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QUESTION BOX

(This section is open for the benefit of students who desire to be enlightened on questions pertinent to Science and Letters. We entertain good questions from our readers for which "Question Box" will act as their information department. Send in your questions, your name and college. Even letters intended to be published by a "nom-de-plume" should be accompanied by the writers real names and addresses.—EDITOR'S NOTE.)

QUESTIONS and ANSWERS:

I

Could you suggest some topics suitable for masters' theses for students majoring in English?

We take pleasure in listing down for your benefit and those of others the following topics suggested by Prof. J. Villa Panganiban of the College of Philosophy and Letters:

1. A critical study of the works of any major poet or writer of any period of English or American literature.
2. A historico-critical survey of Filipino literature in English from its beginning to the present time.
3. A historico-critical survey of Filipino literature in Spanish. (Note: The student may take any one author, collect his works, and study author and works, considering influences, contemporary standards, parallel developments, etc.)
4. The influence of Cervantes in Filipino Literature: English, Spanish, or vernacular.
6. A critical study of contemporary poets or writers such as Ezra Pound, T. S. Eliot, etc.

7. An analysis of the Chestertonian paradox, with a detailed elucidation of its role in Chesterton's excellence as a writer and a critic.
8. An analytical and critical study of Chesterton's "The Ballad of the White Horse."
9. A detailed analysis and interpretation of Thompson's "The Hound of Heaven."
10. True Mysticism in Literature,
11. Elizabethan Drama outside of Shakespeare.
12. The Drama in the Philippines.
13. The Short Story in the Philippines.
14. Standards of Criticism in the Philippines.
15. A critical evaluation from the point of view of moral standards and pedagogical values of the literary material taught to students in the Philippine high schools.
16. A critical study of any major, modern Novelist.
17. The field of "Comparative study" is an extensive one for theses topics—e.g. Willa Cather and Sigrid Undset.

II

¿Tendría Ud. a bien informarme sobre unas fechas para mi tesis de "Educación"? Se trata de la llegada a las Islas de los primeros Dominicos y Jesuitas. En una breve reseña recién publicada por el P. Repetti, S.J. acabo de leer que los primeros no llegaron hasta el 1587 ("the Dominican Fathers arrived in Manila on July 25, 1587") mientras que hablando de los Hijos de San Ignacio nos los pone en 1581 ("the first two priests who came to the Philippine Islands... arrived in September, 1581"). ¿Puedo tomar dichas fechas como fehacientes?—M. G.

No.

La verdad histórica es que los primeros Jesuitas vinieron en 1581 con los primeros Dominicos.

Para ello no necesita mas que volver a la misma reseña por Vd. citada, donde se habla del Ilmo. Salazar que tanto ayudó en Manila a los primeros Jesuitas y tanto se interesó por ellos aún antes del 1587 (como que fué quien les trajo a Filipinas). Y el referido Salazar—aunque se lo calle el P. Repetti, ya por no venir posiblemente al caso, ya por ser conocido—era DOMINICO.

El Ilmo. P. Salazar es el fundador de los Dominicos en Filipinas. Reunió en 1579 veinte Hermanos de su Orden para establecerse en el Archipiélago. Por dificultades de trasportación y gran costo del viaje en aquellos tiempos a la par que por apremiar su salida con rumbo a las Islas para primer Obispo, partió luego con otro compañero Dominico, encomendando los restantes al V. P. Juan Crisóstomo que saldrían tan pronto como vencieran las dificultades de aquel entonces.

A mas de estos dos Dominicos, venían algunos Franciscanos y Agustinos y Sacerdotes seculares, mas "los dos primeros sacerdotes de la Compañía de Jesús",—encabezando la misión el Ilmo. P. Salazar, O. P.

Arribó la misión a Manila en Marzo o Septiembre de 1581.

En cuanto al número de unos y otros es verdad que era muy limitado. Recuerde lo difícil de la travesía, en aquel tiempo, del Atlántico y Pacífico. Creo le bastarán por ahora estos datos.

III

(A) Please give a short but lucid discussion as to whether or not the early Filipinos had their own system of writing.

Please make your arguments clear by answering both sides of the questions—M. V. B.

(A)

“THE EARLY FILIPINOS HAD THEIR OWN SYSTEM OF WRITING.”

(Positive)

“Antes que tuviesen noticia del papel escribían en cañas o en hojas de palmas...” (Colin 1663). Now, paper must have been known in the Philippines at, or before the arrival of the Spaniards; but the natives were using pieces of bamboo for their writings long before “they had an idea about paper”. Ergo, long before the Spaniards had come to the Islands, the natives.... and therefore...

(Negative)

“The Moros possessed the art of writing which no other natives of the Islands had”. Ergo, though there existed an alphabet in the Philippines, this concerned a particular foreign tribe, (just as the German alphabet is at present being used by the German colony in the Islands, without concerning the Filipino people in the least).

(Positive)

etc. etc. answer your opponent's arguments.

(Negative side)

etc. etc. give new arguments.

(B) If this is true, did these “inhabitants of the Philippines write vertically, and not horizontally” as is maintained by Fr. Chirino?

(B)

“THE FORMER INHABITANTS OF THE PHILIPPINES WROTE VERTICALLY, NOT HORIZONTALLY.”

(Positive)

The Japanese, the Chinese, and the Mohammedans wrote vertically, like the Hebrew people. The early Filipinos seem to have borrowed their system of writing from the Mohammedans and other Oriental peoples. Therefore... —“Que antes

no vasaban, sino escribir de alto a baxo, y poniendo el primer renglón a la mano izquierda." (Fr. Chirino, Chap. XVII.)

(Negative)

"...i poniendo el primer renglón a la mano izquierda (si no me acuerdo mal) continuaban con los demás a la derecha, **AL CONTRARIO DE LOS CHINOS Y JAPONESES**" (Chirino, Chap. XVII.) *The Filipinos, consequently, might write horizontally, CONTRARY, again, to the Chinese and Japanese way of writing.*

(Positive)

etc. etc. answer the opponent's arguments.

(Negative)

etc. etc. give new arguments.

(C) What do you consider is the period of inflorescence of the Filipino type of letters? Prove why it could not have been before or after that period.

(C)

"THE PERIOD EXTENDING FROM THE END OF THE XVth CENTURY TO THE CLOSE OF THE XVIIth CENTURY MAY BE MARKED AS THE PERIOD OF INFLORESCENCE OF THE FILIPINO TYPE OF LETTERS."

(1) "NOT BEFORE THAT TIME",—

(Positive)

For the early missionaries testify to the fact that with the exception of certain tablets wherein the names of the ancestors were written, the natives did not possess a written literature of their historical facts, religion, or laws.—Furthermore, the words of Fr. Chirino, "si no me acuerdo mal", indicate that a native written literature did not abound at his time.—Again, if written literature had then abounded, some pamphlet, letter or document, should have come down to us; but we have not a single writing belonging to the pre-Spanish period; ergo the Filipino type of letters did not flourish before the end of the XVth century.

(Negative)

"El orden de escribir, era en cañas y ya en papel, comenzando los renglones, de la mano derecha a la izquierda, a la usanza Arabiga; escriben en esta lengua, casi todos los naturales, así hombres como mujeres, y muy pocas ay que no la escriban muy bien, y con propiedad". Now, these words of the successor of Luis Dasmariñas, Señor Morga, apply to the pre-Spanish period; therefore the Filipino written letters flourished before the end of the XVth century.

(Positive)

In reply to our opponent's argument we do believe that the

aforementioned words of Morga confirm our own side, inasmuch as he wrote by the beginning of the XVIIth century and referred to the people of his time (“escriben”... NOT “escribían”; “...y muy pocas ay”, NOT “hubo” or “había”)

(Negative)

etc. etc. give new arguments.

(Positive)

etc. etc. answer the opponent's arguments.

(2) “NOT AFTER THE XVIIth CENTURY”

(Positive)

Sta. Ines wrote by that time: “Y por eso—por no podersè expresar el sentido en la leyenda—se han aplicado ya todos a escribir su lengua en nuestros caracteres, y de la manera que nosotros escribimos.”—Fr. Totanes said of the people of the XVIIIth century: “Es raro ya el nativo que sabe leer sus caracteres, y rarísimo el que los sabe escribir.” Ergo the Filipino alphabet did not flourish after the XVIIth century.

(Negative)

“In reply to Sta. Ines' argument, once again we have Governor Morga, who states: “Escríbese muy bien en todas las islas... que unas con otras—consonantes y vocales—combñan y significan todo lo que se quiere escribir, tan copiosa y facilmente, como se hace en nuestro alfabeto español” Therefore...

(Positive)

Once again Morga is not opposed to our theses. He wrote that work in 1609 and speaks of the people of his time. As to whether or not the said alphabet was as perfect as the Spanish one, this is another question. Dr. Rizal, commenting on these words of Governor Morga, states: “Lejos estamos de creer que aquel alfabeto ofreciera la sencilles y claridad del latino.”²⁷

(Negative)

In reply to Rizal's comment we may adduce the antiquity and authority of Morga, who belongs to the first period of the Spanish occupation and was a very learned man. He knew well about the conditions of the country as he was Auditor of the Real Audiencia and Governor of the Philippine Islands. His authority stands above Rizal's on these matters and much more over the authority of Sta. Inés who agrees with Dr. Rizal saying that the Filipino alphabet was not as perfect as the Latin or Spanish.

(Positive)

In favor of Rizal and of Sta. Ines we have the opinion of our modern writers. We just need to compare the said alphabet with the Latin one to come to the conclusion of our greatest

Hero. Again, the testimony of a simple missionary such as Sta. Ines, Fr. Chirino, Fr. Blancas and others, is, as a rule, of greater force concerning the customs and traditions and progress of the ancient Filipinos than that of a Governor or any other high official. For the missionaries used to travel through the small towns and communicate with the humble people, while high officials communicated generally with the elite of the cities. Concerning languages, we know too that the missionaries made a better study of the dialects, both written and oral, than the Government officials. The reason for this was that the missionaries came to live with the people, while the civil authorities were usually appointed for a few years and the trouble of learning a new language did not pay for the use they could make of the same.

(Negative)

etc. etc. give new arguments

(Positive)

etc. etc. answer the opponent's arguments.

(3) "ERGO IT FLOURISHED AT THE PERIOD IN QUESTION"

(Positive)

This is confirmed by the fact that nearly all the ancient written records, which have been preserved to this day, belong to the XVIIth century—Furthermore, Fr. Colin noticed by the year 1660: "Son todos muy aficionados a su modo de escribir y leer, que apenas ay hombres, ni menos mujer que no lo sepa, y use, aun en cosas de devoción los ya cristianos. Porque de los sermones, que oyen, y de las historias, y vidas de santos, y de oraciones, y poesias a lo divino, compuestas por ellos mismos (que hay también tan cabales Poetas a su modo que traducen con elegancia en su lengua cualquier comedia Española); usan libritos, y devocionarios en su lengua, y escritos de su mano, de que hay muchos; como lo afirma en su Historia manuscrita..."

