaw para sa mga bayaning Anak ng Bayan. Ayon nga sa huli ng *Katungkulan*:⁴⁰

Pag-ibig sa Inang Bayang Tinubuan

Aling pag-ibig pa ang hihigit kaya

Sa pagkadalisay at pagkadakila

Gaya ng pag-ibig sa tinubuang lupa?

*Aling pag-ibig pa? Wala na nga wala.*⁴¹

Mapapansin sa lahat ng ito ang pagtawid ni Bonifacio sa talinhaga ng “ina” bilang sagisag ng anumang kabuuan. Mauugat ang pagpapahalaga ni Bonifacio sa “ina” sa “mag-anak” bilang batayang pundasyon ng lipunan. Umiiral sa loob ng mag-anak ang mahalagang papel na ginagampanan ng ina. Siya ang “may-bahay” na kumupkop sa lahat ng kasapi ng mag-anak. Siya rin ang magtataglay ng “bahay-bata” na salalayan ng ginhawa. Sa kanyang sinapupunan, ipinupunla ang binhi ng buhay. Samakatwid, makikita rito ang pagtatangka ni Bonifacio na ihulma ang “tinubuang bayan” sa kabuuan ng mag-anak na nakasentro sa ina.⁴²

Muling isinagawa ng mga Anak ng Bayan ang katutubong ritwal na *sanduguan*.⁴³ Ang bawat nakapasa na lalaking kasapi ng Katipunan ay hinihilingan na hiwaaan nang maliit sa bandang itaas na bahagi ng kanilang kaliwang bisig gamit ang maliit na kampilan. Ginamit nila ang dugo bilang tinta sa pluma sa paglagda sa dokumento nang pagiging kasapi. Pagpapakita ito ng pagtuturingan bilang magkakapatid at kaanib na binuklod ng iisang mithiing lumaya mula sa paghahari ng mga kolonyalistang Espanyol. Ang mga babaeng kasapi ay hindi na kinakailangang pagdaanan ang ritwal na ito. Ngunit ninais at isinagawa ni Trinidad Tecson na isagawa ang ritwal ng *sanduguan*. Naging aktibo siya sa ilang mga paglusob at pakikidigma sa Bulakan, kabilang na

⁴⁰ *Sampatalayanan din naman na ang mga layong tinutungo ng KKK ay kaloob ng Maykapal, samakatwid, ang hangad ng bayan ay hangad din Niya.*

⁴¹ Ganito sinimulan ni Andres Bonifacio ang kanyang tulang Pag-ibig sa Tinubuang Bayan. Pinahalagahan niya ang pagmamahal sa “tinubuang bayan,” na tinawag din niyang “Inang Bayang tinubuan.”

⁴² Guillermo, Bomen G., Navarro, Atoy M. At Rodriguez, Mary Jane B., Pag-iibigan sa Katipunan: Isang Panglingon sa Panitikan at Himagsikan, nasa akda nina Abejo, Raymund G. at Navarro, Atoy M., mga patnugot, Wika, Panitikan, Sining at Himagsikan. (Lungsod Quezon: Limbagang Pangkasaysayan, 1998), pp. 97-98

⁴³ Ayon kina Abejo et. al., (ayon sa sandugo) Magkakapatid silang magkarugo– ang makapangyarihang ritwal ng matalik na pakikipagkapwa sa diwa at ginhawa ng mga Anak ng Bayan. Ito ang dakilang ritwal ng pagbubuo ng “bagong bayang” – ang Inang Bayan. Tinalakay naman nina Llanes, et. al., na ang mga bayan (sa kapuluan) noong tumutungo sa pagbubuo ng mga estado, may mga tradisyon at ritwal na nabuo nasa loob ng bayan na nagpapadali ng pakikipag-ugnayan sa mga taga-labas. Ang isang mahalagang nabuong institusyon ng vayan ay ang *sanduguan*, isang kasunduang higit p asa ugnayang pulitikal dahil sa pagsasanib ng mga layunin at tunguhin. Ang *sandugo* ay paraan din ng pagtiyak ng kapayapaan sa pagitan ng mga bayan. Nakita ng mga Kastila ang halaga nito sa katutubong kaayusan, dahil ang sinumang hindi nakipagsandugo ay itinuturing na kaaway. Dahil sa halaga nito hindi lamang sa pulitika at kalakal, kundi sa buong kalinangan mismo, maging ang mga Espanyol ay kinailangang pumailalim sa katutubong ritwal na ito upang tanggapin sila ng mga Pilipino.

rito ang labanan sa Biak-na-Bato.⁴⁴ Kung siya man ay wala sa larangan ng pakikidigma, nakikilahok siya sa pagsaklolo sa mga sugatang Katipunero.⁴⁵

Gunita ni Gregoria de Jesus⁴⁶: Ang Katipunan⁴⁷ at ang Paghihimagsik

Bibigyang tuon ng pananaliksik na ito ang naging mahalagang ambag ng isang magiting na babae sa kilusang Katipunan, si Gregoria de Jesus. Ang kaniyang gunitang isinulat na isinulat noong Nobyembre 1928 ang pangunahing pagmumulan ng mga tala. Ang mga talang ito ng buhay ni Gregoria de Jesus ay siyang lalong mahalagang kasulatan ukol sa Himagsikan sapagkat isinulat niya ito sa panahon na sariwa pa sa kanyang alaala ang mga kaganapan at pakikipagsapalaran ng bayan⁴⁸ sa Himagsikang 1896. Naglalaman ito ng mahahalagang aral at pinatutunayan rin dito na ang kababaihan sa Katagalugan⁴⁹ ay hindi mahuhuli sa lalaki kung sa kagitingan at kabayanihan.

Sa gunita o talambuhay ni Gregoria de Jesus, isinalaysay niya na sa araw ng kaniyang kasal sa Katipunan ay yaon din ang araw ng ganap niyang pagiging kasapi ng samahan,

“Nang sumapit ang gabi ng araw ding yaon ay inianib ako sa katipunan sa ilalim ng sagisag o simbolikong Lakambini, upang ganapin ko at tuparin ang kanyang banal na palatuntunan at simulain.”⁵⁰

Ibinahagi ni Gregoria de Jesus na matapos ang ritwal ng pagkakasal sa kanila sa ilalim ng Katipunan ay nagsimula na siyang tumugon sa panawagan ng samahan. Nagbahagi ng kaniyang panahon, aniya

“Makalipas ang isang linggo “ay nagsimula na akong gumawa ng boong sikap at labis na pagmamalasakit sa pagunlad at ikaayos ng lahat ng K.K.K. ng mga

⁴⁴ Ang Biak-na-Bato ay matatagpuan sa bayan ng San Miguel sa Bulacan.

⁴⁵ Kinilala at pinarangalan siya sa kasaysayan bilang ina ng *Philippine Red Cross*.

⁴⁶ Isinilang si Gregoria de Jesus sa Bayang Kalookan noong 9 Mayo 1875. Dating bahagi pa o kabilang pa sa lalawigan ng Rizal, sa Daang Baltazar noong araw at ngayo’y P. Zamora, blg 3. Anak nina Nicolas de Jesus na taga-Kalookan rin na isang Maestro de Obra ng Catero Carpintero at isa sa naghawak ng ilang tungkulin noong panahon ng Kastila, naging teniente segundo, teniente mayor at gobernadorsilyo. Samantalang ang ina naman niya ay si Baltazara Alvarez Francisco na taga- bayang Nobeleta lalawigan ng Kabite, pamangkin ni Heneral Mariano Alvarez ng Magdiwang sa Kabite na siyang unang gumalaw ng himagsikan sa nasabing lalawigan. Kadalasay lumalabas ako ng bukid upang magpatanim o kaya’y magpaani, makipagunawaan sa aming kasama at nagsisipagtrabaho, gayon din sa pagpapasahod sa mga manggagawa ng aking ama kung Linggo ng umaga, at paminsanminsang, ako’y nananahe, humahabi at lagi akong katulong ng aking ina sa bahay. Gregoria de Jesus, *Mga Tala ng aking Buhay at mga Ulat ng Katipunan*, (Maynila: Limbagang Fajardo, 1932), p.11 (Gugunitain ang ika-140 na kaaarawan ni Gregoria de Jesus sa susunod na taon, 2015)

⁴⁷ *Ibid.* p. 11

⁴⁸ Ang salitang “*bayan*” sa mga sinaunang *diccionario* ay *cognate* o kaangkan ng “*bayani*” at “*bayanihan*.” Nangangahulugan ang bayani ng isang mandirigma na hindi naghihintay ng gantimpala sa kanyang paglilingkod liban sa pagtanggap sa kanya ng pamayanan bilang marangal na tao. Llanes et. al., p. 159

⁴⁹ Gagamitin ng mananaliksik ang konseptong Katagalugan ni Andres Bonifacio na ang tinutukoy ay ang kapuluang Pilipinas.

⁵⁰ *Ibid.*, p.13

*A.N.B.*⁵¹ *sa katunayan ay ang lahat halos ng kagamitan ng katipunan, kagaya ng revolver, sandata, balaraw, timbre at lahat ng kasulatan at kalihiman ay na sa aking pagiingat sapagka't sa aming tahanan nakatira ang Kalihim na Emilio Jacinto.*"⁵²

Inilarawan din ni Gregoria de Jesus ang naging kalagayan ng kanilang pamilya at tahanan sa pagtugon sa panawagan ng bayan, ang pagbubukas ng kanilang tahanan para sa mga Anak ng Bayan, na siya ring nagiging tagpuan lalo na sa mga gawaing may kinalaman sa Katipunan,

*"Noong mga panahong yaon ay lubhang mapanganib ang aming kalagayan at palibhasa'y ang mga anak ng bayan ay inip na sa kanyang pagkagapos ay bumalikwas at nagkaisa na tulad sa isang tao lamang ang lahat kaya't biglang lumaganap ang K.K.K. at gabi gabi ay puno halos ang aming tahanan ng mga taong duminig sa tinig ng inang bayan at dito'y kabilang ang tatlong mag-aama na Enrique Pacheco, Cipriano Pacheco, Alfonso Pacheco, Tomas Remigio, Francisco Carreon na pawang kaanib sa Kataastaasang Sanggunian ng katipunan at mga tao rin namang kasama sa unang sigaw ng Katipunan, ay halos ang lahat ay madalas na inuumaga sa pagganap at tinatawag na "juramento" o panunumpa."*⁵³

Tinalakay rin niya ang kahalagan ng limbagan ng Katipunan sa kampanya ng Anak ng Bayan. Binanggit niya ang kahalagahan ng limbagan sa paglikha ng Kartilya, at iba pang mga sulatin sa Katipunan, gayundin ang mga taong nagbahagi ng di matatawarang ambag sa tagumpay nito.

*Gaya rin naman ng unang limbagan, revolver, sandata, balaraw, timbre, at lahat ng kagamitan ay bili ng mataas na sanggunian, ngunit ang ibang handog nina GG. Francisco Castillo at Valeriano, mga taong may malaking damdamin, marunong mag-adiya sa bayang tinubuan, may mahabang hangarin. Kaya't kapagkarakang malaman ang nilalayon ng katipunan ay bumili agad ng malaking limbagan upang sa madaling panahon ay makayari agad ng maraming Kartilya, periodiko at mga palatuntunan, kaya noong huli'y pinagtulungtulangan nina Emilio Jacinto, Aguedo del Rosario, Alejandro Santiago, Cipriano at Marciano na taga Pulo, Bulakan, at ang tagapamahagi at tagalakad ay sina Macario Sakay, at iba pang panguluhan. Ang palagay ng ibang siya'y masamang taong naging tulisan ay ewan ng huli, sapagka't nakita ko naman na may malaking ginawang tulong sa Katipunan.*⁵⁴ *Si Macario Sakay ay tunay na makabayan at di ko akalain na ang maging hantungan ay ang bibitayan.*⁵⁵

⁵¹ A.N.B. o Anak ng Bayan

⁵² Siya ang namamahala ng limbagan ng katipunan, siya rin ang unang lumilimbag ng mga palatuntunan at sampung aral na munukala nilang dalawang parang magkapatid na Andres at Emilio Jacinto, kaya sila rin ang namumudmod sa mga balangay ng mga panahong yaon. *Ibid.*, p.13

⁵³ *Ibid.*, p.14

⁵⁴ *Ibid.*, p. 18

⁵⁵ Sa Laguna itinatag nina Macario Sakay at Francisco Carreon ang Republika ng Katagalugan noong Mayo 1903.

Pawang mga kasamahan ni Andres Bonifacio ang mga rebolusyonaryong ito na nagpatuloy ng pakikbaka. Sa kabila

Winika niya ang mga kaparaanang isinakatuparan niya upang pangalagaan ang mga mahahalagang dokumento upang huwag malagay sa kapahamakan ang buhay ng kasapian. Hindi rin lingid sa kaniyang kaalaman ang maaari niyang kahantungan kung matagpuan ng mga kaaaway sa kaniyang pag-iingat ang mga dokumento at iba pang kagamitan ng Katipunan. Madalas ay mag-isa niyang sinusuong ang kapahamakang ito, nagpapalipat-lipat ng mga lugar kung saan ikukubli ang mga ito. Aniya,

Minsan o makalawa isang buwan ay nagkakaroon ng “junta” ang mga punong tagapagpaganap dahil dito’y lalong nagkaroon ng maraming gawain ang limbagang pinamahalaan ng Kalihim na Emilio Jacinto kaya’t kinailangan na niya ang pamamahala sa boong maghapon at noon ay ang dinadamot ko halos ay ang mga kasulatan na lubhang mapanganib ingatan ng panahong yaon at labis nang banggitin pa dito kung saan ako ihahantong ng kapalaran kung madakip sa aking pagiingat at gayon din naman sa mga taong nakatala sa kasulatang yaon na pawang anak ng Pilipinas na umiibig sa kalayaan sapagka’t may mga pangyayaring sa pamamagitan lamang ng suplong ay maraming buhay ang napuputi. Madalas na kung may dumarating na pahatid sabi na sasalakayin ng mga veterana ang tahanan ay kahit anong oras ay agad sinisinop ang mga papeles, armas at timbre...sapagka’t kadalasang mangyari ito... at inaabot ako ng hatinggabi sa lansangan sakay ng kiles, nalilibot ang baybayin ng Tundo at mga lansangan ng binundok upang mailigtas ko lamang ang mapanganib na lagay ng taong bayan. ⁵⁶

Ibinahagi rin niya na may mga pagkakataong minsan ay may pagdaramdam sa ilang mga kasamahan sa panahong tinatanggihan siyang patuluyin sa kanilang mga tahanan sa panahon ng kagipitan dahil na rin sa kaniyang mga taglay na maseselang kagamitan ng Katipunan. Tinukoy din niya ang mga palatandaan na ligtas nang siyang umuwi sa sarili nilang tahanan. Dagdag pa niya,

Ngunit ang dinaramdam ko lamang na madalas na ako’y napatutulong sa ilang kapatid na inasahan kong magmamalaskit ay hindi naman tumutulong sapagkat kapag naalaman ang taglay ko ay mga bagay na totoong mapanganib ng panahong yaon ay pinakailagan ako. Ang pinakatelepono ng panahong yaon ay mga tao rin kaya alam ko agad kung tahimik saka pa lamang ako uuwi ng bahay at mananahimik ng kaunti. ⁵⁷

Isinalaysay din ni Gregoria de Jesus na magmula ng masiwalat ang pagkakatatag ng lihim na samahang Katipunan ay isa siya sa maraming kasapi na higit sa lahat na puspos at pag-iingat

ng amnestiyang ibinigay ng mga Amerikano, hinuli pa rin sina Sakay, Carreon, Lucio de Vega, Benito Natividad,

Leon Villafuerte at Julian Montalan nang bumaba sa bundok. Binitay sina Sakay at de Vega noong 1907 habang

ibinilango nanag matagal na panahon ang iba pa. Abrera, Ma. Bernadette L., Ambrosio, Dante L., Bouquiren,

Rowena R., Llanes, Ferdinand C. at Veneracion, Jaime B., Kasaysayang Bayan: Sampung Aralin sa Kasaysayan ng

Pilipino, (ADHIKA ng Pilipinas at *National Historical Institute*, 2001), pp. 174-175

⁵⁶ *Ibid.*, p.14

⁵⁷ *Ibid.*, pp.15

na sila ay masawata ng mga Espanyol. Ipinakita ni Gregoria de Jesus ang katatagan ng kaniyang loob at puso sa mga pagsubok na kaniyang hinarap sa larangan na pakikibaka niya sa buhay. Binanggit din niya ang malungkot na sinapit ng kaniyang mga kaanak dahil sa pagiging kasapi niya nang Katipunan. Inisa-isa niya ang kaniyang mga naging karanasan, mga araw na palipat-lipat ng mga binabaybay na lugar na kaniyang upang ikubli ang sarili, at tuluyang mapadpad sa lugar na kinahihimpilang ng Supremo. Ganito niya inilarawan ang mga paglalakbay,

