

One significant fact is that the Philippine Association of School Superintendents (PASS) holds its annual convention every summer in the Teachers Camp. The discussions and deliberation of educational policies and issues and the inter-change of views on a high level and plane of planning and perusal affords the teachers a critical insight and grasp of present day problems, issues, and trends in education.

As a whole, after the summer term at the Teachers Camp is over, the teacher is suffused with many

new experiences, new trends that couldn't fail to elicit the attention of the traditional, close association with people whose ideas and views could mean anything from the bizarre and conventional to the outspoken and radical. He goes back to his assignment better equipped than ever, more enlightened and refreshed amidst an invigorating climate and environment...a well-blended conglomeration of fruitful influences and experiences...all fused into a balanced personal and professional outlook!

The Future and Our Constitution

By **Claro M. Recto**

WE OWE it to the initiative and laudable consistency of the Philippine Lawyers' Association, that the commemoration of the adoption of our Constitution has become a recognized ritual at which once a year we publicly render to this great historic document the tribute of our conscious veneration and renewed faith. A little over a month ago, more exactly, on February 8, last, we commemorated with appropriate ceremonies all over the country the 22nd anniversary of the Supreme Law of the land.

Our unflinching devotion to that great instrument stems from a deep-seated conviction that the free and ordered life of our nation depends upon its faithful observance and the preservation of the principles it consecrates and the spirit it embodies. Without its orderly processes and guarantees, its discerning allocation of governmental authority, and its calculated system of checks and balances, it would be difficult, not to say impossible, for our people to have and maintain a truly representative government, or, having chosen it and entrusted it with power, to protect themselves from its deteriorating into an irresponsible and tyrannical oligarchy.

And yet our Constitution, or any constitution for that matter, cannot work miracles. Its lofty declaration of principles, its wise commands and injunctions, are not the open sesame to all the promised treasures of a republican regime, nor a magic formula which by mere fiat will restore youth and vigor to a decrepit polity. It is an instrument, noble, it is true, in its origin and purpose, but a very human thing, and it can only attain validity and dynamism with popular consciousness, faith and militancy.

A few years ago I read in an American magazine that the original documents containing the Declaration of Independence and the Constitution of the United States were transferred from the Library of the United States Congress to the National Archives Building. The editor of the magazine, after reporting that a military escort and a military band had attended them, observed: "How uncomplicated it looked, this physical act of guarding our greatest treasures! And how serene," he continued, "life would be if the essence of the documents could be guarded so easily, so precisely, and with such gay props as bagpipes and such exact ones as machine guns! Ah, liberty," the magazine editor concluded, "you look so simple crossing town!"

We are perhaps in a clearer position. The war destroyed the original of the Constitution, and we are free from any confusion between the historic document itself, as a treasured possession and essence it once contained. It is only the spirit of the great charter over which we must stand guard in order to preserve its purity and integrity.

Yet we too may regard that spirit to be too simple a thing, just a matter of bureaucratic routine, adorned with good intentions and vehement protestations of loyalty to the ideals of freedom. We may grow to believe that the Constitution will work on us like grace from heaven, like a guardian angel, benevolent and detached, leading us not into temptations of personal vainglory and unbridled love of power, and delivering us from all the evils of misgovernment.

And yet such is not the case, for when the people no longer agree on the necessity of living under the

Constitution both in good and in bad times, when they are ready to discard it for immediate material rewards or to close their eyes to its violation for temporary advantage, the Constitution will not work, for it cannot work by itself. It will not protect us if we do not protect it.

These are not idle words. Our faith in the Constitution has been repeatedly tested by events and we are the best judges of our own conduct.

Let us ask ourselves certain questions, and answer them honestly in the sanctuary of our conscience.

Are we ready to defend the freedom of speech of those with whom we disagree, of those whose concepts of society and political authority are diametrically opposed to ours, except of course concepts that are in contravention of the provisions of the Constitution itself? Are we disposed and willing to maintain the purity of suffrage even at the price of an adverse popular verdict? Shall we keep faith with the constitutional guarantees against enactment of *bills of attainder* and of laws respecting an establishment of religion or requiring religious test for the exercise of political rights, or prohibiting the free exercise of religious worship without discrimination or preference, even though it may mean the sacrifice of our political fortunes or economic security?

Throughout the history of democracy, men have faced these questions, and have seldom given clear and definite answers. In the 1930's the German people, in their millions, haunted the fear of Communism, desperately eager for security, infinitely weary of poverty and unemployment, cast aside the Weimer Constitution and gave absolute power to a dictator, with all the disastrous consequences of the injudicious choice they made. Can we, who believe in democracy and in the advantages of our Constitution over any other form and pattern of government, take for granted that our people, if put to the same test, will always believe in what they now believe, or that we ourselves will always be true to our present convictions?