(Negative)

Against this argument we must hear the words of Fr. Delgado: "En el día de hoy (by the middle of XVIIIth century) tienen los tagalogs muchos y elegantes libros impresos en su idioma; y también los Visayas; compuestos por el celo y erudición de sus ministros, cuyo antesignano, por más antiguo, dulce y elegante en el idioma, es el venerable padre fray Francisco de San José, de la sagrada orden de Predicadores, el cual compuso el ARTE en donde se encuentran con excelente método y orden las cosas más primorosas del idioma tagalo; y a mas de este, otros muchos libros espirituales, Pláticas y sermonarios". Now, Fr. Blancas de San

José, in spite of having invented a set of printing types for the Filipino characters, he and his disciples wrote in the Spanish alphabet.

(Positive)

etc. etc. answer the opponent's arguments.

(Negative)

etc. etc. give new arguments.

(D) Does the dearth now of pre-Spanish written documents mean that the early missionaries must have destroyed them in the past?

(D)

"JUST BECAUSE WE LACK PRE-SPANISH WRITTEN DOCUMENTS, WE CANNOT HOLD THE OPINION THAT THE EARLY MISSIONARIES MUST HAVE DESTROYED THEM IN THE PAST."

(Positive)

To those who study impartially the spirit of the early missionaries, this supposition is but an absurdity (which someone started and now copyist writers go on repeating), for we know those former missionaries were very much interested in letters and sciences. Even if they tried to destroy everything that was written, they would have had a hard time: for, if the written literature was so abundant and popular—as is claimed by some writers—the missionaries had to search through the entire Archipelago: now, the Islands are more than twelve thousand in number; the early missionaries were few, and the means of communication were conspicuous by their absence. Thus, even if they had tried to run the whole Archipelago for only this purpose (one man for more than three-hundred islands with thousands of huts and nooks), they could not have succeeded in destroying all manuscripts nor the hundreds of thousands of natives who populated the Archipelago would have allowed them to do so.

(Negative)

If the religious workers did not destroy all manuscripts, we may suppose at least that they destroyed quite many. Fernandez says, 1919: "Many of them (documents) were destroyed by the missionaries, who believed them to be the work of the evil spirits."

(Positive)

In response to this statement we adduce once more the aforementioned argument.—Again, if you find proofs of their having been destroyed and of the missionaries being so ignorant who could not distinguish on matters of Faith and Morality, you may support those words of 1919.—Furthermore, in the

gratuitous supposition that the missionaries destroyed many manuscripts (and this is the reason why we are lacking pre-Spanish written documents), what about the number of documents which they did not destroy? Why has not even a single one come down to us?

(Negative)

The documents left were destroyed by the injury of time, for we know the pre-Spanish Filipinos wrote on fragile materials.

(Positive)

And the ones which are supposed to have existed in the past and been destroyed by the missionaries, were also destroyed by the injury of time for the same reason.

(Negative)

etc. etc. give new arguments.

(Positive)

etc. etc. answer your opponent's arguments.

(Positive)

To those who study impartially the spirit of the early missionaries, this supposition is but an absurdity (which some one cannot and does not wish to deny), for we know those former missionaries were very much interested in letters and sciences. Even if they tried to destroy everything that was written, they would have had a hard time for it the written histories were so abundant and popular—as is claimed by some writers—the missionaries had to search through the entire Archipelago; the islands are more than twelve thousand in number; the early missionaries were few and the means of communication were very poor; and the absence of books even if they had tried to burn the whole Archipelago for only this purpose (one year for more than three hundred islands with thousands of books and books), they could not have succeeded in destroying all manuscripts nor the hundreds of thousands of natives who populated the Archipelago would have allowed them to do so.



(Negative)

If the religious workers did not destroy all manuscripts, they may suppose at least that they destroyed quite many. The number says, "Many of them (documents) were destroyed by the missionaries who believed them to be the work of the evil spirits."

(Positive)

In response to this statement we address once more the stated mentioned argument. Again, if you find traces of their having been destroyed and of the missionaries being so ignorant who could not distinguish on matters of faith and morality, you may suggest their words as ill-considered in the

Discurso de Concesión de Títulos

Por el Rdo. P. Dr. SILVESTRE SANCHO, O.P.

Rector Magnífico, Universidad de Santo Tomas

Manila, I. F.

Curso de 1939-40.

Exmo. Sr. Presidente de la Mancomunidad

Exma. Sra.

Damas y Caballeros

Graduandos.

I

Con grandes piedras blancas dicen que marcaban los romanos las millas de los caminos. De ahí la denominación de piedras miliarias.

Y vino a ser la piedra blanca un a modo de símbolo de una fecha notable en ese camino que es la vida del hombre, desde la cuna hasta el sepulcro.

Con piedra blanca tendremos que marcar nosotros la fecha de hoy en el camino de años y de siglos recorridos desde su fundación por esta tres veces secular Universidad de Sto. Tomas de Manila.

Quédese para otros el escribir ditirambos sobre valores Institucionales docentes, estableciendo comparaciones entre unas y otras Instituciones por via de propaganda, en ese desenfreno de anuncio que de todos se ha apoderado, convirtiendo, al parecer, las Instituciones culturales, en tiendas de comestibles y comercios de ropa hecha.

No es, no fué nunca, nuestro ánimo compararnos con nadie, ni pretender ser mejor que nadie. Creemos, eso, si, tener derecho a vivir en un aislamiento, llamadlo, si quereis, aristócrata. Ese derecho nos lo da la Historia, y nos lo dan los años.

Fué allá en los comienzos de la vida occidental de este pueblo oriental cuando vino tambien a la vida nuestra Universidad Católica. Llegó como mensajera de paz y de cultura contribuyendo como nadie a esa occidentalización. Occidentalización cristiana, que con todos sus defectos imaginarios o reales y con todas sus virtudes, hoy como ayer es considerada como sinónimo de cultura y civilización la más genuina y elevada.

Pero hizo más España. Hizo lo que ninguna otra nación supo hacer: occidentalizar un pueblo, sin quitarle para nada sus características orientales.

Y fué la Universidad de Sto. Tomas, la que contribuyó más que nadie a que se diera ese paso con plenitud de éxito.

Hija espiritual la Universidad Tomasina, de aquellos grandes centros del saber cristiano que se llamaron Salamanca, Alcalá, Valladolid Burgos, Sevilla, Zaragoza y Barcelona, para no mentar otros de menor renombre, de ellos heredó las grandes TESIS DOCTRINALES que constituyeron su alma y su Vida, alma y Vida que ella insufló a su vez en el alma de sus alumnos.

En Salamanca, en el aula de Vitoria, nació "El Derecho Internacional"; en Valladolid concibió Soto su libro de "Justitia et Jure," base de todo libro de Derecho Natural; fué tambien en Salamanca y en aquellos claustros tan hermosos de San Esteban donde Medina concibió sus teorías morales, que tanto habían de influir las corrientes de la Teología. En Alcalá puso Melchor Cano las bases de sus "Lugares Teológicos", ciencia nueva y que tanto ha facilitado la defensa de la Religión. El estudio de las Sagradas Escrituras llegó a su mas elevada expresión con la Poliglota Real de Felipe II y que editó Arias Montano.

Gigantes del pensamiento fueron aquellos grandes Maestros de los siglos XVI y XVII de España.

Y de aquellos gigantes nacieron gran parte de los varones preclaros que dejando los escaños, a veces las cátedras mismas de aquellas Universidades de fama mundial, vinieron hasta no-

sotros y aquí plantaron la semilla bendita de la civilización cristiana.

De aquella semilla nació gigante el arbol de lo que hoy es nuestra civilización y nuestro cristianismo. ¡Mentira parece que haya hombres que con la mayor frescura nieguen estas verdades o las ignoren, que aun es peor!

Fr. Domingo de Salazar, primer obispo de Manila; Fr. Miguel de Benavides fundador de esta gloriosa Universidad y primer Arzobispo de Manila; Fr. Domingo Nieva, obispo de Vigan; Fr. Domingo Aduarte, primer historiador dominico de estas Islas; Fr. Blancas de San Jose, padre de la imprenta en Filipinas; el P. Cobo, Embajador en el Japón; estos y otros muchos verdaderos gigantes del pensamiento salieron de las aulas españolas para venir a Manila y enseñar aquí lo que allí habían aprendido.

A la sombra de este arbol secular vinieron a sentarse generaciones tras generaciones, y aquí prendieron los grandes principios cristianos que forman la esencia de la Civilización occidental. En las aulas de Sto. Tomas y por la mano experta de esos hombres geniales, tan desonocidos como dignos de estudio, se trazó la ruta a seguir por este pueblo el día en que bajo la protección de Dios haya obtenido su plena libertad.

Sto. Tomas, mas que nadie contribuyó a que quedase entre vosotros la Lengua, la Cultura y la Religión cristiana, que aquí os trajeron los conquistadores españoles.

Esos mismos conquistadores, por voluntad de Dios, llegaron con sus carabelas a otros playas; y civilizaron otros pueblos y como a vosotros les dejaron Lengua, Cultura y Religion.

No era la idea de Colon, precisamente, descubrir un Mundo Nuevo. Pero entraba en los planes de la Providencia que fueran las carabelas de los hermanos Pinzon las que rasgaran la virginidad de los mares ignotos y sacaran de ellos las tierras, que habían de distribuirse despues en 21 Naciones. Naciones hoy jóvenes, pues la vida de los pueblos se cuenta no por años sino por siglos; pero plenas de vitalidad; y es de ellas el futuro.

Cachorros de León son ahora; cuando crezcan serán otros tantos leones que en derredor de su Madre la Leona Castellana se harán respetar por su poder y su fuerza, que ha venido a ser hoy el sustitutivo de la razón.

Filipinas tiene marcada la ruta a seguir. Se la marcó Dios

y le dió ingenieros gloriosos que se la hicieran comprender. Sto. Tomas fué el laboratorio de trabajo donde se hicieron los planos.

Trescientos años trabajaron los profesores de esta Universidad en infundir en el alma de este pueblo los mejores sentimientos y las ideas mas hermosas. Año tras año de las clases de esta Universidad salieron hombres formados en toda clase de disciplina, que llevaron hasta el pueblo el pan de la verdad.

Se podrá discutir cuanto se quiera la conveniencia o no conveniencia de haber implantado aquí la civilización cristiana. Se podrá acusar a los Españoles y a los misioneros de haber destruido una civilización autoctona. Se podrá incluso llegar a decir que mejor hubiera sido quedarnos como estábamos. Allá cada cual con sus ideas y modos de ver las cosas.

Lo que no puede discutirse es que en el cambio de una orientación a otra; en la siembra de ideas nuevas y de nuevos modos; en la formación de un alma nacional, es a Sto. Tomás a quien mas parte corresponde; y que será siempre una gloria de esta Universidad el haber contribuido como ninguna a levantar este pueblo al grado de cultura y moralidad que hoy tiene.

Corrieron los años. Filipinas creyó haber llegado a la plenitud de su edad. La Madre España creyó otra cosa. Vino la insurrección de la Hija. Perdió la Madre en la contienda. Pero a una bandera sustituyó otra. Y al ser bajada en el Fuerte de Santiago la Bicolor, fué para hizarla la de las Franjas y las Estrellas.

Nuevo dominio; nuevas ideas y modos nuevos. Cuarenta años de hondear la bandera americana en estas playas, suponen no pocos ni pequeños cambios. No somos tan mezquinos que vayamos a negar lo mucho que el pueblo filipino debe a la tutela americana; pero debemos asimismo reconocer con el Presidente Taft de Estados Unidos que los fundamentos para un Gobierno independiente y una democracia bien entendida les tendió ha mucho tiempo la metrópoli hispana al implantar en las Islas la Religión Cristiana. Descuella en esta labor la Universidad Pontificia de Filipinas.