“Sapagka’t kalat na halos sa lahat ng sulok ng Kapuluang Pilipinas kaya’t ng nahuli na ang ibang kalihiman ng katipunan, noon di’y umuwi kami dito sa Kalookan. Sapagka’t mahigpit ng totoo ang pagtugaygay sa amin ng pamahalaang kastila kaya mga ilang araw lamang, ang karamihan ng mga lalaki ay lumabas na ng Bayan pati ni Andres Bonifacio. Iyang nga ang unang sigaw ng kalayaan na naganap ng ika-25 ng Agosto ng 1896. Samantalang ako’y nasa piling ng aking mga magulang, sa tulong ng mga kapatid ay naaalaman kong ako man ay huhulihin na rin kaya’t noon din ay tumakas ako ng may ika-11ng gabi at ang tangka ko’y bumalik ng Maynila nguni’t kailangan ko ang magkanlong kaya’t minarapat kong tahakin ang kabukiran, tuloy sa Loma. Noon ay para akong isang katatakutan pagka’t lahat ng akyatin kong bahay upang magparaan muna ng oras ay ipinagtatabuyan ako at mamamatay wari sila sa takot. Noo’y naghihinakit ako. Ngunit ng mabalitaan kong lahat ng aking inakyat na bahay ay pinaghuli, ang mga tao ay pinahirapan at ang iba ay itinapon kung saan saan lupalop at noon hinuli ang isa kong amain na namatay sa tapunan na ang tanging kasalanan ay dahil sa pagpasok ko lamang ng tahanan niya ng gabing yaon upang humalik ng kamay. Noon din ay hinuli ang aking ama at dalawang kapatid na lalake. Sa di kawasa’y nakarating ako sa Liko, ngayo’y Solis ng alas 4 ng umaga, sa bahay ng aking amaing G. Simplicio de Jesus, eskultor, at ng magkaroon ng limang oras ay ako’y umalis din doon sapagka’t malapit sa Kuartel ng Veterana, lumulan ako sa isang karomata upang humanap ng bahay na walang panganib at ako nama’y nakakita sa daang Clavel kayadoon ako tumirang kasama ng aking hipag na si Espiridiona Bonifacio at dito’y nagkanlong ako sa pangalang Manuela Gonzaga⁵⁸ na tumagal ng isang buwan at dahil din sa tinig ng Inang Bayan, at ako’y isang tunay na katipunan. Lumabas ako ng Bundok ng ika-1 ng Nobiembre, 1896, at doon ako sinalubong ni Andres Bonifacio sa San Francisco del Monte.⁵⁹ Nagtuloy kami sa lugar ng makasaysayang Balara, pook na pinag-realan⁶⁰ ng mga anak ng bayan, pagitan ng bayang Kalookan at Marikina at doon din kami nagsipanggaling bago pumasok ng lalawigang Kabite.”⁶¹

⁵⁸ Ang bawat kasapi ng Katipunan ay nagkubli sa mga sagisag.

⁵⁹ Ang lugar na ito ay nasa Lungsod ng Quezon

⁶⁰ Ayon kay Zeus Salazar, “katagang Kastila ang “real” ay nangangahulugang “kampo,” laluna sa maramihan (reales). Sa gamit ng ANB (Anak ng Bayan), katumbas ito ng “kuta” o “muog” bilang “komunidad na may tanggulan,” na itinatayo sa kabundukan malapit sa mga bayan. Halimbawa, ang Kakaron de Sile ay binuo ng libo-libong tao na nabuhay at nakipaglaban bilang isang bayan. Lakas ng real na nakaugat sa bayan at sa kapaligiran ang tinutukoy ni Polavieja sa kanyang babala na: “Nasa Kabite ang gulo, nasa Bulakan ang panganib.” Hindi makukulong ang ANB sa mga real na maaaring ipaglipat-lipat at balik-balikan, di tulad ng mga *pueblo* sa “giyera sa trintsera” na di maaaring iwanan.”

Dagdag pa niya, “nakaugat sa ating kasaysayan angistratehiya ng real. Paraan ito ng pakikibaka ng lahat ng Pilipino, “rebelde” man o “tulisan,” moro man, Kristyano o nanatiling taal.”

⁶¹ *Ibid.*, pp.15-16

Upang panatilihin lihim ang Katipunan, ilan sa mga isinagawa nilang hakbang ay ang pagkakaroon ng mga lihim na katawagan at pagkakaroon ng sariling alfabeto upang sa gayon ay hindi maunawaan ng mga Espanyol ang nilalaman ng anumang dokumento kapag ito ay napasakamay nila. Winika ni Oryang na,

“Ako naman ay nasa bayang Pasig, lalawigan ngayon ng Rizal. ⁶² Kaya doon ko rin ginawa o isinalin ang nasabing “alfabeto” o akta ng Katipunan.” ⁶³

Tinukoy ni Gregoria de Jesus na isa sa mga mahalagang pinagdaanan niya sa gitna ng pakikipaghimagsik na talaga namang buong puso siyang nag-alay ng kaniyang buhay para sumaklolo sa paghihimagsik ng bayan upang kamtin ang kalayaan. Masasabing hindi payak ang kaniyang pakikisangkot sa larangan ng Himagsikan. Kakikitaan siya ng kaalaman at husay sa pagsakay sa kabayo at paghawak ng iba’t-ibang uri ng armas. Aniya,

“Ilang mahalagang bagay na aking napagdasanan sa panahon ng himagsikan ay itong sumusunod: Nang ako’y kasama ng mga kawal ng naghihimagsik sa parang ng digmaan ay wala akong pangiging sumuong sa anomang kahirapan at sa kamatayan man, sapagka’t wala akong nais ng panahong yaon kundi ang mawagayway ang bandila ng kasarinlan ng Pilipinas, at palibhasa’y kasama ako at sumaksi sa maraming laban, kaya’t kabilang din akong isa sa mga kawal at upang maging ganap na kawal, ako’y nagsanay ng pagsakay sa kabayo at nag-aral na mamaril at humawak ng ilang uri ng sandata na nagamit ko rin naman sa maraming pagkakataon.” ⁶⁴

Isa sa mga hindi maiiwasan sa larangan ng pakikidigma ang usapin ukol sa kalagayan ng kung ano ang ilalaman sa kanilang sikmura. Malinaw na inilarawan ni Oryang ang mga naranasan niyang gutom at uhaw na di rin niya mawari kung paano niya nalampasan,

Napagdasanan ko rin naman ang matulog sa lupa ng walang kinakain sa boong maghapon, uminom sa mga labok ng maruming tubig o kaya’y katas ng isang uri ng baging sa bundok na tutoong mapakla na nagiging masarap din dahil sa matinding uhaw. Anopa’t sa gulang kong tinataglay noon kung pagbabalikan kung alalahanin ngayon, ako sa sarili’y nagtaka kung papaano ko natawid ang kabuhayang yaon at kung bakit ako buhay pa sa gitna ng mahigpit na pag-usig sa akin ng panahong yaon. ⁶⁵

Ibinahagi rin ni Oryang ang ilang mga atas na tumutukoy sa banal na utos ng Katipunan ukol sa pagbibigay-galang sa mga kababaihan. Mahihinuha naman na ang mga nagsitanggap ng mga aral at saka ang mga naparusahan ay pawang nangasipagbago naman ng ugali. Aniya,

Ang natatandaan kong kaparusahan sa hindi sumusunod ng mga ipinaguutos ng katipunan gaya ng ipatatawag kapagkarakang maunawaan sa halip na siya’y bigyan ng kaparusahan ay agad siyang babasahan ng dapat pagpipitaganan ang isang babae, gaya na rin ng pagpipitagan sa sarili na ang sinasabing pangaral ay ganito: “Kung hindi mo gustong lapastanganin ang

⁶² Sa kasalukuyan ay Lungsod ng Pasig na sakop ng Maynila

⁶³ Gregoria de Jesus, p.17

⁶⁴ *Ibid.*, p. 18

⁶⁵ *Ibid.*, p.18

*iyong Ina, asawa at kapatid ay nararapat na pakaingatan mo na gawin mo sa iba ito pagka't sa ganyang kaapihan ay maaari mong ipalit ang tatlo mang buhay. Kaya't isa-isip tuwina na ang masama sa iyo ay hindi dapat gawin kailan man sa iba at sa paraang iyan ay isa kayong marangal na maibibilang na anak ng bayan."*⁶⁶

Gregoria de Jesus: Lakambini ng Katipunan⁶⁷

Si Gregoria de Jesus ay isang manunulat at makata, na hindi halos nabanggit sa mga sulatin o aklat pangkasaysayan, sa kadahilanang siya ay palagiang ipinakikilala bilang kabiyaq ni Supremo Andres Bonifacio.

Isa sa mga mahalagang akda na nilikha ni Oryang ay ukol sa pagmamahal sa bayan na tunay na mahalaga at napapanahon kahit sa kasalukuyan ay ang isinulat niyang pinamagatang, *Ang Sampung Tagubilin o Aral sa mga Kabataan*. Maituturing itong mga bilin sa kabataan kung bakit nararapat na igalang ang mga magulang, pahalagahan ang lahi, pagpapahalaga sa oras, pagpapahalaga sa karunungan ang⁶⁸

Una. Igalang at mahalina ang magulang pagka't ito ang pangalawang Dios sa lupa. Ikalawa. Alalahanin sa tuwina ang mga banal na aral ng mga bayani na nasawi dahil sa pag-ibig sa bayan.

Ikatlo. Huwag magaksaya ng panahon ng di pamarisan.

Ikaapat. Pagsikapang magkaroon ng anomang karunungan na tumutugon sa kanyang hiling upang pakinabangan ng bayan.

Ikalima. Ang kabaitan ay alalahaning isang malaking kayamanan.

Ikaanim. Igalang ang mga gurong nagpamulat ng isip pagka't kung utang sa magulang ang pagiging tao ay utang naman sa nagturo ang pagpapakatao.

Ikapito. Iligtas ang api sa panganib

Ikawalo. Matakot sa kasaysayan pagka't walang lihim na di nahahayag.

Ikasiyam. Kapag napag-ingatan ang kasamaan ay doon manggaling ang malalaking karangalan.

Ikasampu. Sikapin ang ikapagkakaisa ng lahat at ikauunlad ng bayan upang huwag magkaroon ng sagabal ang kasarinlan.

⁶⁶ *Ibid.*, pp. 18-19

⁶⁷ Ginamit din ni Gregoria de Jesus ang *Lakambini* bilang sagisag o katawagan niya sa KKK. Isinilang si Gregoria de Jesus sa Bayang Kalookan noong 9 Mayo 1875. Dating bahagi pa o kabilang pa sa lalawigan ng Rizal, sa Daang Baltazar noong araw at ngayo'y P. Zamora, blg 3. Anak nina Nicolas de Jesus na taga-Kalookan rin na isang Maestro de Obra ng Catero Carpintero at isa sa naghawak ng ilang tungkulin noong panahon ng Kastila, naging teniente segundo, teniente mayor at gobernadorsilyo. Samantalang ang ina naman niya ay si Baltazara Alvarez Francisco na taga- bayang Nobeleta lalawigan ng Kabite, pamangkin ni Heneral Mariano Alvarez ng Magdiwang sa Kabite na siyang unang gumalaw ng himagsikan sa nasabing lalawigan. Kadalasay lumalabas ako ng bukid upang magpatanim o kaya'y magpaani, makipagunawaan sa aming kasama at nagsisipagtrabaho, gayon din sa pagpapasahod sa mga manggagawa ng aking ama kung Linggo ng umaga, at paminsanminsang, ako'y nananahe, humahabi at lagi akong katulong ng aking ina sa bahay. Gregoria de Jesus, *Mga Tala ng aking Buhay at mga Ulat ng Katipunan*, (Maynila: Limbagang Fajardo, 1932), p.11

⁶⁸ Ayon pa sa kaniya, "Tinapos ko rito ang aking maikling tala ng aking buhay na sinulat ko sa mga sandali ng aking ganap na katahimikan, nag-iisang binubulay at pinangaralan at sinuri ang mga nakaraan kaya't lahat ng nakatala rito ay siyang mga wagas na katotohanan. Gregoria De Jesus, 5 ng Nobyembre ng 1928 (53 taong gulang siya ng sinulat niya ang talang ito.)

Ang Himagsikan 1896 ay hindi lamang naglalarawan ng pakikipaglaban ng bayan upang kamtin ang kalayaan, sa kalagayan ng mag-asawang Andres at Oryang⁶⁹ nasumpungan sa kanila ang tunay na pag-iibigan ng magkabayak.⁷⁰ Hindi naging hadlang ang paglahok ng magkabayak sa paghihimagsik, bagkus ito pa ang higit na nagbigkis sa kanila nang higit na nagpapatunay lamang na sa harap ng matitinding pagsubok naging matatag silang magkatuwang sa lahat ng pagsubok.

Nagbalik-tanaw si Oryang kung paano nagsimula ang kanilang maikli ngunit makabuluhang buhay na magkabayak na ibinahagi niya sa kaniyang gunita na,

“Noon marahil ay mayroon na akong labingwalong taong gulang at mayroon nang pumapanhik na mga binata sa aming tahanan at dito’y kabilang si Andres Bonifacio. Ngunit wala akong nakakausap tungkol sa suliranin ng pag-ibig palibhasa ang mga magulang at dalaga sa panahong yaon ay totoong maingat at ikinahihiya halos na masabing sila’y may tagahanga at katunayan ay mayroon na palang isang taong nanunuyo si Andres Bonifacio sa aking mga magulang ay hindi pa kami nagkakaunawaan ng mga niloloob sa pagibig at may tatlong buwan pa ang nakaraan ay nalaman kong hindi kasangayon ng aking ama sa pangigingibig sa akin ni Bonifacio sa dahilang ito ay mason, at ang mga mason ng panahong yaon ay ipinalagay ng mga matanda, sa kagagawan ng mga prayle, na masasamang tao, ay noon pa naman akonakakaron ng bahagyang pagibig sa kanya. May anim na buwan pa ay nagkaibigan na kami ng tuluyan at bagaman laban sa kalooban ng ama ko ay napahinuhod din alangalang sa malaking pagmamahal sa akin at pagtatapat ko ng katotohanan ng aming pag-iibigan, kaya’t bilang pagbibigay ni Andres sa kaugalian ng matanda ay ikinasal kami sa simbahang Romano sa Binundok ng buwan ng Marso ng 1893 at ang aming naging saksing lalake ay si Restituto Javier at ang saksing babae ay ang may bahay nito na si Ginang Benita ni Javier. Sumunod na linggo ay pamuli kaming ikinasal sa harap ng lahat na katipunan, sa kahilingan ng mga ito, sapagka’t hindi nila pinahalalagan ang aming kasal sa simbahang romano at ito’y ginanap din sa bahay ng aming inaamang Restituto Javier sa daang Oroquieta noong araw, at natatandaan kong nagkaroon pa ng kaunting salusalo at sa mga panauhin ay kabilang si G. Pio Valenzuela, Santiago Turiano, Roman Basa, Marina Dizon, Josefa at Trining Rizal at lahat halos ng pamunuan ng katipunan. Gregoria de Jesus, Mga Tala ng aking Buhay at mga Ulat ng Katipunan.”⁷¹

Sa maikling panahong ito, katakot-takot ang pagsubok na dinanas nina Oriang at Andres. Ngunit dahilan sa katatagan ng loob, napangibabawan ng *magsing-irog* ang mga pagsubok. Sa harap ng sunud-sunod na kabuwisitan na kinakaharap ng dalawa bunga ng labis nilang

⁶⁹ Ito ang katawagan kay Gregoria de Jesus

⁷⁰ Kabiyak – kabahagi ng isang buo. Ang konsepto ng kabiyak ay bunga ng pagkilala na may isang *kabuuan*. Ang kabuuan na binubuo lamang ng dalawang may-kaisahan na nakasalalay sa dalawang taong magkatugma. Guillermo, Bomen G., Navarro, Atoy M. at Rodriguez, Mary Jane B., Pag-iibigan sa Katipunan: Isang Panglingon sa Panitikan at Himagsikan, nasa akda nina Abejo, Raymund G. at Navarro, Atoy M., mga patnugot, Wika, Panitikan, Sining at Himagsikan. (Lungsod Quezon: Limbagang Pangkasaysayan, 1998), p.101