In our country, democracy is still an educational process. We must train ourselves in its principles and practices; we must help to train all the people by precept and example; we must learn to pay the price of democracy, to the extent of inviting unpopularity and misunderstanding, to show the people the distant goals, the hidden dangers, the necessity of temporary sacrifices for the survival of our democratic system and way of life.

The plebiscite of 1935 by which our people gave their solemn approval to the Constitution as adopted by the Constitutional Convention, did not decide the question for all time. It was not a final judgment. In a democracy such as ours there is a constant

plebiscite going on in which we cast our votes for or against the Constitution by the way we act or fail to act.

For, let us not forget, the ideals of democracy, the spirit of the Constitution, can not only be uprooted or felled by direct assault, but it can also wither away through disuse, neglect or abandonment. Because in the course of our national existence we shall often face the temptations of expediency, the anger and anguish of suffering, and the fears that turn into despair, the faith of our people in the Constitution must be constantly kept militant, vigorous and steadfast.

I do not underestimate the wisdom and maturity of our people when I say that the gospel of democracy must be preached to them again and again. When even lawyers cannot agree on what the Constitution says, it is folly to expect the untrained mind to perceive the implications and effects of any encroachment upon its dominions. When maturer and more cultured peoples of older democracies have despaired of the efficacy of democratic processes in times of upheaval, we can hardly expect our people to maintain an unwavering faith in the Constitution under adverse circumstances, unless, in this formative period of our Republic, they are constantly disciplined in habitual loyalty to its principles.

Their doubts and difficulties must, therefore, be squarely met and resolved as they arise, and the dangers of hasty and opportunistic decisions fearlessly and promptly exposed. Those who can now look, beyond present fears and desires, to the future must share their forebodings with the people, not in a spirit of vainglory, or presumption, or defeatism, but simply in the consciousness of a common fate.

For all of us, regardless of party, regardless of ideology or condition, must suffer equally from the debasement of the Constitution and the resulting impairment of democracy. Isolated acts, if ignored, become in time pernicious habits. If the Constitution is violated in one provision, it will be easier to violate it in several provisions. If the constitutional benefits are denied one group of citizens, it can be denied to all. If one department of the government can invade and usurp the powers of another, it can invade and usurp the totality of power.

And if, as a result, the Constitution goes overboard, all of us go with it, the learned and the untutored, the farsighted and the improvident, the courageous and the timid, the wealthy and the poor, the lovers of liberty and its enemies and detractors.

None of us can be sure that he will have no need of the Constitution, and it behooves us all therefore to protect and preserve it for an evil day. The very persons who now may defy the Constitution or suffer it to be abused without protest, may themselves cry

out for its protection tomorrow, and bewail the loss of the guarantees that they themselves attempted to destroy or deny to their enemies. Then indeed may they sigh like Boabdil, the last Moorish king of Granada, who, pausing in his flight at a bridge for one last look at his beloved city, wept for his lost dominions, only to be bitterly reproached by his mother in these unforgettable words: "Weep like a woman over the kingdom you could not defend like a man."

This obligation to uphold and defend the Constitution is, I should repeat, even more pressing on those who enjoy the powers and privileges it has provided. They are creatures of the Constitution. They are sworn to uphold and protect, obey and defend it. And, by the very nature of their office, by the authority which invests their pronouncements and their actions, they are the better placed to shape the mind of the people and influence their will and course of conduct.

Upon our judges is incumbent to interpret and apply the Constitution, finding its true spirit in and between the faltering language of its human authors, and it is our manifest fortune as a democracy that we have been endowed with learned and upright judges throughout our modern history, from the days of the Arellanos and Mapas and Araullos to the present, judges like those of Israel whose verdicts were not only testimonies of the truth but lessons and examples to their people in the face of tyrants. The popular faith in the courts, by and large, remains unshaken, something which can hardly be said of the other two departments of the government.

But the Constitution, after all, is political law, and democracy is a political system, and it is inevitable that both the Constitution and democracy should be the particular concern of the two political departments of the government. They it is that are called upon to lead in the preservation of the system of government we have rightly chosen, by showing in words and deeds that it can succeed, and succeed more fully than any other system, in any conceivable situation, for any legitimate objective.

The Congress convened in regular session six weeks or so ago in the atmosphere of suspicion, intrigue, selfishness, and will to power that ever prevails in an election year. Before the 100-day period ends you shall, I am sure, witness bitter and protracted political battles.