Días después la Universidad pierde su hegemonía intelectual. Surgen, y en buena hora, nuevos Centros docentes

de Cultura Superior. Muchas ideas que creíamos incontrovertibles quedaron relegadas al monton de los trastos inútiles... Permaneció, es verdad, lo fundamental, lo eterno. Pero sobre ese eterno indestructible que es la Verdad Revelada, comenzó a formarse una capa de nuevas verdades, que solo el tiempo podrá decirnos si perdurarán o no.

Las Instituciones de enseñanza secundaria y superior abrieron amplias sus puertas a hombres y mujeres y comenzó a operarse una transformación grande en nuestras mujeres.

No es verdad, como algunos pretenden, que España y la Iglesia tuvieran en estado de ignorancia y de semi-esclavitud a la mujer. Lo que pasó fué, que, constituida la mujer Reina del hogar por Madre y por Esposa, no creyó España necesitase cultura superior y Universitaria.

Fueron otros, los enemigos de la Iglesia precisamente los que con Nietzche definieron la mujer como "un animal de pelo largo e ideas cortas".

España que había tenido en su trono a una Berenguela, a una Maria de Molina y sobre todo a una Isabel la Católica, tenía de la mujer el concepto mas elevado. Pero como reina y señora del hogar, no como soldado de la vida luchando en medio de la calle y en condiciones idénticas al hombre.

La Universidad de Sto. Tomás no podía quedar a la zaga de nadie en cuanto a cultura de la mujer se refiriese. Como Institución secular daría sus pasos con madurez y discreción; pero los daría. Al fin y al cabo ya en la primera Universidad conocida, la de Palermo eran admitidas las mujeres no solo a las clases como alumnas, sino como profesoras; y Palermo era una escuela de Medicina de los Benedictinos. En plena edad de oro de la Sorbona de Paris, la graciosa Eloisa roba el corazón de Abelardo, no tanto por su hermosura, como por su talento.

En la Orden de Sto. Domingo habíamos tenido una monjita que se llamó Catalina de Sena y cuyos escritos revolucionaron la ciencia del siglo XV.

Y mujer y Española y Dominica en Pasiones fuera aquella mujer incomparable que se llamó ni mas ni menos que Teresa de Jesús. La mujer de antes o después de ella, que haya ido en letras mas allá que Teresa de Avila, que lo diga.

Y abrió Sto. Tomas sus puertas a las mujeres. Hace de esto 16 años. Fué la Facultad de Farmacia la primera a la

cual fueron admitidas por el entonces Rector P. Manuel Arellano, el hombre a quien mas debe la Universidad de Sto. Tomas en los últimos cuarenta años. Fué el quien impuso las primeras mucetas a las primeras graduandas de esta Facultad el año 27.

Fué tambien el P. Manuel Arellano quien, al fundarse el Colegio de Educación dió entrada en el a las mujeres. Del Colegio de Educación se pasó al de Artes Liberales; después al de Comercio; mas tarde al de Medicina.

Hoy vamos, a graduar las primeras alumnas de Derecho. Fecha, como dije al principio será esta que habrá que marcar con piedra blanca en los anales de esta Institución. ¡Quiera Dios que sean muchas las Portias que salgan de nuestras aulas!

Al imponerles el birrete de graduadas yo quiero decirles que es muy grande el compromiso que hoy contraen con la Institución que las educó. Qué fué de esas mismas clases de Derecho ue donde ellas salen, de donde salieron las grandes lumbres de la Jurisprudencia filipina. Que antes que ellas recibieron el birrete de Derecho hombres cumbres en el pensamiento jurídico de Filipinas. Que no olviden que esos hombres se llamaron Cayetano Arellano, Manuel Araullo, Mapa, Avanceña, del Pan, Gregorio Araneta, Chicote, Francisco Ortigas, para no mencionar mas que algunos.

Que no manchan su toga con la defensa de causas injustas y que antes que defender una de esas causas a saliendo rompan su toga.

Que su bendito Patron S. Ibo les bendiga y yo en nombre de Dios así lo hago.

II

Es hoy tambien la primera vez que la Universidad de Sto. Tomás va a honrarse inscribiendo en su ya larga lista de Doctores, a la *Primera Doctora* Honoris Causa.

Parca, muy parca ha sido a lo largo de su Historia la Universidad de Sto. Tomás en la concesión de títulos Honoris Causa. Apenas si llegan a media docena.

En Derecho no son mas que tres:—

El Presidente Manuel L. Quezon,

El Vice-Presidente Sergio Osmeña,

y el que fuera Primer Comisionado Residente Frank Mur-

phy, hoy Magistrado de la Corte Suprema de los Estados Unidos. No creo sea fácil encontrar tres hombres de mayores o iguales méritos.

La Universidad ha concedido el título de Ingenieros Honoris Causa a cuatro jóvenes aviadores.

Los Españoles Gallarza y Loriga
y los Filipinos Calvo y Arnaez

Los primeros salieron de Madrid para traernos en sus aviones el saludo de la antigua Madre. Y aquí llegaron en un solo aparato, rotas las alas pero no el valor y la pericia de ese gran piloto, hoy jefe de la aviación española, que se llama Gallarza.

Calvo y Arnaiz salieron de aquí para devolver el saludo de la Hija, en un aparato pobre y que llegó a feliz destino gracias al corazón y a la pericia de los dos aviadores.

También creó que se puede sentir honrada la Universidad con tener entre sus graduados a esos cuatro jóvenes, algunos de los cuales, Loriga, dió bien pronto su vida por su Patria en supremo sacrificio, cuando probaba un aparato nuevo y para el desconocido en cumplimiento de un deber.

Nos queda aun otro graduado de Honor, además del P. Maestro General de la Orden de Sto. Domingo, Fr. Estanislao Martin Gillet.

Un día arribó a estas playas un Bardo de la Hispanidad. Venía herido por la muerte de su Hijo Pipo, valeroso marino en el heroico Baleares.

Se llamaba aquel bardo herido ni mas ni menos que Garcia Sanchiz, el "Pobrecito Hablador" Autor maravilloso de sus charlas incomparables; pintor con la palabra; juglar de nuestra Historia. Garcia Sanchiz ha ganado con su palabra de oro y de color no pocas batallas para la Madre España.

Y venía a nosotros herido y herido de muerte por la de su hijo. Y nosotros para mitigar sus penas y sus dolores, que tipificaban las penas y dolores de todos los Padres Españoles y para premiar al juglar de lengua de oro, le dimos la muceta de Doctor en Letras.

Y no ha habido mas doctores *Honoris Causa*. Ya veis, señores, que la galeria es corta en nombres; pero larga, muy larga en méritos.

Hoy vamos a colocar en ella TRES GRANDES FIGURAS, que en nada han de desdecir de las anteriores.

Por Derecho Propio, y ganada por numerosas obras, entra en esa Galería de celebridades LA PRIMERA DAMA DE FILIPINAS; y entra precisamente por Dama y por Madre.

Su nombre basta para hacer su elogio. *Aurora Aragon de Quezon.*

Cuanto intentemos decir, despues de pronunciado ese nombre, será inutil. El solo lo dice todo.

El título de Doctor en Pedagogia, que damos a Dña Aurora lo tiene ella bien ganado.

Educó para Dios y para la Patria a sus dos hijas, que hoy se graduan con ella en esta misma Institución, como Bachilleres en Artes; educó a su pequeño Manuel, que mañana recibirá tambien su Diploma de Intermedia en el Colegio de la Salle. Pero el mérito principal de Dña. Aurora es, y que se me perdone el que tal diga, el haber educado en el amplio sentido de la palabra, al que, siendo grande por sus propios méritos, lo ha sido mucho mas desde que en fecha memorable se uniera con esta mujer incomparable, que había de contribuir mas que nadie a hacer de él lo que hoy es, el Primer Magistrado de la Nación, el Presidente Manuel L. Quezon. AHI TENEIS LA PRINCIPAL OBRA EDUCACIONAL DE DOÑA AURORA.

Fué Sto. Tomás donde el Presidente echó hondos, muy hondos los cimientos de su futuro; ha sido Mrs. Quezon la que contribuyó mas que nadie a terminar el edificio grandioso que hoy es la Vida de su Esposo. Y por eso era muy justo que Sto. Tomás se asociara a Dña. Aurora y la incorporara a si, mediante el título de Doctor en Pedagogia.

Se ha dicho y repetido muchas veces que la Familia esta en Crisis. Hasta nosotros han llegado las salpicadoras de doctrinas disolventes del espíritu de Familia.

Pues bien; Dña. Aurora de Quezon ha sabido formar en lo mas alto de la Vida Social en Filipinas una Familia Modelo.

Esa es su obra educadora y dudamos mucho que haya nadie que pueda mejorarla. Yo creo, conociendo como conozco a cada uno de los miembros de esa Familia que en un concurso

de Familias sanas, buenas y santas, la que tiene a esta Mujer por Reina sería la que ganase el primer premio.

Esta ha sido la principal razón que me determinó a dar fin a mi Rectorado de esta Universidad con la concesión de este Título de Doctor Honoris Causa, cerrando, acaso, así con un broche de oro lo que tal vez ha sido una mediana actuación. Si llego a viejo, cuando a los jóvenes les hable de mis tiempos, como hablan todos los viejos a los jóvenes, ya que otras cosas no pueda, les diré: Yo hice una buen obra durante mi incumbencia como Rector de esta Gloriosa Universidad. Di el Título de Doctora en Educación Honoris Causa a la Dama Mejor que había en Filipinas, porque supo educar santamente y para la Patria a sus Hijos y a su Mismo Esposo. Y esa mujer se llamaba AURORA ARAGON DE QUEZON.

El segundo Graduado que pasa a honrar nuestra Galeria de Hombres célebres entre los mas célebres, se llama ANDRES SORIANO Y ROXAS. ¿Quién no ha oído mil veces ese nombre?

Alto y fornido de cuerpo; mas alto y mas gigante de alma. Ancha la frente bajo la cual viven profundos pensamientos; corazón gigante y siempre abierto a todas las misericordias. Manos que saben de trabajo y que han dado trabajo a cientos de miles de manos. Ojos vivos y que han sabido mirar frente a frente la más opulenta abundancia y no han temblado ante la más espantosa miseria, sino es con una lágrima, que al rodar por su rostro franco y sincero de hombre bueno llegó hasta su corazón para moverlo a compasión por el menesteroso.

Español tipo, que, como los grandes Capitanes de antaño, se ha jugado bonitamente y sin pestañear toda una inmensa fortuna a una sola carta, que significaba, ni más ni menos, que la salvación de España. Esto se dice muy pronto; pero no son hoy muchos los hombres de convicciones fuertes y de amores profundos, que sepan y quieran darlo todo por su Patria. Los caballeros del ideal son cada vez menos en número; los escuderos del positivismo son cada día mas. Puso en manos de su Patria, en días bien aciagos su fortuna y su vida. Hubo de sufrir destierros por patriota. Y durante tres años vivió a la sombra, por decirlo así, de las puertas de la carcel, esperando el momento en que alguien mal intencionado, y los había en abundancia, diera el último empujón. Serena y altiva la frente;

sin la vacilación mas pequeña y en momentos de suprema dificultad Andres Soriano se niega a una pequeña ficción; y el negarse supone para él una multa de 50,000 dolares y un periodo de cinco años de carcel. No tiene más que decir que una firma al pié de un documento no es suya. Pero el caballero y español prefiere ir a la carcel o al destierro, perdiendo su prestigio y su fortuna, que negar aquella su firma, negando con ella a su España.