⁷¹ Gregoria de Jesus, pp.12-13

pagmamalasakit sa paglago at ikaaayos ng takbo ng Katipunan, lalong tumingkad ang ⁷² kanilang pag-iibigan. Makailang beses na naglipat-bahay at sumuong sa panganib ang mag-asawa upang makaligtas sa mga titik Español. Namatay ang kanilang bugtong na anak at wala pang isang taong anak na pinangalanang “Andres.” Ngunit sa kabila ng kabuwisitang ito, naging matatag ang magkabiyak lalo na sa panahong sumiklab ang Himagsikan. Sa panahong ito, malimit magkalayo ang mag-asawa na resulta ng pagtakas at pagtatagosa mga umuusig na Español. Magkaganito man, naging matibay ang dalawa sapagkat ganap nilang nakilala ang tunay na mag-anak na kanilang kinabibilangan na kailangang pangalagaan – ang mag-anak sa Inang Bayan. ⁷³

Marahil ang naging pinakamasakit na dagok na dumaan sa magkabiyak ay ang pagkakuwong ng dalawa sa mga kaguluhan sa Cavite. Dito, naging malinaw ang pagkakanulo kay Andres sa kamay ng mga maka-Aguinaldo na umabot sa marahas na pagdakip, di-makatarungang paglilitis, at pagkupaslang sa Supremo sa Bundok Nagpatong, Marogondon, Cavite noong Mayo 10, 1897. Ganito ang naging masaklap na kinahantungan ng kabiyak ni Oryang upang mapagtagumpayan ang isinulong na Himagsikan. Isa sa malungkot na kaganapan sa kasaysayan ng Himagsikan ay ang malagim na kinahantungan ng buhay ng Supremo na Katipunan

Tungkol sa sigalot ni Bonifacio at ni Aguinaldo na nagmula sa idinaos na magulong halalan sa Teheros, ⁷⁴ pati ng pag-uusig at mga katampalasang ginawa ng mga kabig na pinamumunuan ni Aguinaldo sa aming magaanak ⁷⁵ na niwakasan sa pagpatay kay Andres Bonifacio ay hindi ko na isinaysay dito. ⁷⁶

Ito na rin marahil ang sumunod pinakalugaming pagluluksa ni Oryang pagkatapos ng pagkawala ng kaniyang anak, at sa pagkakataong ito naman ay nang kaniyang kabiyak. Ngunit sa paglipas ng taon, nakatagpong muli si Oryang ng bagong pag-ibig sa katauhan ng kaniyang ikalawang kabiyak. Aniya,

“Ang ikalawa kong naging kaisang puso ay si Julio Nakpil. ⁷⁷ Kami ay ikinasal 10 ng Disyembre ng 1898.”

⁷² Guillermo, Bomen G., Navarro, Atoy M. at Rodriguez, Mary Jane B., p.102

⁷³ Guillermo, Bomen G., Navarro, Atoy M. at Rodriguez, Mary Jane B., p.103

⁷⁴ Kumbensyon sa Teheros (Tejeros) na naganap noong 22 Marso 1897

⁷⁵ Pagkatapos ng pagpatay kay Andres Bonifacio, si Gregoria de Jesus ay dagliang inihatid sa San Pedro Tunasan, at ipinasailalalim sa pamumuno ni Kol. Antonio Guevarra. Santos, G.M. *Philippine Encyclopedia of the Social Sciences* (Quezon City: PSS Council, 1993), p. 410

⁷⁶ Maaring ayaw nang balikan ni Gregoria de Jesus ang mga alaala ng malungkot na pagpatay sa kaniyang kabiyak. Dagdag pa niya, “At iya’y mababasa sa kasulatang ipinadala ko kay Emilio Jacinto na ibinabalita sa akin ng Gra. Cipriano Pacheco na ngayon ay na sa kay G. Jose P. Santos, at upang maipagpatuloy pa ang aking buong nalalaman sa nasabing katipunan ay minarapat kong pagtiyagaan at ng maunawaan ng lahat na ako ang unang nagtraducir o nagsalin ng aktang “alfabeto” na ipinadala sa akin sa Pasig ni Emilio Jacinto, kasama ang kanyang kapirasong buto sa hita noong siya’y tamaan ng bala sa pakikilaban sa Nagkarlang, sakop ng Lalaguna ng panahong yaon.

⁷⁷ Ayon kay Gregoria de Jesus, si Julio Nakpil ay naging kalihim ni Andres Bonifacio, at siya ang iniwang tagapatnugot ng lahat ng tropa sa dako ng hilagaan at sila ang nagtapos ng pakikipaglaban sa Montalbanat San Mateo, kaya ng siya ay humantong sa Pasig ay dito kami nagkatagpong muli at nagkasintahan at ang aming pag-iisang puso ay ginanap sa matandang simbahan sa Quiapo ng mga katoliko at ng magkaroon ng Paz o Kapayapaanang Revolucion Filipina ay pumisan kami sa tahanan ni Dr. Ariston Bautista, kilalang pilantropo, sa piling ng kanyang asawang Petrona Nakpil, kasama-sama rin ang aking bienan, mga hipag, bayaw at kami ay nagsama-samang parang tunay na magkakapatid sa isang tiyan lamang ang pinagbuhatan. Ako’y may anak na walo sa nasabing pangalawang asawa: dalawa ang patay, Juana at Lucia, ang anim ay buhay, Juan F. Nakpil, Julia Nakpil, Francisca Nakpil, Josefina Nakpil, Mercedes Nakpil, Caridad Nakpil.

Si Gng. Gregoria de Jesus, balo ng Dakilang Bayaning Andres Bonifacio, Ama ng Himagsikan ng mga A.N.B. ay siyang karapatdapat tawaging ANG INA NG HIMAGSIKAN, palibhasa’y siya ang kauna-unahang Pilipinang umahap sa K.K.K. at nagtaglay ng simbolikong LAKAMBINI (Lakhan Bini) at nagpakita ng tunay na pagka-makabayan.⁷⁸

Ayon kay Jose P. Santos, si Ginang Gregoria de Jesus ay isang magiting na babaeng karapatdapat ipiling sa lalong mga litaw na babaeng bayani ng daigdig. Sa puso niya ay namugad ang dalawang pag-ibig na kapuwa dakila at kapuripuri: ang pag-ibig sa bayan at pagmamahal sa kabiyak ng dibdib. Nakasama siya ng dakilang Supremo hanggang sa hulihin at ipabaril ang Supremo. Dahil sa paglilingkod niya sa bayan at sa kapakanan ng himagsikan ay tinawag siya noon at maging ngayon ay dapat din siyang tawagin na INA NG HIMAGSIKAN.

Naniniwala si Santos na “walang alinlangan na si Ginang Gregoria de Jesus, balo ng bayaning Andres Bonifacio, ang pangunang babae sa kasaysayan ng himagsikan sa Pilipinas. Kung paanong may kinikilalang “Primera Dama” sa panahong ito, noong mangyari ang pagbabangon ng mga Tagalog laban sa mga Kastila, ang mga manghihimagsik ay hindi lamang nagkaroon ng pangunang babae, gaya ng sagisag na “LAKAMBINI” na ibininyag kay Ginang Gregoria de Jesus nang mapaanib sa Katipunan, kundi naging katulong-tulong din naman ng Supremo sa pakikidigma, nakasama sa parang at mga bundukin, naging tagapag-ingat ng mga lihim ng himagsikan, tagapagtago ng mga mahahalagang kasulatan, tagaingat-yaman, tagapangasiwa sa pagpapakain ng mga kawal at tagapag-alaga ng mga nasalanta at sugatan, at siyang dapat kilalang “Ina ng Himagsikan.”⁷⁹

Dagdag pa niya, sa mga tungkuling ginampanan ng buong kapurihan ni Ginang Gregoria de Jesus, ay tila walang nang maipapantay. Naririyang ng lahat: kagitingan, pagka-makabayan, pagkakawanggawa at kabayanihan. Ngunit dapat din namang idagdag, upang lalong maging dakila, ang mga pagtitiis, pasakit at kahirapang dinanas niya nang dakpin at ipabaril ang bayaning Andres Bonifacio. Hindi siya humiwalay sa piling nito hanggang sa mga huling sandali halos kitlan ng hininga ang nasabing Bayani, na kusang inilihim sa kanya, matapos na siya’y kulungin sa isang bahay at pabantayan sa mga kawal na sandatahan. Mangyari pang hindi niya ilalagok ng mapapait na luha ang nangyaring ito, kaya’t hangad na makita, kahit ang bangkay lamang ng sawing-palad na asawa, ay may isang buwan siyang naghanap sa kaparangan at mga bundukin na itinuro sa kanyang siyang pinagtapunan o pinaglibingan, na halos ay di na masunog ang damit sa katawan at ang kinakain ay mga bubot na saging at kaunting pagkaingnahingi o napagpalimusan sa iba’t-ibang pook na madaanan.

Ayon pa nga kay Lilia Quindoza Santiago, sa kaniyang akda na pinamagatang, “*Ang Kababaihan sa Kabaihan sa Katipunan at Rebolusyon,*” na mapapabulaanan lamang nang lubos ang mga maling hakahaka hinggil sa kababaihan sa kasaysayan kapagkaya’y nagkaroon nito. Kailangang mailangkap ang paningin ng kababaihan upang mabuo ang larawan ng mga programa, mga patakaran at naging mithiin ng sangay na kababaihan sa Katipunan. Nandito ang hamon sa mga historyador, laluna yaong mga may simpatya at pagmamalasakit sa usapin ng kababaihan; ang interpretasyon ng mga datos na nakalap at pamuling pagbubuo ng mga makabukuhang salaysay sa kilusang kababaihan kaugnay

Ang lahat ng iya’y halos si Dr. Ariston Bautista ang nagpaaral at nagpatapos sa anak kung lalaki. Ako’y inaring parang tunay na anak at kapatid hanggang siya’y tawagin sa sinapupunan ni Bathala.

⁷⁸ Winika ito ni Artemio Ricarte Vibora sa Yokohama, Cay. O noong Mayo 31, 1929. Gregoria de Jesus, *Mga Tala ng aking Buhay at mga Ulat ng Katipunan*, (Maynila: Limbagang Fajardo, 1932), p. 2

⁷⁹ Gregoria de Jesus, *Mga Tala ng aking Buhay at mga Ulat ng Katipunan*, (Maynila: Limbagang Fajardo, 1932), p. 3

ng Katipunan at ng Rebolusyong 1896. Samakatuwid kailangang pag-ukulan nang higit pang pansin ang kontribusyon ng kababaihan sa paglalagom ng karanasan at pagsusuri sa mga kaganapang panlipunan.⁸⁰

Ang pambansang katangian ng Himagsikang 1896 ay masusukat sa pangkalahatan at pangmatagalang epekto nito sa buong bayan partikular sa pagkapatalsik sa kolonyalismong Espanyol. Ang pagkapambansa ng Katipunan ay nangahulugan hindi lamang ng Kabansaan kundi ng kaginhawaang Pambayan at ang paggigiit sa Katutubong Kabihasan upang tanggalin sa lipunan ang dominasyon ng kamalayang kolonyal.⁸¹ Ang Himagsikang 1896 ay nagluwal nang isang pambansang kasarinlan at nakamtan ang inaasam na kalayaan sa pamamagitan ng paglahok ng mga magigiting kalalakihan at kababaihan. Sila ang tunay na dahilan kung bakit tinatamasa natin sa kasalukuyan ang kalayaang kanilang pinagbuwisan nila ng dugo at buhay.

Ipinagpatuloy ng heneral ng Himagsikang si Artemio Ricarte ang lohika ng banal na paggalang sa mga bayani. Ayon sa kanya, tulad din ng mga mandirigmang kapag namatay ay nagtutungo sa langit, ang mga martir at bayani ng ating panahon ay walang kamatayan. Sila ang tatanaw sa mga nabubuhay na salinlahi upang pamayanihan ng kabutihan ang bawat isa at laging tanglawan ang bayan na hindi maligaw o mabagok sa paghahanap ng kaginhawaan.⁸²

PAGLALAGOM

Ang pambansang kilusang Katipunan ay nanawagan para sa pagmulat ng kaisipan ng mga Tagalog upang kumilos at wakasan ang mahabang panahon na kaalipinan nang maitaguyod muli ang kaginhawaan ng tinubuang bayan. Ang kilusang Katipunan ay binuo ng malaking bilang ng mga kalalakihan noong unang taon nang pagkatatag nito. Ibinukas ang Katipunan sa hanay ng mga kababaihan dahil hindi na lingid sa kanila mahalagang mga ambag ng mga ito sa ikatatagumpay nang kanilang mga adhikain. Sa pag-aaral ng kasaysayan ng bansa, kalimitang binabanggit lamang sa mga aklat sa kasaysayan ng bansa ang mga babaeng nakilahok sa Katipunan, bilang mga anak, asawa, kapatid at kamag-anak ng mga tanyag na mga bayani. Dahil dito, hindi nabigyang-pansin ang mapanghimsik na pagkasangkot at mahalagang ambag ng mga kababaihan.

Noong Himagsikang 1896, maliban sa armadong pakikibaka, marami ring iba't-ibang anyo ng pakikibaka, gaya ng mga nagpagkain sa kanilang mga dulang, nag-aruga sa mga bata, naging tagapagdala ng mahahalagang pahatid, nagpasilong at gumamot ng mga sugatang mga nakipaghimsik at iba pang mga gawain ay nag-alay ng mga kapaki-pakinabang na ambag sa Himagsikan 1896 upang ito ay sumulong. Anuman ang kanilang naging bahagi, silang lahat ay nakaramdam lahat ng mga ligalig, agam-agam at hinagpis sa panahon ng paghihimsik.

Ang Himagsikang 1896 ay tagumpay ng mga kalalakihan at kababaihan na hindi natakot na lumahok sa pakikipaglaban at, naging magkatuwang sa hamon ng Himagsikan. Ilan sa mga kababaihang bayaning ito ay sina Teresa Magbanua na dahil sa kaniyang kagalingang pang-

⁸⁰ Llanes, Ferdinand C., patnugot, Katipunan: Isang Pambansang Kilusan. Trinitas Publishing Inc., 1994, Lilia Quindoza Santiago, Ang Kababaihan sa Kabaihan sa Katipunan at Rebolusyon, p. 163

⁸¹ Abrera, Ma. Bernadette L., Ambrosio, Dante L., Bouquiren, Rowena R., Llanes, Ferdinand C. at Veneracion, Jaime B., mga patnugot, Kasaysayang Bayan: Sampung Aralin sa Kasaysayan ng Pilipino. (ADHIKA ng Pilipinas at National Historical Institute, 2001), pp.157-158

⁸² Abrera., p.163

militar ay ipinagkatiwala na kaniya na pamunuan nito ang isang maliit na pangkat. Si Agueda Esteban, na madalas naglalakbay mula Cavite patungong Maynila upang bumili mahahalagang sangkap sa paggawa ng amunisyon, at nagsilbi rin siyang tagapagdala ng mga lihim na mga pabatid ukol sa mga planong opensiba laban sa mga himpilan ng mga Espanyol. Si Marina Dizon naman ay nagtago sa kaniyang pag-iingat ang mga mahahalagang dokumento at mga listahan ng mga kasapi ng Katipunan na may mga pagkakataong muntik nang nalagay sa pahamak ang kaniyang kaligtasan at, kapag napasakamay ito ng mga Espanyol ay malalagay sa alanganin ang mga Anak ng Bayan. Si Melchora Aquino, na sa kabilang nang kaniyang gulang na 83 sa panahon ng Himagsikan ay matapang niyang tinugunan ang mga pangangailangan ng mga naghihimagsik. Si Trinidad Tecson na napabilang sa hanay na lumusob at pakikidigma sa labanan sa Biak-na-Bato sa Bulakan.

Ang isinulat na gunita o talambuhay ng isa sa mga magiting na babae sa kilusang Katipunan na si Gregoria de Jesus na maituturing na isang mahalagang dokumentong pangkasaysayan. Isinalaysay niya ang mga mahahalagang kampanya at gawain ng Katipunan sa panahon ng paghihimagsik. Higit pa rito, inilarawan niya ang pakikisangkot ng mga kababaihan sa Katagalugan, partikular na ang kaniyang karanasan na tunay na hindi nahuhuli sa lalaki kung kagitingan at kabayanihan ang pag-uusapan.

Ibinahagi ni Gregoria de Jesus sa kaniyang gunita ang simula ng kaniyang pagtugon sa panawagan ng samahan. Winika niya ang mga kaparaanang isinakatuparan niya upang pangalagaan ang mga mahahalagang dokumento upang huwag malagay sa kapahamakan ang buhay ng buong kasapian. Kinakitaan din siya ng kaalaman at husay sa pagsakay sa kabayo at paghawak ng iba't-ibang uri ng armas.