I am not one to decry such conflicts when they are derived from honest differences of opinion. It is good, within limits, that we should disagree. There are less chances that the people will be robbed and swindled of their rights when their agents and trustees are mutually jealous and vigilant. Politics, by its very nature, is conflict, and conflict for power, which is the most tenacious and unforgiving of all conflicts. Democracy presupposes such conflicts and

differences; only tyranny can impose an artificial unanimity of thought and action, the like of which is the unanimity of the graveyard. Said conflicts and differences make secure the balance of power which is the soul of democracy and without which the outward forms of democracy become meaningless.

Let us then congratulate ourselves that we have still the inclination and the ability to disagree, to expose the errors and misdeeds of our opponents, to perceive and warn against the perils of any conspiracy to unite in the immoderate pursuit or unlawful retention of political power, and in the end, to call the people to restore the balance.

Noble indeed is the act of faith in the Constitution our people solemnly reaffirm once a year. But, if we are to judge the future of the Constitution not by the verdicts of the Supreme Court but by the actions of the political departments of the government, how valid is the nation's hope of survival, so eloquently identified by the Supreme Court in its decisions with adherence to the Constitution?

The ominous fact stands out, as a warning and as a reproach, that in a crucial test of convictions the political departments of the government have been apt to foreswear the Constitution. Is this not a proof that the Constitution is in a worse predicament than what we imagined? How certain can we be that in times of distress and peril our faith in the Constitution will remain unshaken?

I am reminded of a character in Bernard Shaw's play, *The Devil's Disciple*. A woman reputed to be religious finds her faith shaken when she sees her enemies, whom she considers sinful, succeeding and prospering while she fails, and she upbraids the minister of the gospel with a heart full of regrets for her virtue. "Why should we do our duty and keep God's law," she remonstrates, "if there is to be no difference made between us and those who follow their own likings and dislikings and make a jest of us and of their Maker's word?"

I wonder if some of us, like that embittered old woman, believe that we should keep the Constitution and love democracy only in the expectation of material rewards. Can our faith surmount the trial of suffering and the temptations of prompt relief in times of distress or the demands of expediency for the attainment of political ends?

What if we were facing a real national emergency? Could we be sure that the majority of our people would not follow the examples of desperate and angry nations in the tragic annals of the democratic experiment, and that they would not throw the Constitution overboard to gain a seeming salvation?

Perhaps we believe in the Constitution only because it is the thing to do, because we have learned

its provisions by rote in school like arithmetic and spelling and the Lord's prayer, and not because we sincerely and consciously believe it to be the best and surest guaranty of the way of life which we regard as the sole foundation of our present and future welfare.

The Constitution, through which all good things in our democratic system of government came into being, and without which they could not have come to be, is the light of our nation, but this light cannot illumine those in the darkness, who neither understand it nor love it, because men of little faith, Pharisees and money-changers, a generation of vipers, in the angry words of the Lord, have hidden it under the bushel of their hypocrisy and greed.

Let us then bear witness to the Constitution, so that, in the language of the gospels, all the people may learn to believe. If our nation is to survive and attain greatness in freedom, the Constitution must

live in our actions, both as individuals and as a people, in the enlightened conviction and steadfast belief that only in the spirit of the Constitution, made flesh among us, shall democracy abide with us and our nation forever enjoy the blessings of independence under a regime of justice and liberty.

But neither in the toils of the day nor in the vigils of the night can the sentinels of the Constitution relax their vigilance. Let us therefore all be wary and stand upon our arms, lest, by culpable tolerance or by criminal indifference, our country should in some desolate future become a desert of liberty, wherein only the massive ruins of our republic shall remain magnificent but tragic monuments of the past, in whose desecrated labyrinths our descendents, by then the forlorn bondsmen of some corrupt despot, shall in vain endeavor to decipher the language of the Constitution, inscribed, as in forgotten hieroglyphs, on the sarcophagus of our lost freedoms.

TWO POEMS:

Of Leaves and Season

*Watch the luxury of summer,
Behold the leaves uncurl
Red, green and yellow —
Big and small reaching
For the sun...*

And listen

*To the elected tale
Of leafing boughs and leaftips
Pointing to the sky;
Of early bird and wind.*

*Why too brief this season,
This miserly grace —
Even the bravest leaf falls
When summer ends.*

Rivers

*I have crossed many rivers
Wide and rough,
Braved many a tempest
Over atrocious rocks,
But conquest is ever far
At dusk
New rivers rise
Wider and rougher
Than edges of vicious winds.*

*—By Salvador B. Espinas
Jovellar, Albay*