Los que hemos compartido con él ansiedades y peligros y lo hemos tenido como capitán en aquellos días tan amargos para nosotros, sabemos lo que es Andres Soriano. Si el amor a la Patria es la virtud mayor despues de la de amar a Dios, Soriano amó a la suya con toda la intensidad de su corazón.

¿Y cuanto no ama tambien a Filipinas, su patria adoptiva y en cuyo suelo nació? Nacido en la abundancia no necesitaba del trabajo para vivir. Pero importaba mucho a la economía del País tener Capitanes de la Industria natal. Y el fué y és uno de esos grandes capitanes de nuestras más prosperas Industrias. Hidalgo Castellano del viejo tipo, ya que no le fué posible enrolarse en los tercios de Flandes para guerrerar y conquistar Nuevos Mundos, se mete mundo de la Industria adelante a descubrir nuevos emporios de riqueza.

Su fortuna personal crece; sus fábricas trabajan a plena máquina. Centenares, millares de empleados viven en sus minas. Y todos contentos y alegres hasta el punto de haber sido el primer Patrón declarado *Modelo* por el Gobierno Filipino.

De las limosnas de Andres Soriano no hay para que hablar.

La Universidad de Sto. Tomás tiene que decir aquí solemnemente y ante el mundo entero que es este hombre bueno y digno el único que con su óvolo contribuye en algo a nuestro sostenimiento.

Desde hace Cuatro años funciona en esta Universidad una cátedra de español y otra de frances creada por Andres Soriano.

Bien merecido, pues, tiene el título que hoy le conferimos y en nuestra Galería de hombres ilustres bien puede figurar este que se llama, ni más ni menos que ANDRES SORIANO ROXAS.

Y nos falta la tercera figura que vamos a colgar en nuestra Galería de Hombres Ilustres. Su nombre apenas dice nada al mundo grande de los grandes negocios.

Alguien se yo que ha preguntado ¿por qué la Universidad

de Sto. Tomás, tan cuidadosa y tan austera en la concesión de Títulos Honorarios lo confiere en un hombre apenas conocido? ¿Qué ha hecho Mariano V. de los Santos para figurar y nada menos que entre Dña. Aurora de Quezon y D. Andres Soriano en la Galería de Hombres Ilustres?

Pues, señores, yo voy a contestar con una afirmación rotunda y que habrá de llamar vuestra atención.

A Mariano de los Santos lo hacemos Doctor en Letras *precisamente por no haber hecho nada, ni haber brillado en nada, ni ser nada ante los ojos del llamado gran mundo.*

Alumno brillantísimo de esta Universidad en sus años mozos terminó con notas extraordinarias las Carreras de Filosofía y Letras y Derecho. Yo recuerdo haber oído a aquel gran hombre que se llamó P. Manuel Arellano, dignísimo antecesor mío en este cargo y al que más que a nadie hay que atribuir el estado que hoy tiene esta Universidad, que Mariano de los Santos había sido el alumno más aprovechado que había tenido como profesor de esta Universidad. Terminó su Licenciatura en las dos carreras. Y ganoso de ampliar sus estudios se fué a América. Y volvió a nosotros para dedicarse a la enseñanza.

Dedicarse a la enseñanza. ¿Sabeis señores lo que esto significa en la mayor parte de las ocasiones? Significa desposarse, como San Francisco, con la Hermana Pobreza; significa abrazar la cruz más pesada y el renunciamiento más completo al brillo y al esplendor del mundo. Un buen profesor es un Tesoro, pero oculto entre las paredes de su clase y a veces desconocido aún para sus mismos discípulos, que solo más tarde vienen a darse cuenta de lo que significaba su profesor para su formación.

Años más adelante Mariano V. de los Santos hubo de tomar sobre sus hombros, que probaron ser de gigante, una obra educacional inmensa y que me vais a permitir conceptuar, al menos para mi uso personal, como la obra pedagógica más grande que se ha hecho en Filipinas en los últimos cincuenta años.

La Universidad de Manila pasaba por un trance muy difícil. No somos quien para determinar las causas de aquella crisis. Si que sabemos que fué una crisis casi de muerte.

Regir hoy una Universidad no es la obra fácil que muchos se figuran, no viendo mas que el esplendor de este día de gra-

ducción y de esos otros pocos días en que luciendo la muceta, aparecemos a los ojos de los profanos presidiendo las Facultades.

Regir hoy una Universidad es empresa sumamente difícil, dada la complejidad de los problemas que tiene que resolver todo ejecutivo educacional.

En mi último viaje a Estados Unidos hablando con los Presidentes de varias Universidades, oí decir a algunos de ellos; que va llegando el tiempo en que por su complejidad sea imposible físicamente que ningún hombre lleve solo los asuntos de dirección de una Institución docente moderna.

Añadid a esto que en el caso de la Universidad de Manila se trataba de una Institución privada sin fondos del Estado con que contar; ni fondos propios de que echar mano y vereis si era difícil la tarea que echo sobre sus hombros Mariano de los Santos al emprender el camino de sanar y dar robustez a la Universidad de Manila.

Y por imposible que ello parezca ha conseguido no solo salvar a la Universidad, sino que le ha insuflado nueva vida y la ha colocado a la altura de las mejores.

Labor silenciosa; labor callada; labor de Hombre Grande.

Y por eso ha querido esta su Madre premiar su silección y su nada ante los ojos de los hombres con el birrete doctoral, que bien ganado lo tiene el con su labor silenciosa y callada.

Hombres de temple de Mariano de los Santos, que sepan sacrificar una vida al silencio y a la abnegación es la que mas se necesita para que los cimientos de la patria sean robustos y fuertes.

Dña. Aurora—La Esposa y la Madre.

D. Andres—El Industrial Modelo, el Patriota sin par.

D. Mariano de los Santos—El Educador austero y silencioso.

He ahí las tres grandes figuras que yo pongo ante los ojos de nuestros graduandos.

Amados graduandos:

Vais a salir de la Universidad terminadas vuestras carreras. Algunos de vosotros, en el correr de los años, se harán famosos y darán gloria a la Institución que los educó; otros se perderán en el anonimato, como se han perdido tantos centenares de graduados antes que vosotros.

Al entrar por los caminos tortuosos de la vida no quisiera yo que ninguno de vosotros fuera en busca de gloria, ni de fama, ni de riqueza. El mundo padece hoy, acaso más que nunca, un gran error de perspectiva. No es mejor lo que más brilla y reluce. Puede haber y hay diamantes en bruto, que bajo una capa de tierra encierran valores gigantescos.

Yo quisiera que cada uno de vosotros al terminar esta solemne Investidura saliera con la plena determinación de entregaros por completo a la prosperidad y bienestar de vuestro pueblo. Esos profesionales Médicos, Farmaceuticos, Abogados, Educadores que en el mas absoluto anonimato ejercen su profesión en las provincias, en los pueblos, en los barrios esos son los verdaderos héroes y los merecedores de la bendición de su patria.

Pensad siempre en que sois hijos de la Universidad que durante trescientos años ha trabajado en moldear el espíritu de vuestro pueblo y que ha merecido el título de Pontificia y de Real. Por Pontificia quiere que todos sus hijos sean Cristianos de verdad, no solo en su fe, sino y principalmente en su vida; por Real quiere que vosotros conserveis las esencias de lo que la Madre España os trajo: *su Fe*, *su Cultura* y *su Lengua*; quiere que mireis al porvenir y que dirijais vuestros pasos hacia las Repúblicas que son vuestras hermanas, sin que ello implique reñir con nadie, ni apartarse de nadie. Por Manilana la Universidad quiere que seais patriótas cumplidos y buenos como lo fueron los que antes que vosotros aquí se educaron.

Filipinas necesita y dentro de poco necesitará mucho mas del sacrificio, de la abnegación, y del talento de todos y cada uno de vosotros.

Fijaos bien que digo del sacrificio y de la abnegación. Vais a entrar en el periodo más difícil de la Historia patria. Esas dificultades no son insuperables. Nosotros, los Españoles hemos pasado por mayores y las vencimos. Vosotros las vencereis tambien.

Teneis buenos guías y llevais en las fibras más íntimas de vuestro ser, medula de gigantes. Qué en los días de prueba y sacrificio no vuelva nadie de vosotros la espalda.

Con vuestro talento, puesto a disposición de la patria podreis cooperar a vencer las dificultades.

Unios en el sacrificio. Yo os voy a dar lo que hoy debiera constituir vuestro lema :

Disciplina y Sacrificio.

Filipinas *Una — Grande — y Libre.*

Y terminó. Con esta Investidura terminó mi Rectorado. Conmigo empezasteis casi todos vosotros. Yo me voy y vosotros también os vais. Como buenos amigos hemos convivido cuatro años. En esos cuatro años procuramos dar cuanto teníamos.

Fundamos el Colegio de Diplomacia, que esperamos sea un éxito en un futuro no lejano; dimos Regentes a varias facultades con no pequeño mejoramiento de las mismas.

Establecimos la escuela de Enfermeras, que hasta ahora no ha dado los resultados que esperábamos, pero que estoy seguro los dará en el futuro.

Creamos las Escuelas de Minas y de Ingeniería Electrica. El Departamento de Comercio lo convertimos en Colegio y creamos un Colegio de Religión.

Este mismo año dejamos organizada la Escuela de Bellas Artes aplicadas a la Educación; la Ingeniería Industrial, Mecánica y Eléctrica.

Implantamos los Estatutos Universitarios y creamos los organismos allí señalados.

Todo esta hilvanar es verdad; pero confiamos en Dios en que quien nos suceda llevara a madures lo que nosotros solo pudimos empezar.

El amor a nuestra Patria, que ha pasado por el trance mas difícil de su historia hizo que gran parte de nuestra actividad personal la consagrasemos a Ella. Mal puede enseñar patriotismo quien no ama a Su Patria.

Dos viajes hemos hecho a Europa en estos cuatro años. No eran viajes de descanso. En ellos trabajamos por la Universidad hasta que conseguimos que nuestros estudios y nuestros grados tengan valor académico en España. Una doble corriente intelectual ha dado comienzo entre la Madre y la Hija gracias a Sto. Tomás.

Ayer salieron nuestros dos primeros pensionados a España, los PP. Pedrosa y Ortea; el uno para especializarse en Física, el otro en Química. En Junio saldrán tres médicos, un abogado y

una profesora de Ciencia Social. El Dr. Domingo Antonio para especializarse en Urología y Proctología; el Dr. Manuel Peñas en Patología y el Dr. José José para Cirujía de la cabeza y del torax.

El licenciado Antonio Estrada queremos especialice en Derecho Penal y su Señora Josefa Gonzalez en Servicio Social.

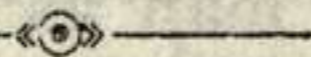
Tras de estos irán otros y esperamos que de España vengán también aquí a estudiarnos y a conocernos. Por de pronto ya tenemos contratados los servicios de dos jóvenes profesores, Julio Castro y Jose Solas—dos de las mentalidades mejores de la florida juventud española de la postguerra.