Madalas ay mag-isa niyang sinusuong ang kapahamakang ito dahil na rin malimit magkalayo sila nang kaniyang kabiyak, kaya't kinakailangan din niyang, nagpapalipat-lipat ng mga lugar kung saan ikukubli ang mga ito at ilang pagkakataon na rin na nalagay sa bingit ng kamatayan. Hindi rin lingid sa kaniyang kaalaman ang maaari niyang kahantungan kung matagpuan ng mga kaaaway sa kaniyang pag-iingat ang mga dokumento at iba pang kagamitan ng Katipunan. Mayroon ding mga pagkakataong mayroon siyang pagdaramdam, ligtas nang siyang umuwi sa sarili nilang tahanan, na ang ilang mga kasamahan sa panahong tinatanggihan siyang patuluyin sa kanilang mga tahanan sa panahon ng kagipitan.

Ipinakita ni Gregoria de Jesus ang katatagan ng kaniyang loob at puso sa mga pagsubok na kaniyang hinarap sa larangan na pakikibaka niya sa buhay. Malinaw na inilarawan ni Oryang ang mga naranasan niyang gutom at uhaw na di rin niya mawari kung paano niya nalampasan. Binanggit din niya ang malungkot na sinapit ng kaniyang mga kaanak sa kadahilanang siya ay kasapi sa Katipunan. Inisa-isa niya ang kaniyang mga malulungkot na karanasan, mga araw na palipat-lipat ng mga binabaybay na lugar na kaniyang upang ikubli ang sarili, at tuluyang mapadpad sa lugar na kinahihimpilan ng kaniyang kabiyak.

Si Gregoria de Jesus ay isang manunulat at makata, na hindi halos nabanggit sa mga sulatin o aklat pangkasaysayan, sa kadahilanang siya ay palagiang ipinakikilala bilang kabiyak ni Supremo Andres Bonifacio. Sa pamamagitan nito ay naibahagi niya ang ilan sa mga atas o banal na utos ng Katipunan ukol sa pagbibigay-galang sa mga kababaihan at ilang mga tagubilin sa mga kabataan ukol sa pagmamahal sa bayan.

Sa kabila ng mga pagsubok na ito, hindi naging hadlang ang paglahok ng magkabiyak sa paghihimagsik, bagkus ito pa ang higit na nagbigkis sa kanila nang higit na nagpapatunay lamang na sa harap ng matitinding pagsubok naging matatag silang magkatuwang sa lahat ng

pagsubok nang sumiklab ang Himagsikan. Magkaganito man, naging matibay ang dalawa sapagkat ganap nilang nakilala ang tunay na mag-anak na kanilang kinabibilangan na kailangang pangalagaan – ang mag-anak sa Inang Bayan.

Marahil ang naging pinakamasaklap na dagok na naranasan ni Oryang ay ang pagdakip, hindi makatarungang paglilitis, at pagkapaslang sa kaniyang kabiyak.

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THE RIGHT TO PRIVACY: STUDENT FREEDOM FROM SCHOOL TYRANNY

Atty. Ulpiano “Ulan” P. Sarmiento III

Man, by nature, is a social being. The proverbial cliché that “no man is an island” holds true in every regard. It is through our daily interactions that we force the shaping of our basic institutions and define the historical path we aim to pursue. It is through our perennial intercourse with other men that we learn our basic social skills, the concepts of standards and the necessary information that help us in our decisions, opinions and biases. However, this very trait of man is not without its problems. As man is a multi-faceted being, there is also a part of him that he wants to keep to himself. This unclear and ambiguous demarcation between man, as a social being and man, as a private entity gives us a fertile discussion on the concept of the right to privacy.

Privacy: A Concept

The *Universal Declaration of Human Rights*, in Article 12, states:

“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.”

The concept of privacy is discussed in a Yale University Course Outline⁸³ on Constitutional Privacy, which stated:

What is privacy? Privacy is the right to keep some information about you secret. The US Supreme Court states that we are entitled to a reasonable “expectation of privacy” (Katz v. U. S., 389 U.S. 347,350 1967). What exactly does this mean? It may mean different things to different people. What is reasonable to one person may not be reasonable to another, based on their beliefs and life experiences. Does everyone have an equal right to privacy? The answer to this question is, no. People who are considered “public figures” or newsmakers, including politicians, movie stars or just people who have made the news in some way, are not entitled to the same privacy as an ordinary citizen. In other words, they do not have the same reasonable “expectation to privacy.”

Moreover, according to the *American Civil Liberties Union (ACLU) Department of Public Education*:

⁸³ www.yale.edu.

The right to privacy is not mentioned in the Constitution, but the Supreme Court has said that several of the amendments create this right. One of the amendments is the Fourth Amendment, which stops the police and other government agents from searching us or our property without "probable cause" to believe that we have committed a crime. Other amendments protect our freedom to make certain decisions about our bodies and our private lives without interference from the government - which includes the public schools.

The development of the right to privacy involves a gradual evolution of ideas, law and jurisprudence leading to the present day concept. While the idea of the sanctity of a person's dwelling dates back to the ancient times and further manifested in the laws of Medieval Europe, the concept of the right to privacy as a tort started in the United States. In 1890, Samuel D. Warren and Louis D. Brandeis published in the Harvard Law Journal an article entitled "Right to Privacy." The article signaled the epiphany of the right to privacy as a tort in the country. It stated;

Recent inventions and business methods call attention to the next step which must be taken for the protection of the person, and for securing to the individual what Judge Cooley calls the right "to be let alone" instantaneous photographs and newspaper enterprise have invaded the sacred precincts of private and domestic life; and numerous mechanical devices threaten to make good the prediction that "what is whispered in the closet shall be proclaimed from the house-tops." For years there has been a feeling that the law must afford some remedy for the unauthorized circulation of portraits of private persons; and the evil of invasion of privacy by the newspapers, long keenly felt, has been but recently discussed by an able writer. The alleged facts of a somewhat notorious case brought before an inferior tribunal in New York a few months ago, directly involved the consideration of the right of circulating portraits; and the question whether our law will recognize and protect the right to privacy in this and in other respects must soon come before our courts for consideration.

Of the desirability -- indeed of the necessity -- of some such protection, there can, it is believed, be no doubt. The press is overstepping in every direction the obvious bounds of propriety and of decency. Gossip is no longer the resource of the idle and of the vicious, but has become a trade, which is pursued with industry as well as effrontery. To satisfy a prurient taste the details of sexual relations are spread broadcast in the columns of the daily papers. To occupy the indolent, column upon column is filled with idle gossip, which can only be procured by intrusion upon the domestic circle. The intensity and complexity of life, attendant upon advancing civilization, have rendered necessary some retreat from the world, and man, under the refining influence of culture, has become more sensitive to publicity, so that solitude and privacy have become more essential to the individual; but modern enterprise and invention have, through invasions upon his privacy, subjected him to mental pain and distress, far greater than could be inflicted by mere bodily injury. Nor is the harm wrought by such invasions confined to the suffering of those who may be the subjects of journalistic or other enterprise. In this, as in other branches of commerce, the supply creates the demand. Each crop of unseemly gossip, thus harvested, becomes the seed of more, and, in direct proportion to its circulation, results in the lowering of social standards and of morality. Even gossip apparently harmless, when widely and persistently circulated, is potent for evil. It both belittles and perverts. It belittles by inverting the relative importance of things,

thus dwarfing the thoughts and aspirations of a people. When personal gossip attains the dignity of print, and crowds the space available for matters of real interest to the community, what wonder that the ignorant and thoughtless mistake its relative importance. Easy of comprehension, appealing to that weak side of human nature which is never wholly cast down by the misfortunes and frailties of our neighbors, no one can be surprised that it usurps the place of interest in brains capable of other things. Triviality destroys at once robustness of thought and delicacy of feeling. No enthusiasm can flourish, no generous impulse can survive under its blighting influence.

In 1960, another article was published that would greatly influence the concepts of privacy. Dean Prosser analyzed the different cases involving privacy and arrived at a classification of the violation of privacy into four types of invasion, these included:

1. Intrusion upon the person's solitude;
2. Public disclosure of embarrassing private facts;
3. Publicity in a false light;
4. Appropriation of one's likeness.

In the aspect of jurisprudence, the right to privacy was first tested in 1965 in the case of *Griswold vs. Connecticut*.⁸⁴ In the said case, the US Supreme Court struck down a law enacted by the State of Connecticut making it criminal for a person to use contraceptives or to influence another to use one. This was the first time the Supreme Court invalidated a law using as a reason, the right to privacy.

In 1973, the controversial case of *Roe vs. Wade*⁸⁵ was enacted. The US Supreme Court in a 7-2 vote posited that the law criminalizing abortion was a violation of a woman's right to privacy. Though the issue has greatly divided the American public, future challenges to the ruling of this case were struck down by the Court. In fact, in 1992, the US Supreme Court reaffirmed the *Roe vs. Wade* ruling in the case of *Planned Parenthood vs. Casey*.⁸⁶

According to an Article published in the *Wikipedia*,⁸⁷ there are basically four (4) types of privacy, to wit:

Political Privacy

People may wish to keep their political viewpoints secret for a variety of reasons - political groupings may be able to commit violence either when successful (using the powers of the state) or when defeated (using their own militias for example). This may be used to punish those who disagree with them. Many people have been tortured or killed for their political views by, for example, dictators, terrorist groups, and often forces linked to democratically

⁸⁴ 381 U.S. 479, 14 L. Ed. 2d 510 [1965].

⁸⁵ 410 US 113.

⁸⁶ 505 US 833.

⁸⁷ www.wikipedia.org.

elected politicians. The secret ballot, which is common in democratic elections worldwide, is designed to maintain political privacy to limit any discrimination against people who did not vote for the office-holder and to avoid revenge attacks by those who were not elected.

Outing of individuals can be done for several political reasons; either as a negative campaigning tactic designed to lower the ousted person's reputation, or by others of a similar sexual orientation who seek openness over privacy.

Medical Privacy

Information concerning a person's health is kept confidential to the patient. In most countries, the patient must grant access before anyone other than the staff of medical institutions may view the information. The reasons for keeping medical information private may include possible discrimination against people with a certain medical condition. However, it may be illegal to fail to disclose medical information in certain cases (for example, in the United Kingdom in 2001, Stephen Kelly was found guilty of "culpable and reckless" conduct for failing to tell his girlfriend he was HIV-positive before having unprotected sex with her).

Privacy From Corporations

Many companies exist which attempt to obtain as much information about customers as possible, through loyalty cards and other kind of customer schemes. This data is immensely valued by other companies, which may pay large amounts of money for access to this information, for marketing purposes (often telemarketing). A huge public backlash against telemarketers led to the introduction of the National Do Not Call Registry in the United States, and similar systems in other countries.

With the increasing amount of e-mail spam being sent, often advertising products for sale, solutions to prevent the loss of privacy (as the spammers use social engineering and other similar practices to keep an up-to-date list of e-mail addresses) have been developed.

Laws regulating the use of personal information by companies have diverged significantly between Europe and America with strong regulation in Europe and requirements for explicit permission before personal information can be reused being standard in the European Union whilst this area is largely unregulated in the USA. In the USA the First Amendment protects against regulating the freedom of information of individuals and corporations.

Privacy From Government Interference

As a human right, privacy primarily relates to government actions not private actions. Human rights guarantees do not impose broad obligations on governments to protect individuals against possible invasions of their privacy by other individuals. However Constitutional and international guarantees require that restrictions on freedom of expression, even in the interests of privacy, must meet a very high standard of legality and necessity. Governments in many countries are given powers to breach privacy. This is often due to criminal

investigations, where police are permitted to seize private property from a suspect's house. Telephone tapping, where all information being transmitted over a phone line is secretly monitored, is often permissible for Law Enforcement Agencies although it sometimes requires permission from a court. This can then be used as evidence in trials where it is used to secure convictions against criminals. However, in the past, numerous cases have been overturned in the United States because the wiretap was not legally allowed. Other ways to monitor people include closed-circuit television cameras, which are placed in public.

The desirability of the government monitoring communications, whether permitted by law or not, is a common debate. Organizations such as the Electronic Frontier Foundation argue that the right to privacy from the government is an inalienable human right and that it is up to the person whether they should have to disclose information. Other groups, including government agencies like the National Security Agency, maintain that the ability to monitor all communications aids in the prevention of criminal activity and terrorism.

The Right to Privacy in the Philippines

In the Philippines, the right to privacy was first constitutionalized in the Malolos Constitution which was later adopted by the 1935 and subsequently the 1987 Constitution. It states:

The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise as prescribed by law. (Art. III, Sec. 3)

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable, and no search warrant or warrant of arrest shall be issued except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched and the persons or things to be seized. (Art. III, Sec. 2)

However, it was only in 1968 that the Supreme Court came out with a pronouncement relative to the right to privacy. In the case of *Morfe vs. Mutuc*,⁸⁸ the Supreme Court provided:

There is much to be said for this view of Justice Douglas: "Liberty in the constitutional sense must mean more than freedom from unlawful governmental restraint; it must include privacy as well, if it is to be a repository of freedom. The right to be let alone is indeed the beginning of all freedom. "As a matter of fact, this right to be let alone is, to quote from Mr. Justice Brandeis" "the most comprehensive of rights and the right most valued by civilized men."

The concept of liberty would be emasculated if it does not likewise compel respect for his personality as a unique individual whose claim to privacy and interference demands respect. As Laski so very aptly stated: "Man is one among many, obstinately refusing reduction to unity. His separateness, his isolation, are indefeasible; indeed, they are so fundamental that they are the basis on

⁸⁸ G.R. No. L-20387, January 31, 1968.

which his civic obligations are built. He cannot abandon the consequences of his isolation, which are, broadly speaking, that his experience is private, and the will built out of that experience personal to himself. If he surrenders his will to others, he surrenders his personality. If his will is set by the will of others, he ceases to be master of himself. I cannot believe that a man no longer master of himself is in any real sense free."

Nonetheless, in view of the fact that there is an express recognition of privacy, specifically that of communication and correspondence which "shall be inviolable except upon lawful order of Court or when public safety and order" may otherwise require, and implicitly in the search and seizure clause, and the liberty of abode, the alleged repugnancy of such statutory requirement of further periodical submission of a sworn statement of assets and liabilities deserves to be further looked into.

*In that respect the question is one of first impression, no previous decision having been rendered by this Court. It is not so in the United States where, in the leading case of *Griswold v. Connecticut*, Justice Douglas, speaking for five members of the Court, stated: "Various guarantees create zones of privacy. The right of association contained in the penumbra of the First Amendment is one, as we have seen. The Third Amendment in its prohibition against the quartering of soldiers 'in any house' in time of peace without the consent of the owner is another facet of that privacy. The Fourth Amendment explicitly affirms the 'right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.' The Fifth Amendment in its Self-Incrimination Clause enables the citizen to create a zone of privacy which government may not force him to surrender to his detriment. The Ninth Amendment provides: 'The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.'" After referring to various American Supreme Court decisions, Justice Douglas continued: "These cases bear witness that the right of privacy which presses for recognition is a legitimate one."*

*The *Griswold* case invalidated a Connecticut statute which made the use of contraceptives a criminal offense on the ground of its amounting to an unconstitutional invasion of the right of privacy of married persons; rightfully it stressed " a relationship lying within the zone of privacy created by several fundamental constitutional guarantees." It has wider implication though. The constitutional right to privacy has come into its own.*

So it is likewise in our jurisdiction. The right to privacy as such is accorded recognition independently of its identification with liberty; in itself, it is fully deserving of constitutional protection. The language of Prof. Emerson is particularly apt: "The concept of limited government has always included the idea that governmental powers stop short of certain intrusions into the personal life of the citizen. This is indeed one of the basic distinctions between absolute and limited government. Ultimate and pervasive control of the individual, in all aspects of his life, is the hallmark of the absolute state. In contrast, a system of limited government safeguards a private sector, which belongs to the individual, firmly distinguishing it from the public sector, which the state can control. Protection of this private sector – protection, in other words, of the dignity and integrity of the individual – has become increasingly important as modern society has developed. All the forces of a technological age – industrialization,

urbanization, and organization operate to narrow the area of privacy and facilitate intrusions into it. In modern terms, the capacity to maintain and support this enclave of private life marks the difference between a democratic and a totalitarian society."