Y aquí termino, queridos graduandos.

Que el Señor os bendiga: que la Patria sea vuestro principal amor.

Y no lo olvideis, vuestro "motto" que sea: Disciplina y Sacrificio.

Filipinas — *Una — Grande — Libre.*



SOCIOLOGY

Charity and the Law

By Sister M. ANN JOACHIM, O.P.

We should justly feel proud of the fact that Christian charity has, from the beginning, been a dynamic element in community life. Catholic social principles elevate social action from mere humanitarianism to a share in the Apostolic spirit of the Gospels. Christ in His public teachings made Charity the real test of Christian faith. "By this shall all men know you are My disciples, if you have love for one another." Charity includes love of man as well as love of God. Charity is an essential part of our religion, it is a duty binding in conscience and the fulfillment of a divine commandment. We know that "Faith without good works is dead." Charity is then a personal virtue, a religious duty as well as a social utility.

It is difficult for individuals to perform works of charity by themselves. Institutions and organizations are necessary. That charitable institutions have a real place in the life of all, but particularly the poor and underprivileged, no one denies. Public charity as well as private charity is necessary. One cannot do without the other. Private agencies will always be needed because they aid in solving the intimate problems of family life as well as caring for the soul. More humanitarianism is in danger of losing sight of the dignity of man. We can

find the true philosophy of Charity in the Encyclicals which treat of man as a social being, as a member of society, be it family, state, church or economic society, are strictly speaking social encyclicals. They have a partial bearing on problems of everyday life. They are based on the political, economic and social ideas of St. Thomas Aquinas and can truly be called an "Encyclopedia of Sociology."

Our concept of institutions must be determined by our viewpoint of man and his destiny. There must be mutual understanding of aims and purposes between the home, school, church and state, and this can be brought about by education.

Our present Holy Father tells us:

"Reeducation of mankind must be, above all things spiritual and religious. Hence it must proceed from Christ as from its indispensable foundations; must be actuated by justice and crowned by charity."¹

Justice and charity must be grounded on correct philosophical principles.

The government has its legitimate sphere but should not take over all charities. It needs and should recognize the valuable work of the private charitable institutions. Public institutions are well defined by law. It is very important to seek the legal aspect of the charitable institution.

When is an institution charitable in the eyes of the law? The Articles of Incorporation or the Charter of itself does not control the question. The corporation must not only call itself a charity, but it must so conduct its business as to be in truth a philanthropic organization.² The courts are questioning more and more the granting of immunity from liability solely on the basis of the form of incorporation. Proof that the organization is charitable in fact as well as in name is being demanded. "The mere fact that a corporation is incorporated as a charitable corporation is not conclusive of its character as such, upon one suing it for negligence."³

The mere act that a school is organized and incorporated

¹ Pius XII, Encyclical "The Need for Unity in Opposing World Evils" *The Catholic Mind*, vo. XXXVII, Nov. 8, 1939, No. 835, p. 909.

² *England vs. Hospital of the Good Samaritan*, 61 P(2), 48, 1936, California; 70 P(2) 692, 1937; 88 P(2) 227, 1939.

³ *White vs. Central Dispensary and Emergency Hospital*, 99 F(2) 355.

under the act to incorporate association not for pecuniary profit is not conclusive that such a school is a non-profit organization.⁴ Even if an institution charges those who are able to pay for room, board and attendance, it may still be charitable in fact.⁵ Further, if a corporation is essentially a charitable one, the fact that one of its departments earns a profit does not affect the general character of the institution.⁶

Since the American Medical Association has registered more than 2700 non-profit hospitals in the United States, it seems appropriate that we deal with the hospital as the best example of a charitable institution in our discussion today.

Permit me to go into detail in the case of Elizabeth Silva vs. Providence Hospital of Oakland. The plaintiff over seventy years of age, through her daughter sought and was granted care and treatment in a ward of defendant hospital at the agreed regular rate of \$4.00 a day. Several days after her entry plaintiff fell out of bed. One of plaintiff's attending physicians instructed defendant to equip the bed with a side board. This order was obeyed except on one occasion, about three and one-half weeks, thereafter, when plaintiff again fell out of bed and fractured her right hip. Because of the latter injury plaintiff incurred expenses. This action was brought and judgment given for total damages of \$3000. In support of the argument for reversal of the judgment appellant contends that the charity doctrine which is an integral part of the jurisprudence of this state, exempts the corporation hospital from liability, and that the judgment therefore is without evidentiary support.

Appellant erected its first hospital on borrowed money, paid off the indebtedness from its income, acquired a new site, and is reducing the present indebtedness. The corporation hospital has received no endowments or donations and its source of income is from paying patients. It has no stock or stockholders, and its officers serve without remuneration; it accepts charity, semi-charity and full-pay patients; it maintains a free clinic for children and expectant mothers, and a free school for training nurses. It gives

⁴ Princeton Country Day School vs. State Board of Tax Appeals, 113 N. J. L. 515, 1934.

⁵ McDonald vs. Mass. General Hospital, 120 Mass. 432; Beverly Hospital vs. W. P. Early, 197 N. E. 641, Mass. 1935.

⁶ The X-Ray Department, for example; Ritchie vs. Long Beach Community Hospital, 34 P(2) 771.

dole at its doors, free meals to indigent applicants and assistance to poor families outside of the hospital. It becomes necessary therefore to determine whether, under all the circumstances of the case, it may be designated as a charitable institution and entitled to exemptions from liability for the negligence of its servants.

The trial court found that said hospital was operated by said defendant for profit even though the general purposes of said defendant may have been charitable. There is ample evidence to sustain this finding. The primary purpose of the organization was profit. From that profit, charity was dispensed. The charity was dependent upon and sufficiently distinct to indicate that the first importance was profit.

In the Arizona case of *Southern Methodist Hospital and Sanatorium in Tuscon vs. Wilson*,⁸ which was appealed twice, the court finally and definitely stated that "the test is not whether the patients of the hospital pay more or less for their services, but whether those charged with its operation were conducting it for their private profit or advantage." New York concur in saying that an institution receiving pay patients does not change its status as a charitable organization.⁹ A Missouri hospital was even allowed to recover a judgment for services rendered a patient, holding that the trustee had the right to recover money owing to the charitable trust.¹⁰

Lately, the courts have shown less generosity in granting hospitals immunity from liability. Catherine Sheehan had been a paying patient in the North Country Community Hospital, a charitable corporation. She was being removed in its ambulance to her home. The court held the defendant was not exempt and submitted the question of negligence to the jury who returned a verdict in favor of the plaintiff.¹¹ There is

⁷ *Silva vs. Providence Hospital of Oakland*, 87 P(2) 374.

⁸ 45 Arizona 507; 46 P(2) 118.

⁹ *Collins vs. New York P. G. Medical School and Hospital*, 59 app. Div. 63; 69 N. Y.S 106; See also *McDonald vs. Maas General Hospital*, 120 Mass. 432.

¹⁰ *Barnes Hospital et al. vs. Schultz*, 90 S. W. (2) 164, Missouri.

¹¹ 373 N. Y. 163, 580; 248 APP. DIV. 632; Appealed in 289 N. Y. S, 756; Catherine Sheehan received \$883.70 Damages and Ed. Sheehan her husband \$458.70 ofr loss of wifite's services.

Cf. *Schloendorff vs. oSociety of New York Hospital*, 211 N. Y. 125; N. W. 92.

ample reason to believe that the future will bring more encroachments on the rule of exemption and that other courts will be influenced by this decision.

After it is determined whether the hospital is really charitable or not, the question of liability is still complicated. Many questions arise which have not been foreseen by legislators and it is then left to the courts. It is not surprising then that there is a great diversity of opinion and ruling among the various courts of last resort.

These decisions might be classed in three general groups, one which holds the hospital immune from all liability for the injurious acts of its servants or employees; another which holds the private charitable hospital just as liable as any other individual or corporation; and a third, which avoids the two extremes and in which most of the states concur, imposes liability or grants immunity under certain circumstances. The current opinion, that modern conditions do not justify that they receive special exemption, is increasing. In fact, in this era, the whole social and political structure is undergoing a change. There can be no general rule for all cases. One law always necessitates another so that legislation is so voluminous and scattered that the actual or potential menace of each cannot be estimated.

It is well established in Utah the hospital is liable for negligence of its nurses resulting in the death of a paying patient, notwithstanding that the hospital is organized as a charity and gives charitable services.¹² The Supreme Court of Utah has thus aligned itself with a growing minority refusing to grant immunity to hospitals in these modern times, saying that it is no longer necessary to protect such institutions against individuals who are injured, just because they perform acts of charity. There was a time, they agree, when such institutions were few and needed encouragement.¹³

St. John's Hospital of Tulsa, Oklohama, was sued by the administrator of the estate of a deceased patient to recover damages for the alleged wrongful death of the delirious pa-

¹² Art. 13 sec. 2 of the Constitution; see also *William Budge Memorial Hospital vs. Maughan*, 79 Utah 516; *Getzhoffen vs. Sisters of H. C. Hospital Association* 32 Utah 46.

¹³ *Sessions vs. Thomas D. Dee Memorial Hosp. Ass'n.* 78 P(2) 645.

tient, who, while unguarded, jumped or fell from a hospital window. The jury found that the hospital was negligent in allowing the patient to remain unguarded and the court held that a paying patient in a hospital conducted without stock or profit in which indigent patients are treated without cost, and the fees exacted from patients can pay are used in promoting the work, may recover damages for the injury caused by the negligence of the attending nurse. Judgment was \$3000 for loss of life and \$500 for pain and suffering.¹⁴

The majority view in charity hospital cases is that they are not liable for the negligence of their employees even when the party plaintiff is a pay patient, but the courts are qualifying the three early theories of immunity. More are now holding that the position of the pay patient is the same whether in a charity hospital or in one conducted for profit and that he should be entitled to the same remedies against one as against the other. What merits particular attention at the present time is the growing feeling that the individual needs the protection of the law more than institutions.

The Minnesota case often quoted is the where Lawrence Grotte had been admitted to the defendant's hospital as a pneumonia patient. He became delirious and during the absence of attendants jumped from the second story window of his room and was killed. It was shown that the attendants knew of the patient's delirious state for some forty hours before his death. The attending nurse left the window slightly open and left the room for about five minutes. The court held that the evidence of negligence was sufficient and that liability should be imposed even though the defendant was operating a charitable hospital:

We do not believe that the policy of irresponsibility best subserves the beneficent purposes for which the hospital is maintained. We do not approve the public policy, which would require the widow and children of the deceased, rather than the corporation, to suffer the loss incurred through the fault of the corporation's employees, or in other words, which would compel the persons damaged to contribute the amount

¹⁴ *Zeidler vs. Sisters of the Sorrowful Mothers*, 92 P(2d) 996, June 7, 1938.

of their loss to the purposes of even the most worthy corporation. We are of the opinion that public policy does not favor exemption from liability.

Plaintiff recovered judgment in the sum of \$6500.00.¹⁵

Is a third person who enters the hospital as a visitor considered a beneficiary and therefore prevented from recovering for injuries sustained? The New Jersey Law says that she is. A plaintiff came to visit her daughter; she came voluntarily and for her own purposes. She fell and was injured. She tried to show that the defendant was negligent in not removing the wet spot on the stairs which was the cause of her fall. The court held that she was a recipient of the same benevolence as was the patient and applied the theory that public policy denies recovery.¹⁶

Louisiana has made an inroad on the doctrine of exemptions from liability for negligence on the part of charitable organizations. The plaintiff was injured by a truck owned by the Volunteers of America. The court held that he was not a beneficiary and that he could recover because all persons and corporations must answer for the consequences of their negligent acts.¹⁷ In a New Jersey automobile accident case the judge agreed on the soundness of the trust-fund, public policy and implied waiver theories, but held that the plaintiffs were absolute strangers to the defendant and had obtained not benefits from them, further that to uphold the defendant in its selection of servants, and in the carelessness of those selected would be "repugnant to one's sense of justice."¹⁸ Again, the Minnesota court stressed this point, saying, "Where innocent persons suffer through their (the hospital) fault, they should not be exempted... It is almost contrary to hold that an institution organized to dispense charity shall be charitable and extend aid to others, but shall not compensate or aid those injured by it in carrying on its activities."¹⁹

In *Kolb vs. Monsouth Memorial Hospital*, the plaintiff, a

¹⁵ *Hullin Adm. vs. Evangeliches Diakniessenverein*, 144 Minn. 372.

¹⁶ *Boeckel vs. Orange Memorial Hospital*, N. J. L. 453,

¹⁷ *Bougon vs. Volunteers of America et al.*, 151 So. 797.

¹⁸ *Simmons et al. vs. Wiley Methodist Episcopal Church et al.* 112 N. J. L. 129.

¹⁹ *Geiger vs. Simpson M. E. Church* 174 Minn. 389.

member of the first aid volunteer fire department, took, in the company's ambulance, an emergency case to the defendant hospital. Upon reaching the hospital the plaintiff went through the customary procedure of getting the stretcher for the patient and while doing so fell and received injuries for which he brought suit. The plaintiff was not related to the patient and received no compensation for his services. He was on the premises as an invited guest and he recovered damages in the sum of \$9750.00.²⁰

Legal questions concerning charitable institutions arise daily. Approximately 62,000 bills are introduced in the legislatures of the forty-eight states each year (1935-1936 session 23,918 bills were passed in the United States) and of these more than 3500 pertain to hospitals, doctors and nurses. Within the past few months legislation pertaining to contracts for hospitalization, group insurance, payment for care of indigent patients, compulsory health or accident insurance, service plans, licensing laws, regulations for all the different departments in a hospital, social security and old age assistance, unemployment compensation, workman's compensation, socialized medicine, minimum wage laws,²¹ taxation of every nature and description, real and personal property, sales tax, gift tax, privilege tax, etc., medical ethics, actions of malpractice, pauper aid, child-birth duties, nurses, registration, licence, education, interns, motor vehicles, sirens, ambulance operation and service, furnishing of oxygen tents, healing crippled children, blind, dependent and indigent sick, reports of all kinds, accident, death, wounds, diseases and defects, fire inspection, building laws, water supply, food and drugs, labor relations, collective bargaining, fair labor practices, child labor, mental health and disease, hospital facilities available to all physicians, selection of doctor, hospital incorporation, licence and inspection, and dozens of others have been introduced in the various states.

Profound gratitude for the sacrifices and labors is due religious communities in the upbuilding and maintaining of charitable institutions. In spite of restrictions and increased legislation Catholic hospitals alone have increased five percent

²⁰ N. J. L. 118.

²¹ Seven states have a minimum wage law.

in the last five years. We must continue this work of Christ, the need is constantly increasing.

Charitable institutions are definitely in politics and the time to influence legislations is before its enactment. Legislators are usually interested in the public welfare and are interested in the advantages and disadvantages of proposed legislation. This necessitates careful study and close watchfulness on the part of charitable institution representatives.

Socialista--Comunista y Catolicismo

SINTESIS DOCTRINAL

(Continuación)

La moral base imprescindible.

LLEGAMOS a la cima de los absurdos y aberraciones del socialismo-comunista. Viciado el manantial, viciada marcha la corriente. De modo análogo: envenenada la juventud, pútrida y corrupta resulta la sociedad. Quitada la suprema realidad de la existencia de Dios; trocado el espíritu en materia; convertido el *más allá* de la vida futura en el *más acá* de la vida presente; vilipendiada, pisoteada, destruida la humana libertad; roto todo freno moral contra los asaltos de los estímulos ciegos, el hombre, reducido a las pobres luces de la razón bastardeada por extrañas influencias, se rinde, y por fin sucumbe, ante la fuerza y el desenfreno abasallador de las pasiones alborotadas, insubordinadas. Fantasean en hacer al hombre libre y le convierten en esclavo de sus propios apetitos. Sueñan en mejorar la situación y la empeoran porque prescinden del orden moral y prescindiendo del orden moral ¿quién puede obligar a los patronos a no considerar al obrero como un esclavo, respetando en él la personalidad humana nimbada con la nobleza dimanante del llamado caracter cristiano? ¿Quién puede obligar al patrono a no abusar del obrero cual si fuera una máquina animalizada que tanto vale cuanto es su rendimiento, a no exponerle a los atractivos de la corrupción, dejándole por el contrario tiempo libre

para satisfacer las obligaciones de religión y de familia, y a no imponerle más trabajo del que sufren su edad, fuerzas, sexo y condición? ¿Quién, asimismo, se siente con bastantes arrestos y obliga al obrero a poner con fidelidad el trabajo libremente contratado, a no dañar en manera alguna la empresa, respetando el capital y la persona del capitalista; a no recurrir a la fuerza bruta cuando se trate de defender los propios intereses; a no armar nunca sediciones, ni juntarse con hombres malvados que mañosamente le auguran grandísimas, pero utópicas esperanzas “a que siga casi siempre un arrepentimiento inútil y la ruina de sus fortunas?”¹ ¿Quién, negado el orden moral, cuenta con la fuerza y virtud suficientes contra las tempestades levantadas por las olas borrascosas de los instintos inferiores y les dice con eficacia el *callad, enmudeced, tace obmutesce*, que Jesús pronunció cierto día al hallarse en medio de las montañas aquosas del mar de Tiberíades?

Acaso alguno, en son de réplica, responda: es que ignora usted la potencia de la ciencia atea, de la educación a lo socialista, de la civilización a lo marxista, del derecho a lo anarquista, de la pública autoridad tipo Apaches y Checha? Elevándonos algún tanto, ¿ignora usted la virtualidad del imperativo de la razón? Cándidamente confieso mi ignorancia. Ignoro que la ciencia, la educación, la civilización, el derecho, la pública autoridad y el imperativo de la razón sean virtudes-fuerzas capaces de devolver la paz a la sociedad torturada, mucho más cuando todas ellas están influenciadas del virus socialista, comunista, anarquista. Lo ignoro, porque la razón demuestra y la historia comprueba que la dirección y encauzamiento de la sociedad en los álveos del deber requieren algo superior a la misma sociedad, y por consiguiente nada que de ella emane, como son las cosas antedichas, reúne esa condición fundamental. Estadistas ingleses dedicados al estudio de las bases de la vida social, obligados por la lógica de la experiencia, se expresan en estos o parecidos términos: los ensayos practicados en la búsqueda de la reconstrucción de la paz social demuestran, que ni la educación, ni la ciencia, ni la prosperidad comercial, ni la diplomacia constituyen cimientos sólidos en favor del ordenado desenvolvimiento de la vida social. Y un ex-Presidente de la República Norte Americana, considerando el mísero estado del mundo y proponiendo a la

¹ *Rerum Novarum*, pag. 15. 16.

vez el único remedio viable, exclama: "Lo que necesita el mundo, más que nada, es un poco de devoción religiosa... Si yo tuviera que señalar orientación y remedio para conducir al mundo por el camino de la paz, debería proponerle con énfasis las enseñanzas del Príncipe de la Paz." (Harding).

El Evangelio cimenta un nuevo orden social.

Es manifiesto, que nuestro Señor Jesucristo, auténtico Príncipe de la Paz, no descendió del cielo a la tierra con el fin de modelar una República humana cimentada en un determinado partido político o en un nuevo sistema de economía social; pero tanto en las 'charlas' privadas con los doce como en las enseñanzas públicas habidas delante del pueblo Jesús delineó las normas a que deben ajustarse los hombres todos: ricos y pobres, capitalistas y obreros, burgueses y proletarios, burócratas y aristócratas. No vino a formular los principios de una nueva filosofía de la vida social en el sentido estricto de la palabra, pero en El nació, creció y se desarrolló el sentimiento moral del recto vivir. No soñó en derrocar tronos e imperios a fin de levantar después un nuevo imperio terreno, fruto de sus esfuerzos personales; mas del conjunto de ideas expuestas a las masas palestinas, cuya compilación la tenemos en los Evangelios—guión de sus divinas enseñanzas—, brotó una sociedad nueva fundamentada en la valorización exacta del espíritu. De hecho, pues, el Evangelio originó una nueva economía social, una nueva filosofía de la vida y una nueva sociedad, porque en hecho de verdad ha renovado el elemento primordial, el alma, la espiritualidad.

Siendo el Evangelio letra muerta, necesitamos un intérprete que desentrañe las verdades allí contenidas. Ese intérprete, todos los sabemos, es la Iglesia *Magistra gentium* y fiel depositaria del dato revelado, punto obligado de partida, si es verdad aquello de que toda cuestión política o social lleva implícita una cuestión teológica o religiosa.

Procediendo ordenadamente, aunque a la inversa del socialismo desvergonzado, la Iglesia cimenta el propio sistema en la suprema realidad de la existencia de Dios: uno por naturaleza y trino en las personas, Creador omnipotente y sabio, prudente Conservador, Juez justísimo de buenos y malos. "Y a la verdad, no porque los hombres así lo creen, Dios existe; sino porque El

existe creen el El y a El elevan sus súplicas cuantos no cierran voluntariamente los ojos a la verdad”²

Como secuela y corolario del primer principio del sistema social católico brotan innúmeras consecuencias de trascendental importancia. De modo particular, surge gallarda la confesión del *más allá* cristiano, de la creencia en el ser de ultratumba, de la existencia de la vida futura. Por ende, entre Dios creador y el hombre creatura existe una doble relación, de causalidad y de finalidad: Dios principio, Dios fin; “porque no crió Dios al hombre para estas cosas quebradizas y caducas, sino para las celestiales y eternas; ni nos dió la tierra por habitación perpetua, sino por lugar de destierro”³. Así, el hombre al sentirse desterrado, al reconocerse viajero que marcha en busca de la Patria permanente, se admira rejuvenecido y alentado con ayudas especiales entreveradas por divinas promesas. Y rememorando, al menos en lo substancial, la idea sublime del Apóstol, que un ligero y momentaneo padecer engendra en nosotros *un peso eterno de gloria*⁴, abomina con celo santo los bienes mundanales, cifra su esperanza en la futura sociedad de los bienaventurados, medita las otras palabras del mismo San Pablo: “Si sufriéremos, reinaremos también con El”⁵ y se resigna cristianamente a sobrellevar con paciencia las diferencias originadas por razón de las diversas fortunas y de las varias posiciones sociales.