Even with due recognition of such a view, it cannot be said that the challenged statutory provision calls for disclosure of information which infringes on the right of a person to privacy. It cannot be denied that the rational relationship such a requirement possesses with the objective of a valid statute goes very far in precluding assent to an objection of such character. This is not to say that a public officer, by virtue of a position he holds, is bereft of constitutional protection; it is only to emphasize that in subjecting him to such a further compulsory revelation of his assets and liabilities, including the statement of the amounts and sources of income, the amounts of personal and family expenses, and the amount of income taxes paid for the next preceding calendar year, there is no unconstitutional intrusion into what otherwise would be a private sphere.

In 1989, the case of *Valmonte vs. Belmonte*⁸⁹ the Supreme Court enunciated the right to privacy as a constitutional right. It stated:

*When the information requested from the government intrudes into the privacy of a citizen, a potential conflict between the rights to information and to privacy may arise. However, the competing interests of these rights need not be resolved in this case. Apparent from the above-quoted statement of the Court in *Morfe* is that the right to privacy belongs to the individual in his private capacity, and not to public and governmental agencies like the GSIS. Moreover, the right cannot be invoked by juridical entities like the GSIS. As held in the case of *Vassar College v. Loose Wills Biscuit Co.* [197 F. 982 (1912)], a corporation has no right of privacy in its name since the entire basis of the right to privacy is an injury to the feelings and sensibilities of the party and a corporation would have no such ground for relief. Neither can the GSIS through its General Manager, the respondent, invoke the right to privacy of its borrowers. The right is purely personal in nature (Cf. *Atkinson v. John Doherty & Co.*, 121 Mich 372, 80 N.W. 285, 46 L.R.A. 219 (1899); *Schuyler v. Curtis*, 147 N.Y. 434, 42 N.E. 22, 31 L.R.A. 286 (1895)], and hence may be invoked only by the person whose privacy is claimed to be violated.*

*It may be observed, however, that in the instant case, the concerned borrowers themselves may not succeed if they choose to invoke their right to privacy, considering the public offices they were holding at the time the loans were alleged to have been granted. It cannot be denied that because of the interest they generate and their newsworthiness, public figures, most especially those holding responsible positions in government, enjoy a more limited right to privacy as compared to ordinary individuals, their actions being subject to closer public scrutiny. [Cf. *Ayer Productions Pty. Ltd. v. Capulong*, G.R. Nos. 82380 and 82398, April 29, 1988; See also *Cohen v. Marx*, 211 P. 2d 321 (1949)]*

⁸⁹ G.R. No. 74930, February 13, 1989.

However, it was not until 1998, when the most notable jurisprudence on the right to privacy came about in the case of *Ople vs. Torres*.⁹⁰ Petitioner Ople prays that we invalidate Administrative Order No. 308 entitled "Adoption of a National Computerized Identification Reference System" on two important constitutional grounds, viz: one, it is a usurpation of the power of Congress to legislate, and two, it impermissibly intrudes on our citizenry's protected zone of privacy. In her concurring opinion, Justice Florida Ruth Romero made this following statements:

What marks off a man from a beast?

Aside from the distinguishing physical characteristics, man is a rational being, one who is endowed with intellect which allows him to apply reasoned judgment to problems at hand; he has the innate spiritual faculty which can tell, not only what is right but, as well, what is moral and ethical. Because of his sensibilities, emotions and feelings, he likewise possesses a sense of shame. In varying degrees as dictated by diverse cultures, he erects a wall between himself and the outside world wherein he can retreat in solitude, protecting himself from prying eyes and ears and their extensions, whether from individuals, or much later, from authoritarian intrusions.

Piercing through the mists of time, we find the original Man and Woman defying the injunction of God by eating of the forbidden fruit in the Garden. And when their eyes were "opened," forthwith "they sewed fig leaves together, and made themselves aprons." 1 Down the corridors of time, we find man fashioning "fig leaves" of sorts or setting up figurative walls, the better to insulate themselves from the rest of humanity.

Such vague stirrings of the desire "to be left alone," considered "anti-social" by some, led to the development of the concept of "privacy," unheard of among beasts. Different branches of science, have made their own studies of this craving of the human spirit - psychological, anthropological, sociological and philosophical, with the legal finally giving its imprimatur by elevating it to the status of a right, specifically a private right.

Initially recognized as an aspect of tort law, it created giant waves in legal circles with the publication in the Harvard Law Review 2 of the trail-blazing article, "The Right to Privacy," by Samuel D. Warren and Louis D. Brandeis.

Whether viewed as a personal or a property right, it found its way in Philippine Constitutions and statutes; this, in spite of the fact that Philippine culture can hardly be said to provide a fertile field for the burgeoning of said right. In fact, our lexicographers have yet to coin a word for it in the Filipino language. Customs and practices, being what they have always been, Filipinos think it perfectly natural and in good taste to inquire into each other's intimate affairs.

One has only to sit through a televised talk show to be convinced that what passes for wholesome entertainment is actually an invasion into one's private life, leaving the interviewee embarrassed and outraged by turns.

⁹⁰ G.R. No. 127685, July 23, 1998.

With the overarching influence of common law and the recent advent of the Information Age with its high-tech devices, the right to privacy has expanded to embrace its public law aspect. The Bill of Rights of our evolving Charters, a direct transplant from that of the United States, contains in essence facets of the right to privacy which constitute limitations on the far-reaching powers of government.

So terrifying are the possibilities of a law such as Administrative Order No. 308 in making inroads into the private lives of the citizens, a virtual Big Brother looking over our shoulders, that it must, without delay, be "slain upon sight" before our society turns totalitarian with each of us, a mindless robot.

It is important to note that the Civil Code of the Philippines recognizes the right to privacy in its articles. The Civil Code of the Philippines added a chapter on Human Relations to present some principles that should be followed and observed for the just relationship between human beings and for the stability of the social equilibrium. According to the Report of the Code Commission, "this Chapter is calculated to indicate certain norms that spring from the fountain of good conscience. These guides for human conduct should run as golden threads through society, to the end that law may approach its ideal supreme, which is the sway and dominance of justice."

The nexus of the right to privacy is explicitly provided in Article 26 of the Civil Code which provides:

Every person shall respect the dignity, personality, privacy and peace of mind of his neighbors and other persons. The following and similar acts, though they may not constitute a criminal offense, shall produce a cause of action for damages, prevention and other relief:

- (1) Prying into the privacy of another's residence;*
- (2) Meddling with or disturbing the private life or family relations of another;*
- (3) Intriguing to cause another to be alienated from his friends;*
- (4) Vexing or humiliating another on account of his religious beliefs, lowly station in life, place of birth, physical defect, or other personal condition.*

The wisdom behind the aforementioned provision is further explained in the Report of the Code Commission:

The sacredness of human personality is a concomitant of every plan for human amelioration. The touchstone of every system of laws, of the culture and civilization of every country, is how far it dignifies man. If the laws does not sufficiently forestall human suffering or do not try effectively to curb those factors and influences that wound that noblest sentiments; if the statutes insufficiently protect persons from being unjustly humiliated then the laws are indeed defective.

A cursory reading of the provisions would lead us to the conclusion that the right to privacy in the 1987 Constitution cover two basic areas: the right to privacy over tangibles and the right to privacy over intangibles. The right to privacy over tangibles is covered by the provisions on unreasonable searches and seizures particularly the provisions of Article III, Section 2. The case of *United States vs. Arceo*⁹¹ elucidates us on the rationale behind the right against unreasonable searches and seizure:

The inviolability of the home is one of the most fundamental of all the individual rights declared and recognized in the political codes of civilized nations. No one can enter into the house of another without the consent of its owners or occupants.

The privacy of the home the place of abode, the place where a man with his family may dwell in peace and enjoy the companionship of his wife and children unmolested by anyone, even the king, except in rare cases has always been regarded by civilized nations as one of the most sacred personal rights to which men are entitled. Both the common and the civil law guaranteed to man the right of absolute protection to the privacy of his home. The king was powerful; he was clothed with majesty; his will was the law, but, with few exceptions, the humblest citizen or subject might shut the door of his humble cottage in the face of the monarch and defend his intrusion into that privacy which was regarded as sacred as any of the kingly prerogatives. The poorest and most humble citizen or subject may, in his cottage, no matter how frail or humble it is, bid defiance to all the powers of the state; the wind, the storm and the sunshine alike may enter through its weather-beaten parts, but the king may not enter against its owner's will; none of his forces dare to cross the threshold of even the humblest tenement without its owner's consent.

A man's house is his castle," has become a maxim among the civilized peoples of the earth. His protection therein has become a matter of constitutional protection in England, America, and Spain, as well as in other countries.

However, under the police power of the state the authorities may compel entrance to dwelling houses against the will of the owners for sanitary purposes. The government has this right upon grounds of public policy. It has a right to protect the health and lives of all of its people. A man can not insist upon the privacy of his home when a question of the health and life of himself, his family, and that of the community is involved. This private right must be subject to the public welfare.

It may be argued that one who enters the dwelling house of another is not liable unless he has been forbidden, i.e., the phrase "against the will of the owner" means that there must have been an express prohibition to enter. In other words, if one enters the dwelling house of another without the knowledge of the owner he has not entered against his will. This construction is certainly not tenable, because entrance is forbidden generally under the spirit of the law unless permission to enter is expressly given. To allow this construction would destroy the very spirit of the law. Under the law no one has the right to enter the home of another without the other's express consent. Therefore, to say that one's home is open for the entrance of all who are not expressly forbidden. This is not

⁹¹ 3 Phil 381.

the rule. The statute must not be given that construction. No one can enter the dwelling house of another, in these Islands, without rendering himself liable under the law, unless he has the express consent of the owner and unless the one seeking entrance comes within some of the exceptions dictated by the law or by a sound public policy.

So jealously did the people of England regard this right to enjoy, unmolested, the privacy of their houses, that they might even take the life of the unlawful intruder, if it be nighttime. This was also the sentiment of the Romans expressed by Tully: "Quid enim sanctius quid omni religione munitius, quam domus uniuscu jusque civium.

A basic component of the right to privacy is a person's home. To a man, his home is his castle. Within its confines, he can virtually do almost anything, free from the interloping eyes of the public. Therefore, the Constitutions zealously proscribe the unwarranted and unreasonable encroachments by any person including the government on another person's home.

The second area covers the protection over intangibles. In the United States, its own Supreme Court originally interpreted the basic provisions on searches and seizure to be applied only to tangible objects (*Olmstead vs. US, 277 US 438*). However, in a sudden turnabout, the US Supreme Court in *Katz vs. United States, 389 US 438*, made the pronouncement to the effect that the aforesaid provisions apply both to tangibles and intangibles. In the Philippine jurisdiction, the controversy is moot and academic because of the presence of Article III, Section 3 (1) providing for the privacy of communication and correspondence. According to Isagani Cruz, "this provision, which was not taken from the US Constitution but from our own Malolos Constitution, unquestionably rules out eavesdropping on private conversations through the use of electronic gadgets and thus covers within its protection even intangible things." As discussed in the *Zulueta vs. Court of Appeals*,⁹² the Supreme Court held:

Indeed the documents and papers in question are inadmissible in evidence. The constitutional injunction declaring "the privacy of communication and correspondence [to be] inviolable" is no less applicable simply because it is the wife (who thinks herself aggrieved by her husband's infidelity) who is the party against whom the constitutional provision is to be enforced. The only exception to the prohibition in the Constitution is if there is a "lawful order [from a] court or when public safety or order requires otherwise, as prescribed by law." Any violation of this provision renders the evidence obtained inadmissible "for any purpose in any proceeding.

The intimacies between husband and wife do not justify any one of them in breaking the drawers and cabinets of the other and in ransacking them for any telltale evidence of marital infidelity. A person, by contracting marriage, does not shed his/her integrity or his/her right to privacy as an individual and the constitutional protection is ever available to him or to her.

⁹² 253 SCRA 699.

The Right to Privacy in Philippine Schools

The right to privacy enjoyed by the citizen is also enjoyed by students. A perusal of the jurisprudence would reveal that there is actually no case deciding the right to privacy in educational institutions. However, this would not mean that such right does not exist in a school setting. In fact, a school is taken to be included in the concept of "private institutions" where the coverage of the right to privacy was decided to be of limited application.

In *People vs. Marti*,⁹³ the appellant and his common-law wife, Shirley Reyes, went to the booth of the "Manila Packing and Export Forwarders" in the Pistang Pilipino Complex, Ermita, Manila, carrying with them four (4) gift-wrapped packages. Anita Reyes (the proprietress and no relation to Shirley Reyes) attended to them. The appellant informed Anita Reyes that he was sending the packages to a friend in Zurich, Switzerland. Before delivery of appellant's box to the Bureau of Customs and/or Bureau of Posts, Mr. Job Reyes (proprietor) and husband of Anita (Reyes), following standard operating procedure, opened the boxes for final inspection. When he opened appellant's box, a peculiar odor emitted therefrom. His curiosity amused, he squeezed one of the bundles allegedly containing gloves and felt dried leaves inside. Opening one of the bundles, he pulled out a cellophane wrapper protruding from the opening of one of the gloves. He made an opening on one of the cellophane wrappers and took several grams of the contents thereof. Dried marijuana leaves were found to have been contained inside the cellophane wrappers. Thereafter, an Information was filed against appellant for violation of RA 6425, otherwise known as the Dangerous Drugs Act.

Appellant contends that the evidence subject of the imputed offense had been obtained in violation of his constitutional rights against unreasonable search and seizure and privacy of communication (Sec. 2 and 3, Art. III, Constitution) and therefore argues that the same should be held inadmissible in evidence (Sec. 3 (2), Art. III). The Court held against the appellant, to wit:

In a number of cases, the Court strictly adhered to the exclusionary rule and has struck down the admissibility of evidence obtained in violation of the constitutional safeguard against unreasonable searches and seizures. (Bache & Co., (Phil.), Inc., v. Ruiz, 37 SCRA 823 [1971]; Lim v. Ponce de Leon, 66 SCRA 299 [1975]; People v. Burgos, 144 SCRA 1 [1986]; Roan v. Gonzales, 145 SCRA 687 [1987]; See also Salazar v. Hon. Achacoso, et al., GR No. 81510, March 14, 1990).

It must be noted, however, that in all those cases adverted to, the evidence so obtained were invariably procured by the State acting through the medium of its law enforcers or other authorized government agencies.

On the other hand, the case at bar assumes a peculiar character since the evidence sought to be excluded was primarily discovered and obtained by a private person, acting in a private capacity and without the intervention and participation of State authorities. Under the circumstances, can accused/appellant validly claim that his constitutional right against unreasonable searches and seizure has been violated? Stated otherwise, may an act of a private individual, allegedly in violation of appellant's constitutional rights, be invoked against the State?

We hold in the negative. In the absence of governmental interference, the liberties guaranteed by the Constitution cannot be invoked against the State.

⁹³ G.R. No. 81561, January 18, 1991.

As this Court held in *Villanueva v. Querubin* (48 SCRA 345 [1972]):

*“1. This constitutional right (against unreasonable search and seizure) refers to the immunity of one's person, whether citizen or alien, from interference by government, included in which is his residence, his papers, and other possessions. xxx” “xxx There the state, however powerful, does not as such have the access except under the circumstances above noted, for in the traditional formulation, his house, however humble, is his castle. Thus is outlawed any unwarranted intrusion by government, which is called upon to refrain from any invasion of his dwelling and to respect the privacies of his life. x x x.” (Cf. *Schermerber vs. California*, 384 US 757, [1966] and *Boyd vs. United States*, 116 US 616 [1886]) (Italics supplied)*

*In *Burdeau vs. McDowell* (256 US 465 (1921), 41 S Ct. 547; 65 L.Ed. 1048), the Court there in construing the right against unreasonable searches and seizures declared that:*

“(t)he Fourth Amendment gives protection against unlawful searches and seizures, and as shown in previous cases, its protection applies to governmental action. Its origin and history clearly show that it was intended as a restraint upon the activities of sovereign authority, and was not intended to be a limitation upon other than governmental agencies; as against such authority it was the purpose of the Fourth Amendment to secure the citizen in the right of unmolested occupation of his dwelling and the possession of his property, subject to the right of seizure by process duly served.”

*The above ruling was reiterated in *State v. Bryan* (457 P.2d 661 [1968]) where a parking attendant who searched the automobile to ascertain the owner thereof found marijuana instead, without the knowledge and participation of police authorities, was declared admissible in prosecution for illegal possession of narcotics.*

*And again in the 1969 case of *Walker v. State* (429 S.W.2d 121), it was held that the search and seizure clauses are restraints upon the government and its agents, not upon private individuals, (citing *People v. Potter*, 240 Cal. App.2d 621, 49 Cap. Rptr, 892 (1966); *State v. Brown, Mo.*, 391 S.W.2d 903 (1965); *State v. Olsen, Or.*, 317 P.2d 938 (1957).*

*Likewise appropos is the case of *Bernas v. US* (373 F.2d 517 (1967). The Court there said:*

“The search of which appellant complains, however, was made by a private citizen-the owner of a motel in which appellant stayed overnight and in which he left behind a travel case containing the evidence x x x complained of. The search was made on the motel owner's own initiative. Because of it, he became auspicious, called the local police, informed them of the bag's contents, and made it available to the authorities.

The fourth amendment and the case law applying it do not require exclusion of evidence obtained through a search by a private citizen. Rather, the amendment only proscribes governmental action.”

The contraband in the case at bar having come into possession of the Government without the latter transgressing appellant's rights against unreasonable search and seizure, the Court sees no cogent reason why the same should not be admitted against him in the prosecution of the offense charged.

In *Waterous Drugs Corporation vs. NLRC*,⁹⁴ the question was whether an employer has the right to look into the letters of his employee due to his suspicion that the latter was engaged in anomalous transactions with the competitor drug corporation. The Supreme Court decided in favor of the employer. It stated:

Anent the third ground, petitioners submit that, in light of the decision in the People v. Marti, the constitutional protection against unreasonable searches and seizures refers to the immunity of one's person from interference by government and cannot be extended to acts committed by private individuals so as to bring it within the ambit of alleged unlawful intrusion by the government.

In its Manifestation in Lieu of Comment, the Office of the Solicitor General (OSG) disagreed with the NLRC's decision, as it was of the persuasion that (a) the conclusions reached by public respondent are inconsistent with its findings of fact; and (b) the incident involving the opening of envelope addressed to private respondent does not warrant the application of the constitutional provisions. It observed that Catolico was given "several opportunities" to explain her side of the check controversy, and concluded that the opportunities granted her and her subsequent explanation "satisfy the requirements of just cause and due process." The OSG was also convinced that Catolico's dismissal was based on just cause and that Catolico's admission of the existence of the check, as well as her "lame excuse" that it was a Christmas gift from YSP, constituted substantial evidence of dishonesty. Finally, the OSG echoed petitioners' argument that there was no violation of the right of privacy of communication in this case, 22 adding that petitioner WATEROUS was justified in opening an envelope from one of its regular suppliers as it could assume that the letter was a business communication in which it had an interest.

x x x x x x x x x

As regards the constitutional violation upon which the NLRC anchored its decision, we find no reason to revise the doctrine laid down in People vs. Marti that the Bill of Rights does not protect citizens from unreasonable searches and seizures perpetrated by private individuals. It is not true, as counsel for Catolico claims, that the citizens have no recourse against such assaults. On the contrary, and as said counsel admits, such an invasion gives rise to both criminal and civil liabilities.

The implication of these two cases is plain and simple. Since, the term "private individuals" or "private entities" obviously include private schools, it can be said that both the *Marti* and the *Waterous* rulings would apply. In other words, when a person or a student enters the compounds of an educational institution, he is no longer covered by the constitutional mantle of the right to privacy. Hence, the schools can conduct searches and eventually seizures on any person entering its confines. The reason is this: the constitutional right to unreasonable searches and seizure as

⁹⁴ G.R. No. 113271, October 16, 1997.

well as the right to privacy refers to the immunity from interference by the government. It does not in any way protect the student from private individuals such as school authorities.

However, in the US case of *New Jersey vs. TLO*,⁹⁵ the Supreme Court declared that even if the US Constitution (so also the Philippine Constitution) does not require school officials to obtain warrants or show probable cause before searching a student who is under their authority; the constitutionality or validity of the search requires strict compliance on two requisites for the reasonableness of the search—

First, under ordinary circumstances, the search of a student at its inception requires reasonable grounds for suspecting the search will turn up evidence that the student has violated either the law or the rules of the school; and,

Second, the scope of the search must be reasonably related to the objectives of the search, the age and sex of the student, and the nature of the infraction.

The above are the requirements to justify the application of what is referred to by the US Supreme Court as the “Doctrine of Rational Basis.” Hereunder is the digest of the case—

“A teacher at a New Jersey high school, upon discovering respondent, then a 14-year-old freshman, and her companion smoking cigarettes in a school lavatory in violation of a school rule, took them to the Principal’s office, where they met with the Assistant Vice Principal. When respondent, in response to the Assistant Vice Principal’s questioning, denied that she had been smoking and claimed that she did not smoke at all, the Assistant Vice Principal demanded to see her purse. Upon opening the purse, he found a pack of cigarettes and also noticed a package of cigarette rolling papers that are commonly associated with the use of marihuana. He then proceeded to search the purse thoroughly and found some marihuana, a pipe, plastic bags, a fairly substantial amount of money, an index card containing a list of students who owed respondent money, and two letters that implicated her in marihuana dealing. Thereafter, the State brought delinquency charges against respondent in the Juvenile Court, which, after denying respondent’s motion to suppress the evidence found in her purse, held that the Fourth Amendment applied to searches by school officials but that the search in question was a reasonable one, and adjudged respondent to be a delinquent. The Appellate Division of the New Jersey Superior Court affirmed the trial court’s finding that there had been no Fourth Amendment violation but vacated the adjudication of delinquency and remanded on other grounds. The New Jersey Supreme Court reversed and ordered the suppression of the evidence found in respondent’s purse, holding that the search of the purse was unreasonable.

Held:

The Fourth Amendment’s prohibition on unreasonable searches and seizures applies to searches conducted by public school officials and is not limited to searches carried out by law enforcement officers. Nor are school officials exempt from the Amendment’s dictates by virtue of the special nature of their authority over schoolchildren. In carrying out searches and other functions pursuant to disciplinary policies mandated by state statutes, school officials act as representatives of the State, not merely as surrogates for the parents of students,

⁹⁵ 469 US 325, January 15, 1985.

and they cannot claim the parents' immunity from the Fourth Amendment's strictures.

School children have legitimate expectations of privacy. They may find it necessary to carry with them a variety of legitimate, non-contraband items, and there is no reason to conclude that they have necessarily waived all rights to privacy in such items by bringing them onto school grounds. But striking the balance between schoolchildren's legitimate expectations of privacy and the school's equally legitimate need to maintain an environment in which learning can take place requires some easing of the restrictions to which searches by public authorities are ordinarily subject. Thus, school officials need not obtain a warrant before searching a student who is under their authority. Moreover, school officials need not be held subject to the requirement that searches be based on probable cause to believe that the subject of the search has violated or is violating the law. Rather, the legality of a search of a student should depend simply on the reasonableness, under all the circumstances, of the search. Determining the reasonableness of any search involves a determination of whether the search was justified at its inception and whether, as conducted, it was reasonably related in scope to the circumstances that justified the interference in the first place. Under ordinary circumstances the search of a student by a school official will be justified at its inception where there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. And such a search will be permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and sex and the nature of the infraction.

Under the above standard, the search in this case was not unreasonably for Fourth Amendment purposes. First, the initial search for cigarettes was reasonable. The report to the Assistant Vice Principal that respondent had been smoking warranted a reasonable suspicion that she had cigarettes in her purse, and thus the search was justified despite the fact that the cigarettes, if found, would constitute "mere evidence" of a violation of the no-smoking rule. Second, the discovery of the rolling papers then gave rise to a reasonable suspicion that respondent was carrying marihuana as well as cigarettes in her purse, and this suspicion justified the further exploration that turned up more evidence of drug-related activities."

Drug Testing on Campus

A discussion of the right to privacy in schools will not be complete without tackling the issue of drug testing on campus. The corollary question is whether the government has the right to conduct drug testing on the students. The answer seems to be in the affirmative. The basis of the aforementioned is the provisions of the Republic Act No. 9165 or the "*Comprehensive Dangerous Drugs Act of 2002*". It provides:

Sec. 36. Authorized Drug Testing. – *Authorized drug testing shall be done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results. The DOH shall take steps in setting the price of the drug test with DOH accredited drug testing centers to further reduce the cost of such drug test. The*

drug testing shall employ, among others, two (2) testing methods, the screening test which will determine the positive result as well as the type of the drug used and the confirmatory test which will confirm a positive screening test. Drug test certificates issued by accredited drug testing centers shall be valid for a one-year period from the date of issue which may be used for other purposes. The following shall be subjected to undergo drug testing:

x x x x x x x x x

(c) Students of secondary and tertiary schools. – Students of secondary and tertiary schools shall, pursuant to the related rules and regulations as contained in the school's student handbook and with notice to the parents, undergo a random drug testing: Provided, That all drug testing expenses whether in public or private schools under this Section will be borne by the government;

Moreover, Board Resolution No. 6 Series of 2003 of the Dangerous Drugs Board provides for the procedure in the conduct of random drug testing. Section 32 states:

- a. The supervising agency shall inform the randomly selected schools and their parents on their inclusion in the testing;
- b. The WHOLE student population shall be included;
- c. The number of samples should yield a statistical 95% confidence level for the whole population.

Furthermore, it must be stressed that the expenses incurred in the testing shall be borne by the government through the Department of Health. It bears to note that the results of these tests shall only be revealed to the student and his or her parent.

Another question worthy of notice is whether the school itself may conduct its own drug testing. The answer also is in the affirmative. The reason is that teachers and the school exercise special parental authority over the students. This responsibility as parents is not only required of teachers handling minor students, but are likewise expected from the faculty in charge of college students who are already of legal age (i.e., 18 years old and above). The Supreme Court declared in the case of *Palisoc vs. Brillantes, et al.*,⁹⁶ that—

“x x x while in the case of parents and guardians, their authority and supervision over the children and wards end by law upon the latter reaching majority age, the authority and custodial supervision over pupils exist regardless of the age of the latter. As a student over twenty-one, by enrolling and attending a school, places himself under the custodial supervision and disciplinary authority of the school authorities, which is the basis of the latter’s correlative responsibility for his torts, committed while under such authority. Of course, the teachers’ control is not as plenary as when the student is a minor; but that circumstance can only affect the degree of responsibility but cannot negate the existence thereof. It is only a factor to be appreciated in determining whether or not the defendant has exercised due diligence in endeavoring to prevent the injury, as is prescribed in the last paragraph of Article 2180 (New Civil Code).”

⁹⁶ G.R. No. L-290, October 4, 1971.

As parents, they have the obligation to ensure the welfare and safety of the students. Hence, if a student, or even a school personnel appears to be under the influence of drugs or obviously intoxicated or drunk, the school may require the student to a drug or alcohol test even as against his (the student) protest or objection and without first obtaining a court authority or warrant to effect the same. Here, the appearance of the student without doubt gives rise to a reasonable ground to suspect drug use or addiction or drunkenness on the part of the student concerned.

In the US case of *Widener vs. Frye*,⁹⁷ where a Ohio high school teacher noticed a strong odor of marijuana from one student, alerted a security guard, and hence, took the student to the principal's office. Both the guard and the principal detected the odor of marijuana and also thought that the student appeared sluggish. Another security guard was summoned. They requested and received the boy's permission to search his bag and jacket (which he was not wearing). The guards also "patted down" the student under his arms. Finally, the boy emptied his pockets. None of the searches turned up evidence of drug use.

Then the principal (female) left the office so that the two security guards (male) could search the boy further. The guards had the boy remove his shoes and socks, lift his shirt, lower his pants, and pull his underwear tight around his genitals to permit the guards to observe his crotch. Again, no evidence of drugs was found.

An Ohio district court found that the search was reasonable both at its inception and in its scope. The court said the odor of marijuana and the boy's lethargic appearance were enough to justify the search and that the strip search had been carried out in a reasonable manner. The fact that the boy was, "quite understandably, embarrassed to some degree" did not make the search unreasonable.

In another case, where a teacher at an Alaska high school reported that a student in the library appeared intoxicated. The school security guard took the student to a storage room to talk. The guard said the student appeared flushed and glassy-eyed, smelled like alcohol, and "bounced into large objects" as he walked. In the storage room, the guard asked where the boy had been during lunch and told him to turn over his car keys. The boy refused and was brought to the assistant principal's office. The student surrendered his keys to the assistant principal, who gave the boy a search consent form and told him to sign it. The boy complied. School officials searched the car (parked improperly on school property) and found two Baggies of cocaine.

An Alaska court said that under the circumstances, the boy had not freely consented to the search of his car. Nonetheless, the court still upheld the search because the school officials had had enough reasonable suspicion to search the boy's car even without his consent.⁹⁸

However, in another case where an assistant principal at a Texas high school heard that a male student had tried to sell drugs to another student, the assistant principal questioned and "patted down" the boy, had him turn his pockets inside out, remove his shoes and socks, and pull down his pants. The search, which the assistant principal said was "standard," did not produce any drugs. However, the assistant principal did find \$300 in the boy's wallet, and when he asked the boy, "Do you sell drugs?" the student replied, "Not on campus."

⁹⁷ *Ohio, 1992.*

⁹⁸ *Shamberg vs. State, Alaska 1988.*

A week later, the same student attempted to leave the school under false pretenses. (He claimed that he had to attend his grandfather's funeral, but a call to relatives revealed that his grandfather had not died.) The assistant principal summoned the boy to his office, patted him down, but found only keys and a wallet with \$197. He then had the boy pull down his pants, but again found no contraband. The assistant principal next searched the student's locker and, finding nothing, took the boy out to his car and told him to open it. In the trunk, school officials found bags of white powder, a triple-beam scale, and what appeared to be marijuana.

A Texas court declared that the search of the student's car was unconstitutional under TLO. The court said that information from the week before indicating that the student was selling drugs could not be used to justify the search. Acting only on the suspicion that the boy was skipping school, the assistant principal had been justified in patting him down. But the progressively intrusive searches, including searching the student's car, were not reasonably related in scope to the original infraction of skipping school. Therefore, the drugs found in the car could not be used as evidence against the boy.⁹⁹

Hence, if during a class activity inside a classroom, a property that belongs to a student or to the school (say, a cellphone or a laptop computer), is reported missing at that very moment only, the teacher in charge or any administrator may effect the search on all the students therein, including their bags and other private properties where the missing property may possibly be hidden or concealed without the need of obtaining first a search warrant from a court of law. In this case, such immediate search is justified because the circumstances raises a reasonable ground for suspecting that the search on all the students inside the classroom "x x x will turn up evidence x x x" or will reveal/disclose the missing property to be in the possession of one of the students.

Also, R.A. No. 9165 further provides:

Sec. 44. Heads, Supervisors, and Teachers of Schools. –

For the purpose of enforcing the provisions of Article II of this Act, all school heads, supervisors and teachers shall be deemed persons in authority and, as such, are hereby empowered to apprehend, arrest or cause the apprehension or arrest of any person who shall violate any of the said provisions, pursuant to Section 5, Rule 113 of the Rules of Court. They shall be deemed persons in authority if they are in the school or within its immediate vicinity, or even beyond such immediate vicinity if they are in attendance at any school or class function in their official capacity as school heads, supervisors, and teachers.

Any teacher or school employee, who discovers or finds that any person in the school or within its immediate vicinity is liable for violating any of said provisions, shall have the duty to report the same to the school head or immediate superior who shall, in turn, report the matter to the proper authorities.

Failure to do so in either case, within a reasonable period from the time of discovery of the violation shall, after due hearing, constitute sufficient cause for disciplinary action by the school authorities.

⁹⁹ *Coronado vs. State, Texas 1992.*

The reason for such authority given to teachers/schools are based on two grounds: First, that prohibited drugs are a risk to the health of the users and; Second, that the school has the right to protect the safety of others from violence that may be perpetrated by the use. It must also be stated that in random testing by the schools, it must only be on selected students on the basis of a reasonable ground but not on ALL of the student population.

However, it must again be emphasized herein that in effecting the search, the school authorities must adhere strictly to the requirements of the DOCTRINE OF RATIONAL BASIS to justify drug testing on selected students.

The Right to Privacy of School Records

The very nature of the affairs of an educational institution is that it deals on a regular basis with sensitive matters on the private and personal affairs of the student. It is a reality that schools regularly collect information about their students that has the potential of altering or affecting the lives of the latter. If a school carelessly releases any information on a student to the public, such information may place the student in a bad light and diminish or limit his chances of future successes. Therefore—

The Education Act of 1982 provides in no uncertain terms that a student shall have “x x x (t)he right to access to his own records, the confidentiality of which the school shall maintain and preserve x x x” and “x x x (t)he right to the issuance of official certificates, diplomas, transcript of records, grades, transfer credentials and other similar documents within thirty (30) days from request.” These rights are individual rights, which means that they are rights that are conferred by law upon the student only. In the case, however, of a student of minor age, the right may be exercised by his parents or legal guardian. As expressly provided for in the Education Act of 1982 (B.P. 232), parents or guardians shall have the “x x x right to access to any official record directly relating to the children who are under their parental responsibility.”¹⁰⁰ In the event that there may be two conflicting claims for the release of records between the mother and the father of one student, it is submitted that the release should still be to any of them. For under the law, the father and the mother shall jointly exercise parental authority over the persons of their common children.¹⁰¹ Hence, both would still have a right to access such records of their minor children even if the spouses may in fact be living separately already. If however, a judicial declaration of the nullity of a marriage or annulment of a voidable marriage or if a decree of legal separation has been issued by a court and with such is the court’s declaration granting exclusive parental authority and custody of the child to only one of the spouses (usually, the innocent spouse) and denying the other (the guilty spouse) of the same, then the school must release the confidential school records of the child (student) **only** to the parent granted exclusive parental custody.