Al par que infunde al hombre alientos sobrehumanos, la Religión justiprecia con exactitud los derechos del hombre ora se le considere como individuo, ora se le contemple como miembro de la sociedad. El hombre, individuo, es un ser racional adornado por el Creador con profusión de dones del cuerpo y del alma. En el orden superior del espíritu posee un alma incorruptible, inmortal; goza de libertad en orden al bien y al mal, y tiene cierta capacidad receptiva de la gracia santificante, ser divino que le incorpora al cuerpo místico de Jesucristo y le hace hijo de Dios por participación: *divinae consortes naturae*. En el orden inferior del cuerpo “Dios lo ha dotado con múltiples y variadas prerrogativas: derecho a la vida, a la integridad del cuerpo, a los medios necesarios para la existencia; derecho de

² Enc. Com. Ateo, no. 26.

³ *Rerum Novarum*, pag. 17.

⁴ *IIa. Ad. Co.*, cap. IV, vers. 7.

⁵ *IIa. Ad Tm.*, 12.

tender a su fin por el camino trazado por Dios; derecho de asociación, de propiedad y del uso de la propiedad”⁶.

La Iglesia ampara el matrimonio.

Uno de los derechos individuales que la Iglesia, desde sus orígenes, amparó con celo verdaderamente santo, es el referente a la unión conyugal. Siempre, en todos los tiempos y edades, la Religión protegió la unidad del matrimonio proponiendo a los contrayentes la regla suprema demarcada por Cristo en el Evangelio: “El hombre se unirá a su mujer y los dos serán una sola carne”⁷. El hombre, en singular, se unirá a su mujer, también en singular, y de “esta suerte no serán dos, sino una sóla carne”⁸. De un sólo plumazo proscribió ambos abusos: la poligamia y la poliandria. Fué el único medio de acabar con la prostitución sagrada de los pueblos semitas y con el envilecimiento de Griegos y Romanos, entre quienes no era raro hallar esposas que podían haber contado sus años, no por el número de cónsules regidores de la República, sino por el número de maridos.

Y este derecho de unión marital, en conformidad con la doctrina cristiana le viene al hombre por el doble canal de la naturaleza y de la ley divina. Más de una vez, en diversos lugares de la sagrada Escritura, Dios manifiesta su voluntad en orden al matrimonio. El es quien en el paraiso dice a nuestros primeros padres, y en ellos a todos los futuros cónyuges: “Creced y multiplicaos y llenad la tierra”⁹; El quien por mediación de San Pablo traza la regla en carta dirigida al obispo Timoteo: “Quiero que las que son jóvenes se casen para que crien hijos, para que sean madres de familia”¹⁰; El quien, valiéndose del mismo Apóstol Pablo, lega al mundo aquella otra norma de bien casados: “El marido pague el débito a la mujer y de la misma suerte, la mujer al marido”¹¹. Notemos cómo el autor Sagrado siempre usa el singular; es que el matrimonio cristiano, además de ser uno, es perpetuo, indisoluble. Tan indisoluble que todo hombre prefiere abandonar al padre y a la madre por unirse a su mujer y no separarse jamás de ella: “El hombre, leemos en el Evangelio, abandonará a su padre y a su madre y se unirá

⁶ Enc. Com. Ateo, no. 27.

⁷ Math. cap. XIX, vers. 5.

⁸ Math. cap. XIX, vers. 6.

⁹ Gen. cap. I, vers. 28.

¹⁰ I Tim., 12.

¹¹ Ia. Ad Cor. cap. VII, vers. 3.

a su mujer y los dos serán una sóla carne". San Pablo, completando la idea de la indisolubilidad, dice: "Mientras viva el esposo, la mujer sujeta está a la ley; cuando muriere el esposo, libre es. Cásese con el que quiera en el Señor"¹².

Aun hizo más la Iglesia en defensa del matrimonio. Salvaguardadas las bases inmovibles de la unidad e indisolubilidad, propiedades esenciales del matrimonio, sólo restaba santificarle; la Iglesia le santificó elevándole al rango de sacramento. De este modo, el contrato bilateral de los cónyuges quedó transformado en *signo sensible causativo de la gracia por institución de Cristo*. *Signo*, porque representa la unión moral de Cristo con la Iglesia: "El hombre es cabeza de la mujer, como Cristo es cabeza de la Iglesia"¹³. *Sensible*, porque el contrato debe ser manifestado con signos exteriores. *Causativo de gracia*, porque precisamente por la gracia sobrenatural a él aneja le llamó el Apóstol, *magno misterio*: "*magnum mysterium, ego dico in Christo et in Ecclesia*." *Por institución de Cristo*, porque sólo nuestro divino Redentor puede ligar la gracia sobrenatural a causas naturales, gracia que siempre se nos confiere en virtud de la Pasión.

El matrimonio es, pues, de derecho natural y divino, como son de derecho natural y divino la constitución y prerrogativas fundamentales de la familia. No es cuestión de mencionarlas todas y cada una en particular; mencionamos una sóla de las prerrogativas familiares primarias, acaso la principal: aludimos a la educación de los niños y de la juventud. Confesamos con el Pontífice felizmente reinante ser "la educación obra necesariamente social"; al mismo tiempo, siguiendo las huellas del mismo Sumo Pontífice, afirmamos y establecemos cierta jerarquía de derechos dentro de la sociabilidad admitida en la obra de la educación: la Iglesia precede a los padres, éstos al Estado. La Encíclica *Divini Illius Magistri*, después de recordar cómo la Iglesia siempre puso, pone y pondrá a disposición de las familias su oficio de maestra y educadora y cómo las familias han acudido presurosas para aprovecharse de él, concluye: "Estos dos hechos recuerdan y proclaman una gran verdad, importantísima en el orden moral y social. A saber: que la misión de la educación toca, ante todo y sobre todo, en primer lugar a la Iglesia y a la

¹² Ia. Ad Cor. cap. VII, vers. 39.

¹³ Ad Eph., cap. V.

familia, y que les toca por derecho natural y divino y, por tanto de manera inderogable, ineluctable, insubrogable”¹⁴.

La educación función de la Iglesia.

Ante todo y sobre todo la educación de niños y jóvenes pertenece a la Iglesia de modo supereminente. Ella tiene la misión expresa del Salvador de instruir a todas las gentes: “A mi se me ha dado toda potestad en el cielo y en la tierra. Id e *instruid a todas las naciones*, bautizándolas en el nombre del Padre y del Hijo y del Espíritu Santo: *enseñándoles a observar todas las cosas que yo os he mandado*”¹⁵. Ella goza del título inalienable de madre sobrenatural. Verdadera madre sobrenatural, ya que por virtud de los sacramentos y de sus divinas enseñanzas engendra, alimenta y educa las almas en la disciplina de la gracia. Pretender ser hijos de Dios sin reconocer a la Iglesia por madre, es una quimera: “No tendrá a Dios por padre, escribir San Agustín, el que rehusare tener a la Iglesia por madre”¹⁶.

Junto a la obra educadora de la Iglesia debe hallarse la obra de los padres. Ambas sociedades, la sobrenatural de la Iglesia y la natural de la Familia, poseen la misión de Dios en orden a este punto: la Iglesia le posee a título de madre espiritual, la Familia por razón de la maternidad carnal: “El padre, leemos en Santo Tomás, es principio de la generación, *educación, disciplina* y todo cuanto se refiere al perfeccionamiento de la vida”¹⁷. Por lo tanto, siendo los padres principio de la generación tienen derecho inviolable, no despótico, a educar los propios hijos: “porque siendo el hijo naturalmente algo del padre..., es de derecho natural que el hijo, antes del uso de la razón, esté bajo el cuidado del padre. Será contra la justicia natural, que el niño antes del uso de la razón fuese sustraído del cuidado de los padres, o de alguna manera se dispusiese de él contra la voluntad de los padres”¹⁸.

Las profundas palabras del Doctor Angélico, a la vez que arrumban la llamada enseñanza obligatoria, patentizan la insubsistencia de cierta opinión más o menos común en nuestros días. el niño, en sentir de muchos, nace ciudadano; al Estado incum-

¹⁴ Enc. Divini Illius Magistri, pags. 15, 16. Madrid, 1930.

¹⁵ Mat. cap XXVIII, 18-20.

¹⁶ De Symb. ad Catech., XIII.

¹⁷ IIa. IIae., q. 102, art. I.

¹⁸ IIa. IIae., q. 10, art. XII.

be su formación moral y religiosa. Sin esfuerzo alguno se ve la falsedad de semejante proposición; el niño antes de ser ciudadano debe existir; la existencia la recibe no del Estado, sino de los padres. Ahondando un poco más, nos animamos a decir: el niño inicia su carrera de ciudadanía por medio de la sociedad doméstica; porque "si queremos hablar con exactitud ellos no entran directamente, sino por medio de la comunidad doméstica, en la que han sido engendrados, a formar parte de la sociedad civil"¹⁹. Sin embargo, aunque el derecho de los padres en orden a la educación de los hijos sea inviolable, no puede ser despótico, porque debe estar subordinado al fin último de la creatura racional y a la ley natural y divina.

En último término, la educación de los jóvenes compete al Estado no a título de paternidad, como a la Iglesia y a la Familia, sino más bien basado en la autoridad de que goza en orden a promover el bien común temporal de los ciudadanos. Utilizando esa autoridad que le compete, el Estado debe promover y proteger la obra educadora. Proteger de un lado los derechos anteriores de la Iglesia y de la Familia, y de otro el derecho mismo de la prole cuando la obra de la Familia resulte insuficiente por incapacidad o indignidad. En ese caso el Estado suple y remedia el defecto, no suplanta los derechos familiares.

Formado el hombre individuo, pasa éste a formar parte de la sociedad. Algo en él innato le inclina hacia ella. El deseo de perfeccionarse en el orden intelectual; la inclinación a amar y a ser amado en unión con la necesidad de comunicarse mediante el lenguaje, testifican y hasta resaltan la verdad encerrada en este dicho vulgar: *el hombre es, por naturaleza, social*. No obstante, aunque el hombre sienta cierta necesidad imperiosa de la sociedad, no por eso debe quedar absorvido por la comunidad; al contrario, incumbencia suya es aprovecharse de la misma ya en orden al desenvolvimiento de las propias cualidades individuales, ya también en orden a la consecución del último fin temporal y eterno. La sociedad sirve al hombre, no el hombre a la sociedad: "En el plan del Creador la sociedad es un medio natural, del que el hombre puede y debe servirse para obtener su fin, por ser la sociedad humana para el hombre y no al contrario"²⁰.

¹⁹ León XIII, *Rerum Novarum*.

²⁰ Pío XI, *Euc. s. El Com. Ateo*, no. 20.

Establecida la subjeción de todas las cosas al hombre: *Todo es vuestro, vosotros sois de Cristo, Cristo es de Dios*²¹, la Religión evoluciona un grado más. Oponiendo la igualdad específica de la raza humana a la igualdad numérica en sentido socialista, recuerda cómo por la misma constitución natural unos hombres se distinguen de otros bajo muchos conceptos: unos son blancos, otros de color chocolate, otros amarillos; unos son talentados, otros tontos; unos fuertes, otros débiles; unos *ricos*, otros *pobres*. De ahí brota la jerarquía; esa jerarquía que, partiendo de la susodicha desigualdad numérica, hace que todos los hombres conspiren al bien común ligándoles con el estrecho vínculo de la necesidad. Unas clases suponen a otras; el trabajo intelectual de los patronos exige como complemento el trabajo mecánico de los obreros, como el trabajo corporal del proletario reclama para su perfección y dirección la labor ideológica planeadora del industrialista. Por consecuencia, en lugar de la lucha de clases debemos sostener absoluta concordia y perfecta armonía entre patronos y obreros. El capital supone el trabajo; éste el capital, "porque sin trabajo no puede haber capital, ni sin capital trabajo"²². De modo análogo: el trabajo intelectual presupone el trabajo corporal, y éste no puede darse sin aquel. Uno y otro, el trabajo intelectual y el trabajo corporal, son costosos, áridos; uno y otro llevan impresa la conminación divina: "Maldita será la tierra en tu obra; con afanes comerás de ella todos los días de tu vida"²³.