Other than the student to whom the school records belong, they may no longer be divulged to any other person. However, the records may also be obtained by others only “x x x upon lawful order of the court, or when public safety or order requires otherwise as prescribed by law.”

¹⁰⁰ Chapter 2, Section 8 (2), of *Batas Pambansa Blg. 232, otherwise known as the Education Act of 1982.*

¹⁰¹ Article 211, *Family Code of the Philippines.*

The foregoing conditions are imposed to protect the confidentiality of school records, a confidentiality the Education Act requires the school to maintain and preserve.

The release of school records is a delicate matter because any illegal withholding or release may invoke a school in a legal quagmire that may result in civil damages. Any illegal withholding or release may be considered as a violation of Article 26 of the New Civil Code which provides that—

“Every person shall respect the dignity, personality, privacy and peace of his mind, of his neighbors and other persons, x x x.”

Furthermore, the DepEd, the CHED or the TESDA may take appropriate administrative sanctions against the school based on Section 69, of the Education Act which states that—

Sec. 69. Administrative Sanction – The Minister (Secretary) of Education, Culture and Sports may prescribe and impose such administrative sanction as he may deem reasonable and appropriate in the implementing rules and regulations promulgated pursuant to this Act for any of the following causes:

x x x x x x x x x

Failure to comply with conditions or obligations prescribed by this Code or its implementing rules and regulations; and

x x x x x x x x x

Sanctions against the schools shall be without prejudice to the interest of the students, teachers and employees.

The term “school records” covers a wide scope. In a broad sense, it includes the acts, the events, the accomplishments, the results of research, and the documents depicting the various activities of the school. In its strict sense however, the term refers only to the records of the students and graduates of the school—the documentary evidence of their academic records while attending the school.

Whether the term is used in the broad or strict sense, it must be stressed that the school is the keeper of all the tangible proofs of its academic and other activities for a good purpose only.

Compliance with the rule on the confidentiality of the student records would be applicable only in the case of the “classified” or strictly “confidential records” of the student and does not necessarily apply to “unclassified or non-confidential” records.

“Classified” or “strictly confidential records” are the records of the student submitted in pursuance of the “special relationship” he/she has with the school. That is, information disclosed to the school for admission, promotion and other similar purely academic and/or disciplinary purposes only. Some of these records/documents are, but not limited to, the following—

- Personal and academic records of the student;
- Baptismal or birth certificates;
- Adoption papers;
- Academic reports;

- Disciplinary records; and
- Alien certificate of registration in the case of foreign students

Article 7 of the “Child and Youth Welfare Code” provides that—

Records of birth shall be kept strictly confidential and no information relating thereto should be issued, except to the following:

- a) The person himself who owns it or any person authorized by him; His spouse, his parent or parents, his direct descendants, or the legal guardian or institution legally in-charge of him, if he is a minor;*
- b) The court or the proper official whenever absolutely necessary in any administrative, judicial or other judicial proceedings in order to determine the identity of the child’s parents or other circumstances surrounding his birth; and*
- c) In case of the person’s death, the nearest of kin.*

In sum, confidential records should be released only—

- 1) Upon the request of or authorization by the student owning the records;
- 2) Upon the request of the parents or legal guardian, if the student is a minor;
- 3) Upon a valid court order. However, a court order may be refused by invoking the question of privilege (like that of the priest and confessant) and request a ruling from the highest court of justice; (Section 21, Rule 130, Rules of Court)
- 4) Other school officials and/or teachers in the school system who have legitimate educational interests;
- 5) Officials of other schools in which the student seeks to enroll; Authorized representatives of government including state educational authorities, so long as records are not identifiable to a particular student;
- 6) In connection with a student’s application for or receipt of financial aid;
- 7) Organizations conducting studies for, or on behalf of, educational agencies if the personal identification of the student is destroyed after, when it is no longer needed for the study;
- 8) Accrediting organizations; and regulations of government entities pertaining to health or welfare of student or other persons.

“Unclassified” or “Non-confidential” records are those that are not covered by the first category. Records that should necessarily be made public to enable the State (through the government) and the students or parents to determine the legal existence and the operation of the school and assess its (the school’s) performance. All other documents that are public (not private) are unclassified. Public (official) documents are those executed by a competent public official. Likewise, Article 172 of the Revised Penal Code provides that all private documents submitted to any government agency become public documents. These records shall include, but not limited to, the following—

- Enrollment lists;
- Class and teacher's program;
- Teaching contracts;
- Directory of the graduates;
- School annuals;
- Catalogs;
- Approval of courses;
- Permits or recognitions; and
- Statistical records

These records are not subject to the confidentiality required by the Education Act. They may therefore be divulged at the discretion of the school administration or the person in possession thereof.

Specific Issues on the Legality of the Release of Records

Considering the rule on the confidentiality of the student records, several legal issues have been raised as to whether or not the school should comply with a request for the release of the records of a particular student. Hereunder are some of the more common cases and the corresponding position/opinion of the author, in the absence of a more definitive ruling from the DepEd, CHED, TESDA or the Judiciary.

(a) May a student record be released to a company with whom he has filed an application for a job?

When a student applies for a job in a company, the act may be taken to mean as granting an implied authority to release the records. Would it therefore be safe to comply with the request to release the same? Dr. Amado C. Dizon, foremost authority in education law, opines that since the authority is merely implied, it may be the better part of prudence not to comply for the reason that the student himself can get the record either through his own initiative or upon the instruction of the company or through the court by means of a *subpoena duces tecum* if such document is needed in a case under investigation.¹⁰²

(b) May the grades of students be posted on the school door or bulletin boards?

In the case of *Kryston vs. Board of Education*,¹⁰³ a parent sought to compel a board of education to release all student grades in a third-grade class containing 75 students, the US Supreme Court held that disclosure of tests scores if scrambled and with names deleted would protect the privacy of students. The parent wanted to compare scores and was not interested in

¹⁰² Dizon, Amado, C. Dr.: "Education Act of 1982: Annotated, Expanded and Updated" 1990 Ed., page 20.

¹⁰³ 77 A.D. 2d 896, 430 N.Y. S. 2d 688 (App. Div. 2nd Dept. 1980).

their being in any particular order. Relying on this type of interpretation, it is safe to state that school officials can continue to post grades so long as they are not individually identifiable.

(c) *May the spouse of a student request for the latter's records in school without his/her consent?*

In the case of *Cecilia Zulueta vs. CA and Alfredo Martin*,¹⁰⁴ the Supreme Court ruled that documents taken from the office of the husband by the wife without the former's consent were inadmissible as evidence in a legal separation case, the same having been procured in violation of the right to privacy of the husband. The High Court declared that—

Indeed the documents and papers in question are inadmissible in evidence. The constitutional injunction declaring "the privacy of communication and correspondence [to be] inviolable" is no less applicable simply because it is the wife (who thinks herself aggrieved by her husband's infidelity) who is the party against whom the constitutional provision is to be enforced. The only exception to the prohibition in the Constitution is if there is a "lawful order [from a] court or when public safety or order requires otherwise, as prescribed by law." Any violation of this provision renders the evidence obtained inadmissible "for any purpose in any proceeding.

The intimacies between husband and wife do not justify any one of them in breaking the drawers and cabinets of the other and in ransacking them for any telltale evidence of marital infidelity. A person, by contracting marriage, does not shed his/her integrity or his right to privacy as an individual and the constitutional protection is ever available to him or to her.

The law insures absolute freedom of communication between the spouses by making it privileged. Neither husband nor wife may testify for or against the other without the consent of the affected spouse while the marriage subsists. Neither may be examined without the consent of the other as to any communication received in confidence by one from the other during the marriage, save for specified exceptions. But one thing is freedom of communication; quite another is a compulsion for each one to share what one knows with the other. And this has nothing to do with the duty of fidelity that each owes to the other.

Following this ruling, it is submitted that release to the spouse without the student's consent should not be allowed.

(d) *May a letter sent to the school by a student be published or divulged?*

Distinction must be made between *letter* (ideas, thoughts) and a *letter* (paper with words). The first belongs to the sender, the second to the recipient. Hence, the contents thereof cannot be divulged or published without the consent of the writer or the heirs.¹⁰⁵

¹⁰⁴ G.R. No. 107383. February 20, 1996. 253 SCRA 699.

¹⁰⁵ Article 723, New Civil Code.

(e) May the records released to another school upon transfer of a student, particularly the Transcript of Records, include the release of disciplinary records?

In the case of *Einstein vs. Maus*, the US Supreme Court held that school officials have the right and “x x x we think, a duty to record and to communicate true factual information about their students to institutions of higher learning, for the purpose of giving to the latter an accurate and complete picture of the applicants for admission.”

(f) Do students and/or the parents have a right to scrutinize the teacher’s notes about the students?

Access to these records—referred to as “sole possession records”—can be denied if they have been properly created and maintained. These records must have been kept in the sole possession of the person who made them, and not have been accessible or revealed to any other person except a temporary substitute.¹⁰⁶ However, if the teacher uses the notes in a discussion about a student with another school personnel or administration, such as the dean for purposes of evaluating the past academic performance and/or disciplinary status of the student, the notes that contain the information shared become accessible to the student.¹⁰⁷

(g) Does a student have a right to access to recommendations for admission sent to the school he/she is applying for?

While a college cannot require it, an applicant for Admission is usually asked to have the right to access to recommendation. An applicant who is denied admission never becomes “a student” at the institution and, therefore can be, and is usually is denied access to any recommendations.¹⁰⁸

(h) Can faculty members access the records of students with whom they have no official contact without prior consent?

Yes, under certain circumstances: (1) if the faculty member has been determined to have a “legitimate educational interest”; and (2) the information consists of directory information.¹⁰⁹

“Directory information”, which may be released without specific consent, may include a student’s name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.¹¹⁰

Anecdotal Information Required in Student’s Record

The following are the seven (7) criteria that may be used to help insure that anecdotal information entered in student’s record satisfies the legal and professional requirements:

¹⁰⁶ Rosenfeld, Gelfman & Buth: “*Education Records: A Manual*”; 1997 Edition, pp 15-16.

¹⁰⁷ *Ibid.*, page 27.

¹⁰⁸ *Ibid.*, page 26.

¹⁰⁹ *Ibid.*, page 29.

¹¹⁰ *Ibid.*, page 25.

- 1) Descriptive;
- 2) Verified;
- 3) Interpretation limited to professional skills;
- 4) Complete;
- 5) Useful;
- 6) Objective;
- 7) Dated and signed

Hereunder are some examples of each of the above criteria:

1) Descriptive

Sample

“Ben can be dangerous. He is short tempered and bullies other kids. His parents are too severe in punishment, causing him to take his anger out on others. He is suspected of taking money.”

Remarks

Minimize the use of adjectives or adverbs to label a student. It is better to describe events that illustrate typical behavior. Such description communicate more clearly. It is also easier for the recorder to estimate whether the illustration accurately represents a significant aspect of the student’s behavior, ability or growth. This will assist in avoiding misleading information in narrative statements by minimizing or clarifying single word labels.

Better

“Ben has frequently been in fights. In February, he threw a bottle at another student, causing a deep cut. I have had to reprimand him frequently for squeezing into the lunch line and threatening others when they objected. In class discussion, he is angry if others disagree with him. Twice in response to reports of misbehavior, his parents have indicated they would whip him.”

2) Verified

Scenarios

A 5th grader is frequently accused of taking money or other valuables from others’ desks. Each time the child denies it. As part of an investigation, the teacher drops notes of each incident into the cumulative folder which is kept in his room.

A vice-principal has a statement from the student body vice-president that Clara is selling drugs. Clara does not know of the statement. During the investigation, the statement is kept in Clara's cumulative file.

Remarks

Often preliminary reports or data need be kept. Until reports of behavior or results from tests such as personality tests have been evaluated and validated, the information should be permitted into a file that can be used by several professionals. Educators should keep preliminary data to assist them in developing their professional assessment of the student's needs or problems. But it should be kept separate until its accuracy is verified.

Suggestion

In both the incident above, it is essential for the educators to keep a record of events. They should be kept separately from the regular file. If the information is not shared with others, it remains the private material for the educator. Even if shared with someone else thereby making it part of the school records, it should be kept apart until verified. If never verified, it should be destroyed within a year. If verified, action must be taken, including notifying the parents.

3) Complete

Sample

"Dave is a good student, but he is too dominant and argumentative. He tends not to listen to others' opinions and rejects their ideas if inconsistent with his own. While he is involved in athletics, he avoids the team sports in favor of track and cross country."

Remarks

Particularly when writing a summary statement about the development of a student, several aspects of his or her work and social growth should be included. Avoid the tendency to seize upon a single factor allowing it to influence the assessment of other characteristics. Misleading entries can be reduced by purposely choosing several characteristics to mention and illustrating each with a description of an event or observation.

Better

"Dave's academic work is at least one grade level above the norm in every area; his work in physics and math demonstrate exceptional talent. He has designed a hydraulic crane for the forestry program. Dave is not as mature socially as most juniors. He has openly belittled teachers with whose grading

policies he disagrees. While accepted by other students, he is not a leader, perhaps because he attempts to dominate the group he is in. For example, when he was nominated for the science club president, he belittled the accomplishments of the other nominee. Yet, he has actively been involved in several charity drives in town and has devoted hours to working with handicapped students in the junior high. Dave is a fine athlete, having lettered in track and cross country.”

4) Useful

Sample

Sample drawings or stories written by a third grader are included in the cumulative file.

“James is a big, good-looking boy who is very cooperative. He gets his work done on time though often it is sloppy. He has lots of potential, but needs structure. He is a pleasure to have in class.”

Remarks

Describe the significant aspects of the student’s growth or needs. Avoid stating the obvious or using such imprecise words that another professional will not be able to use the information. If exhibits are to be included, they should illustrate a critically important characteristic. Usually, however, they quickly lose their usefulness and only clutter a cumulative file. Other educators will make their assessment of a student’s needs. Therefore, the narrative should help direct the focus of that assessment, particularly as to qualities that may not be immediately apparent.

Better

At times it may be helpful to pass along samples of a student’s work to another teacher. That normally can best be done directly rather than via the cumulative file.

5) Objective

Sample

“Kim has the irritating habit of speaking so fast that she must repeat everything to be understood. She is working at grade level in all areas though I think that she could apply herself more diligently. Her parents don’t provide the proper guidelines. As a result, her behavior is becoming disruptive.”

Remarks

Avoid statements that implicitly include one's own values and feelings. Frequently, adverbs that carry good or bad connotation reflect the educator's beliefs rather than the facts. Illustration of events help confine the narrative to facts and eliminate the unconscious expression of the recorder's opinions. At times opinion or feeling is appropriate, but it should be clearly identified as such.

Better

“Kim is working at grade level. Her test scores and occasional assignments suggest that she could be achieving at a somewhat higher rate. Her math skills and work in history may be limited more by disinterest than lack of ability. Recently, she has been involved in a number of minor violations of the rules. At her last parent conference, her mother said, “we believe in Dreikur's theory of natural consequences. Therefore, we do not impose artificial discipline.”

**PRIMER ON SOLID WASTE MANAGEMENT (SWM) PROGRAM:
BASIS FOR DRAFTING AN SWM POLICY IN SAN BEDA COLLEGE ALABANG**

Cynthia A. Zarate, DBA

ABSTRACT

Solid waste is defined as the accumulation of undesirable substances which is left after usage. Every day, garbage accumulation from haphazard littering in Metro Manila is equivalent to almost one-third of its total daily garbage generation. The serious environmental effects of waste mismanagement triggered the passage of Republic Act (RA) 9003 or the Ecological Solid Waste Management Act of 2000. It was considered a landmark environmental legislation which was specifically crafted in response to the worsening garbage problems in the country. RA 9003 also mandated the Department of Education (DepEd), the Technical Education and Skills Development Authority (TESDA), the Commission on Higher Education (CHED), the Department of Environment and Natural Resources (DENR), and other government agencies.

Several schools all over the world have successfully implemented the green campus wherein solid waste management programs were carefully planned based on key focus and waste characterizations. School-based Solid Waste Management programs are practiced in a number of schools throughout Metro Manila since 2008.

San Beda College Alabang has for its part, provided garbage bins classified as biodegradable and non-biodegradables placed in strategic areas of each of the buildings.

However, there is a need to concretize the solid waste management program in a policy statement that would consistently implement and monitor waste management efforts in San Beda College Alabang. This research proposes an outline of the said policy statement as well as other efforts for implementing the solid waste management program.

The policy statement will consist of four main parts: expected standards, organization and management, legislative framework and integration with school procedures and documentation. These four parts constitute the intention of the researcher to formalize the solid waste management efforts of the school.

Key words: solid waste, Solid Waste Management (SWM), policy statement

Solid waste is defined as the accumulation of undesirable substances which is left after usage (Jatput, Prasad, & Chopra, 2009). Solid waste can also be defined as the useless and unwanted products in its solid form which comes from any of the following activities: a. any materials if they are recycled or accumulated, stored, or treated before recycling; b. being used in a manner constituting disposal, burned for energy recovery, reclaimed, and accumulated deliberately, and c. discarded material that is abandoned, recycled, and essentially considered waste (Desa, Abd Kadir, & Yusooff, 2012).

Every day, garbage accumulation from haphazard littering in Metro Manila is equivalent to almost one-third of its total daily garbage generation. The National Solid Waste Management

Commission (NSWMC) revealed that 30 percent of the total solid waste generation in Metro Manila ends up in canals, creeks, and rivers, while some are burnt (De Vera, 2013).

The indiscriminate dumping of waste has clogged waterways which cause floods in Metro Manila during rainy season. Based on NSWMC's latest data, Metro Manila generates 8,700 tons of garbage daily, or around 25 percent of the country's total daily garbage generation of 35,000 tons. With these, only 70 percent is collected efficiently while the remaining 30 percent goes to the waterways.

Metro Manila's garbage is composed mostly of kitchen and food waste (50 percent), paper (16 percent), plastic (15 percent), and glass and wood (9 percent), which can be reused, recycled or made into compost material. The rest are residual waste (De Vera, 2013).

The serious environmental effects of waste mismanagement triggered the passage of Republic Act (RA) 9003 or the Ecological Solid Waste Management Act of 2000. It was considered a landmark environmental legislation which was specifically crafted in response to the worsening garbage problems in the country. RA 9003 formulates the policies towards a systematic, comprehensive, and ecological solid waste management program that ensures the protection of public health and the environment and the proper segregation, collection, transport, storage, treatment, and disposal of solid waste through the implementation of best environmental practices (Aquino, Deriquito, & Festejo, 2013).

RA 9003 also mandated the Department of Education (DepEd), the Technical Education and Skills Development Authority (TESDA), the Commission on Higher Education (CHED), the Department of Environment and Natural Resources (DENR), and other government agencies.

Overview of Solid Waste Management in Schools

There are peculiar characteristics of a school which point to certain features ideal for education and awareness programs on Solid Waste Management activities.

Schools serve as the center for correct behavior and attitude development. In addition, schools are composed of young people who are idealistic. The students usually spend most of their time in the campus and theories learned can be reinforced by rules and guidelines for behavior. There are certain activities which invite waste concentration, e.g. paper in classrooms and offices, tissues, disposable cups, and peelings in the kitchen (Miriam College Environmental Studies Institute and Environmental Management Bureau-DENR, 2005).

The government also recognizes the role of environmental education in the implementation of waste management practices in schools. Schools are avenues for values formation and one way of developing their core values for caring for the earth is to ensure that students are taught the right attitude and behavior towards the waste they generate (Miriam College Environmental Studies Institute and Environmental Management Bureau-DENR, 2005).

Several schools all over the world have successfully implemented the green campus wherein solid waste management programs were carefully planned based on key focus and waste characterizations (Smyth, Fredeen, & Booth, 2010).

School-based Solid Waste Management programs are practiced in a number of schools throughout Metro Manila since 2008 (Baula, 2010). Quezon City for example launched the Green School Brigade program participated in by six public elementary schools. The students were

encouraged to bring recyclable wastes in exchange for school supplies or grocery items (Reganit, 2008).

Training programs were also given to a handful of students from five partner schools. These include: Emilio Aguinaldo Integrated School, Bonifacio Javier National High School, Eulogio Rodriguez Vocational High School, and Rizal Experimental Pilot School for Cottage Industries. Then the schools were monitored and evaluated for a period of six months from August 2006 to April 2007. The local government units (LGUs) in Bulacan, Nueva Vizcaya, and Sorsogon followed and replicated the program. The said program was financed by the Municipal government of Imus, Cavite, Samsung Electronics Philippines in Calamba, Laguna and Toyota Auto Parts in Sta. Rosa, Laguna (Aguinaldo, 2008).

San Beda College Alabang has for its part, provided garbage bins classified as biodegradable and non-biodegradables placed in strategic areas of each of the buildings. The school has also exerted its efforts to support Solid Waste Management programs as mandated by the local government of Muntinlupa.

However, there is a need to concretize the solid waste management program in a policy statement that would consistently implement and monitor waste management efforts in San Beda College Alabang. This research proposes an outline of the said policy statement as well as other efforts for implementing the solid waste management program.

History of Waste Disposal

In early human history, waste was composed of ash from fires, woods, bones, and vegetable waste. The edible wastes were used to feed animals and what remained were disposed of in the ground until they decompose. Archaeologists found that ancient rubbish dumps revealed tiny amounts of ash, broken tools and pottery. They concluded that early civilizations reused and repaired what they could (Pichtel, 2014).

Furthermore, archaeologists found tiny bits of waste matter on dirty floors of ancient inhabitants. These tiny pieces of wastes remained on their floors or were just brushed aside. Archaeologists referred to this as the fringe effect. Inhabitants would bring in a supply of clean, fresh clay to spread over littered floors, resulting in the rise of elevation across the population. But as population grew, waste generation increased so this practice was not effective anymore (Pichtel, 2014).

Way back in 320 BC, the ancient cities of Athens, the first known law on proper waste disposal was promulgated. This was prompted by the rampant throwing of wastes along roadways where they were left to accumulate. A system of waste removal began in Greece and the Greek-dominated cities of the eastern Mediterranean.

In ancient Rome, property owners were held responsible for cleaning the surrounding premises fronting their property. However, there was already an organized waste collection only during state-sponsored events such as parades. Disposal methods were considered crude. Wastes were thrown in open pits outside the city walls. As population increased, wastes were transported away from the cities (Encyclopedia Britannica, Inc., 2014).

When urban population boomed, garbage became a threat. Trash began piling up. This caused a foul odor harbored by rats and other pests, contaminated water supplies and led to the

transmission of the disease. The plagues that affected Europe from the 14th to the 16th centuries were often spread by the vermin that thrived in dirty urban cities.

After the fall of Rome, there was a decline in waste collection and municipal sanitation which lasted until the Middle Ages. Before the end of the 14th century, scavengers were tasked to cart waste to dumps outside the city walls. In the case of smaller towns, most people still threw waste into the streets. Then in 1714, every city in England was required to have an official scavenger (Encyclopedia Britannica, Inc., 2014).

During this time reuse and recycling already existed as a normal part of everyday routine. This includes feeding vegetable waste to livestock and using green waste to fertilizer. Pigs were often used as an efficient method of disposing organic waste. Timber was reused in construction and ship building. Materials such as gold were melted down and re-cast many times (Pichtel, 2014).

In the 18th century specifically the Industrial Revolution, Europe and the United States saw the rise of machinery development, trade and commerce, and product innovation. With these developments, significant amounts of waste were accumulated. The government officials were alarmed with the impending sanitation problems. Thus, the Age of Sanitation began. Urban communities organized waste disposal systems. Scavengers performed the recycling function by selling what they could find as rubbish. They sold dog feces, used by tanners for treating leather.

More organized waste collection and landfill programs were developed by Europe, the United States and other developed countries. Regulations on solid waste management were imposed and technologies improved waste disposal (Encyclopedia Britannica, Inc., 2014).

By 1910, around 80 percent of American cities had organized solid waste collection. Men with horse or mule-drawn carts collected waste. With the introduction of automobiles, garbage trucks started to roam American streets.

In the 1920s, dumps became a popular waste disposal method where wetlands were filled layers of garbage. Landfills today are a far cry from primitive wetlands. Today, they are built with safety and environmental protection in mind and were carefully engineered to protect groundwater, minimize odors and pests, and control emissions (Pichtel, 2014).

The Clean Air Act of 1970 led to the closure of incinerators without air pollution controls in the United States. These incinerators were replaced by modern waste-to-energy plants which have pollution controls.

Recycling has become a fully developed technology in the United States. As of 2012, more than 34.5 percent of American municipal solid waste is recycled or composted (Pichtel, 2014).

The Philippine Ecological Solid Waste Management Act of 2000

Better known as Republic Act No. 9003, the Philippine Ecological Solid Waste Management Act of 2000 provides the legal framework for the country's systematic, comprehensive, and ecological solid waste management program that shall ensure protection of public health and the environment. This also emphasizes the need to create the mechanisms and incentives needs to pursue an effective solid waste management at the local government levels.

The following are the important features of the Solid Waste Management Act:

- a. Creation of the National Solid Waste Management Commission (NSWMC), the National Ecology Center (NEC), and the Solid Waste Management Board in every province, city and municipality in the Philippines;

The NSWMC is responsible in formulating the National Solid Waste Management Framework (NSWMF) and other policies on solid waste, in overseeing the implementation of solid waste management plans and the management of its fund.

The NEC is responsible for consulting, information, training, and networking services on the implementation of RA 9003.

The Solid Waste Management Board of provinces, cities, and municipalities is responsible for the development of their respective solid waste management plans.

- b. Formulation of a 10-year solid waste management plans by local government units by NSWMF;
- c. Mandatory segregation of solid waste to be conducted primarily at the source such as household, institutional, industrial, commercial and agricultural sources;
- d. Setting of minimum requirements to ensure systematic collection and transport of wastes and the proper protection of garbage collectors' health;
- e. Establishment of reclamation programs and buy-back centers for recyclable and toxic materials.;
- f. Promotion of eco-labeling in local products and services;
- g. Prohibition on non-environmentally acceptable products and packaging;
- h. Establishment of Materials Recovery Facility (MRF) in every barangay or cluster of barangays;
- i. Prohibition against the use of open dumps;
- j. Setting of guidelines/criteria for the establishment of controlled dumps and sanitary landfills;
- k. Prohibition of rewards, incentives both monetary and non-monetary, financial assistance, grants to encourage local government units (LGUs) and the general public to undertake effective solid waste management; and
- l. Promotion of research on solid waste management and environmental education in formal and non-formal sectors (Chan Robles, 2014)

Proposed Outline of the Policy Statement

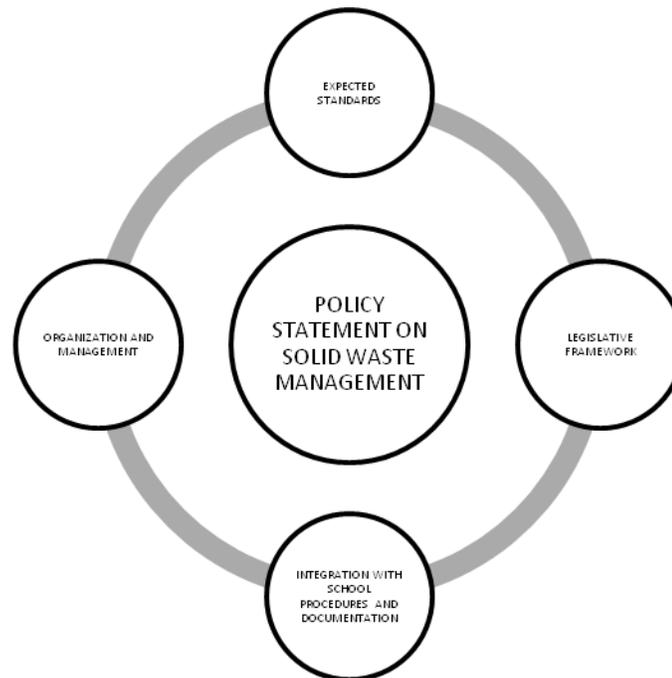


Figure 1: Framework of Proposed Outline of Solid Waste Management (University of Edinburgh, 2010)

The University of Edinburgh framework as shown in Figure 1 is used as basis for the proposed policy. The researcher believes that the starting point of any program is a policy statement. It will provide the foundation and the justification for the implementation of the program. The policy statement will consist of four main parts: expected standards, organization and management, legislative framework and integration with school procedures and documentation. These four parts constitute the intention of the researcher to formalize the solid waste management efforts of the school.

A. Introduction

The researcher proposes a policy statement on Solid Waste Management to raise institutional and individual awareness on solid waste management that will promote cooperation among members of the Bedan community in reducing, re-using and recycling that will enhance a safe and healthy campus.

The policy statement is in accordance and in compliance with RA9003, aimed to reduce unnecessary use of school materials, reuse of such materials, as well as encourage and enable recycling, composting or energy recovery.

Landfill waste will be reduced and wastes that need to be disposed will be done in an environmentally responsible manner.

There will be continuous improvement in solid waste management practices, good procurement practices and the promotion of sustainable behavior among members of the Bedan community.

B. Standards Expected

All members of this institution from administrators, faculty, staff and students and all those who use the facilities within the school premises will comply with this policy.

They are expected to adhere to the following standards:

- a. Wastes should be prevented and minimized whenever possible. If wastes are produced, they are expected to repair or reuse whenever possible.
- b. All wastes must be stored, kept, processed, treated or disposed of properly.
- c. All wastes must be stored in suitable containers and locations pending disposal, process or treatment.

C. Legislative Framework

As part of the day-to-day activities of the school, it is the duty of all members of this institution to comply in relation to the segregation, storage, transport, and treatment of different types of wastes generated. Non-compliance means violation of the proposed policy. Sanctions may be formulated for such violations.

The following terms are defined and may be used in the proposed policy;

- a. Solid waste. It is also called garbage, trash, rubbish, or junk.
- b. Ecological solid waste management. It is a way of handling waste to reduce its amount to the barest minimum and recovering discarded materials for reuse, recycling or composting.
- c. Waste segregation. It involves sorting garbage or waste into separate containers.
- d. Recycling. It is the recovery of discarded materials such as glass, plastic, steel, aluminum and paper to be used as raw materials again.
- e. Composting. It is the mixing of kitchen and garden waste with soil to be turned into compost.
- f. Biodegradable waste. It is the type of garbage that can be broken down and turned into compost. This includes leftover food, leaves and grass cutting, fruit, vegetable peelings, bones, egg shell, manure, among others.
- g. Non-biodegradable waste. It is a type of garbage that cannot be broken down and includes recyclable materials, residual waste and toxic waste.

D. Organization and Management

The Rector spearheads the implementation and execution of the Solid Waste Management Policy. Administrators and department heads ensure the proper implementation of the said policy. All members of the school are encouraged to cooperate with campaigns, projects and other initiatives.

The Rector can form a Solid Waste Management Program Committee comprising of department representatives to strictly monitor the said implementation and become the governing body that will make the final approval/disapproval of the contents of the said policy.

The committee will officially designate the personnel who will attend seminars/trainings on solid waste management and assign those who will track and record the movements of all wastes inside the campus.

E. Integration with School Procedures, Documentation, Designated Subjects

All departments and offices should use this documentation either to develop their own procedures in their specific areas and include them during orientation programs both for new employees and students.

Procurement of school materials, supplies, and equipment should always consider this policy statement relevant on such decisions.

Solid waste management practices can be integrated in specific subjects such as:

- Chemistry which explains the different types of biodegradable and non-biodegradable wastes.
- Biology which can explain microorganisms present in organic wastes.
- Earth Science which can discuss soil, pollution, and biogeochemical cycles.
- Ethics/Good Governance which can discuss solid waste management as a corporate responsibility.
- Other applicable subjects.

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NOTES TO CONTRIBUTORS

1. An electronic copy of the *original* article should be submitted to the Research, Planning, Development and Quality Management Office (RPDQMO). Original, in this context, refers to a paper which is new and has not been published elsewhere.
2. Articles should be typed using Times New Roman with a font size of 11, single-spaced, and with a 1.5” margin on the left and 1.0” in all the other sides.
3. In the case when authors include a published table or graph in their text, they must secure permission from the author of the said table/graph before submitting their article to the RPDQMO.
4. Articles should be accompanied by an abstract of not more than 250 words, keywords, and a title page which include the author/s name, department where they belong, and the title of the manuscript. Authors are requested not to include their names in the first page of their article, only the title of the paper.
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