La maldición de Dios alcanza a todos por igual. Sin embargo, por los ocultos juicios de la Providencia, necesario es confesar que algunos hombres parecen experimentar en menor grado que otros el peso de la maldición. Mientras unos viven alegres con la heredad que les cupo en suerte, otros sienten completo abandono de los llamados bienes de fortuna; mientras unos abundan en riquezas, otros sufren lastimosa miseria e indignancia. Los primeros, a los ojos de muchos hombres, son dichosos, envidiables; los segundos, despreciables y desdichados. Aquellos son tenidos como hombres privilegiados dignos de honor y respeto; a éstos se les lanza una mirada media entre la

²¹ I Ad Cor., cap. II, vers. 3.

²² León XIII, *Rerum Novarum*, pag. 15.

²³ Gén. cap. III, vers. 17.

compasión y el desprecio, llegando a veces a considerárseles como malvados, dejados de la mano de Dios y de los hombres.

La Iglesia juzga de manera muy diversa. Conocedora de las palabras evangélicas: *Bienaventurados los pobres, porque vuestro es el reino de los cielos*²⁴, jamás se cansa de animar a la clase obrera proponiéndola el supremo modelo de todo un Dios “que se hizo pobre siendo rico”²⁵ y mientras vivió entre los hombres pasó por hijo de un artesano trabajando El mismo en el oficio como uno de tantos profesionales: *¿Acaso no es éste hijo de un artesano?*²⁶; *¿No es éste el artesano hijo de María?*²⁷. Al mismo tiempo, la Iglesia trae a la memoria aquellas otras palabras: *No tenemos aquí ciudad permanente, sino que vamos tras la futura*. Sin duda alguna esa ciudad futura tras la que marchamos es la Patria celestial, a la cual se llega no con los pasos del cuerpo sino con los del alma: *no gressibus corporis, sed animae pervenitur*. Juzgamos supérfluo advertir que la pobreza constituye, de suyo, un medio fácil de caminar hacia Dios. Abandonado el pobre de los hombres sólo le resta un consuelo: ejercitar la paciencia y rogar a Dios tenga a bien dar pronto y feliz cumplimiento a la promesa divina: *bienaventurados los pobres, porque de ellos es el reino de los cielos!* Estas son aquellas palabras en las que los menesterosos, al decir de Pío XI, “hallan una felicidad que tantos ricos no encuentran en sus riquezas, siempre inquietos como están y siempre sedientos de poseer más y más”²⁸.

Uso de las riquezas.

Y no es que la Religión condene la propiedad privada, fuente de las riquezas. Dentro del sistema social católico caben muy bien el derecho a la posesión y al uso conveniente de lo legítimamente poseído. Es León XIII quien hace suyas estas palabras del Doctor Angélico: “Lícito es que el hombre posea algo como propio. Es, además, para la vida humana necesario”²⁹. Más: el asalariado, según el ideario católico, no está obligado a socorrer a los demás con aquello que necesita para sí, para sus familiares, o para conservar el decoro de estado: “nadie, escribe Santo

²⁴ San Lucas, cap. VI, vers. 20.

²⁵ IIa. Ad Cor. cap. VIII, vers. 9.

²⁶ Mat. cap. XIII, vers. 55.

²⁷ Marcos, cap. VI, vers. 3.

²⁸ Ad Hebraeos, cap. XIII, vers. 14.

²⁹ Rerum Novarum, pag. 18.

venga”³⁰. Sólo en caso de extrema necesidad el rico debe, en justicia, repartir las riquezas que le son innecesarias para la conservación de la propia existencia. Se trata de salvar una vida a costa de un ligero sacrificio.

Reconocido el derecho a la propiedad y a las riquezas, la Iglesia recuerda a los adinerados dos grandes verdades dignas de ser tenidas en cuenta: las riquezas no evitan el dolor; las riquezas en nada aprovechan para la vida eterna: “Adviértase, por lo tanto, dice León XIII, a los que tienen riquezas, que no libran ellas de dolor, ni en nada aprovechan para la eterna bienaventuranza, sino que antes dañan”³¹.

A fin de obviar el daño espiritual, posible y probable, que suele originarse de la posesión de grandes riquezas, nuestra santa Madre la Iglesia propone la siguiente norma directiva: una cosa es la posesión justa del dinero, otra muy diversa el justo uso del mismo. Si ante los demás el hombre asalariado puede presentar credenciales de verdadero propietario, ante Dios debe considerarse como uno de tantos inquilinos que trabaja en la viña del Señor. A lo sumo, se le concede tenerse como simple administrador de los bienes que le han sido concedidos. Por esta razón el propietario, al usar las riquezas, jamás debe prescindir del pobre y del necesitado. Deber suyo es socorrer al desamparado, dar de comer al hambriento, de beber al sediento, de vestir al desnudo, de amparar al que poco puede. Debe, digámoslo de una vez, ejercitar la misericordia y la caridad. Mas nótese bien: pedimos una caridad verdadera, “esa caridad ‘paciente y benigna’”³², que evita toda apariencia de protección envilecedora y toda ostentación; esa caridad que desde los comienzos del Cristianismo ganó a Cristo los más pobres entre los pobres, los esclavos”³³.

Obligaciones mutuas.

Junto a la caridad, sirviéndola de apoyo en este asunto, debemos colocar la justicia. En primer término la justicia *commutativa*. Entre obreros y patronos existe un contrato que impone obligaciones precisas a ambos contrayentes. El empresa-

³⁰ IIa. IIae., q. 32, art. VI.

³¹ *Rerum Novarum*, pag. 18.

³² I Ad Cor. cap. XIII, vers. 4.

³³ Pío XI, Enc. s. el Com. Ateo, no. 46.

rio, prescindiendo ahora del orden moral, está obligado a pagar el salario justo convenido. Esa obligación por parte del industrial, crea un derecho, estricto e inviolable, en el obrero. Defraudar al trabajador el salario, que le pertenece en justicia, es un crimen abominable que golpea los oídos de Dios pidiendo venganza: "Mirad que el jornal que defraudasteis a los obreros clama; y el clamor de ellos suena en los oídos del Señor de los Ejércitos"²⁴. En grado paralelo se halla también el derecho patronal. Si los proletarios reclaman el justo salario, los industriales exigen fiel cumplimiento de lo pactado, procurando que la labor del trabajador resulte en favor del adecuado desarrollo y del moderado aumento de la empresa o industria. En consecuencia, unos y otros, patronos y obreros, deben en justicia respetarse mutuamente los derechos personales. Los criados jamás deben armar sediciones, ni conspirar contra la vida del amo; los amos deben ver en el obrero un hombre libre, no un esclavo.

Garantida la justicia; allanado el camino al libre ejercicio de la caridad patronal; haciendo pensar al obrero en el supremo modelo Cristo Jesús, artesano e hijo de un artesano, fácil es orillar la lucha de clases suplantándola por el amor fraterno entre burgueses y proletarios. Introduciéndonos mar adentro en el terreno religioso parécenos todavía más fácil obtener la implantación del principio: *fraternidad universal cristiana*, si lo mismo a los patronos que a los obreros se les hace meditar esta verdad inconcusa: todos tenemos un mismo Padre y Creador, un mismo fin, un mismo Redentor, un mismo tesoro de gracias.

Justicia social.

A convertir en realidad objetiva práctica el principio pres-tablecido contribuye de manera eficaz el ejercicio de la *justicia social*. Después de requerir la cooperación del Estado, en particular en su oficio de protector y amparador de derechos, la Iglesia en el terreno de la economía inculca la fundación de los llamados *Colegios* o *Sindicatos* ya sean mixtos ya separados. El objetivo es asegurar al proletario un modesto vivir no sólo cuando goza de fuerzas y salud, mas también en la enfermedad y en la vejez. Por eso debe procurarse que el salario sea suficiente para vivir el obrero con la familia y a la vez para poder ir ahorrando; ahorros que, trocados en una suma respetable, pueden

²⁴ Jac. cap. V, vers. 4.

y deben ser invertidos en adquirir una pequeña propiedad, medio poderoso para prevenir la plaga del pauperismo. Resumiendo los deberes que impone la justicia social, escribe Pío XI: "No se puede decir que se haya satisfecho a la justicia social si los obreros no tienen asegurado su propio sustento y el de sus familias con un salario proporcionado a este fin; si no se les facilita la ocasión de adquirir alguna modesta fortuna, previniendo así la plaga del pauperismo universal; si no se toman precauciones en su favor, con seguros públicos y privados, para el tiempo de la vejez, de la enfermedad o del paro forzoso"³⁵. El fin último de todas esas precauciones lo indica el mismo Pío XI por estas palabras: Esos bienes deben tender "a elevar a los hombres a aquella condición de vida más feliz, que, administrada prudentemente, no sólo no impide la virtud, sino que la favorece en gran manera"³⁶.

Conclusión.

Terminamos de bosquejar las normas directivas de ambos sistemas: del socialismo colectivista y del sistema católico. Pensamos ser innecesario poner de relieve la verdad encerrada en las palabras que hemos puesto como lema: "*Socialismo y Catolicismos son términos contradictorios nadie puede al mismo tiempo ser buen católico y socialista verdadero*". Tenemos la firme persuasión que todos aquellos que nos hayan honrado con su lectura habrán visto palpablemente la contradicción entre uno y otro sistema. La lógica de la narración, basada en la lógica de las ideas y de los hechos, no conduce a otra cosa.

³⁵ Enc. cit. no. 52.

³⁶ Lug. cit.

Military Problem of the Philippine Commonwealth

(As Reported and Interpreted by the New York Times)

By OSMUNDO O. STA. ROMANA, M.A.

IN REPORTING President Franklin D. Roosevelt's special recommendation to Congress early in 1934 that the new proposed Independence Law should provide for the abandonment by the United States of all military and naval bases as a further concession with the Filipino leaders, the *New York Times* enumerated all military and naval bases located in strategic points in the Islands. It revealed that the United States maintained military forces consisting of 553 officers, 51 warrant officers and 4,064 enlisted men of the Philippine Scouts; these troops are distributed among eight principal garrisons. The United States naval establishment, consisting of 200 men, one heavy cruiser, three destroyers and three mine sweepers, is located permanently at Olongapo.¹

According to the Independence Law, these military and naval bases will be withdrawn by the United States after the Philippines gets her political independence.² In view of this coming event, the Filipino leaders have realized that a suitable protection against possible foreign invasion is an inescapable obligation in the process of nation-building. In fact, this international prerequisite was one important argument broaded by the sponsors of the Independence Law before Congress finally enacted it.³ In a letter on November 19, 1934 to the United States Secretary of War, President Manuel L. Quezon said that

¹ The New York **Times**, March 3, 1934, pp. 1, 6.

² Section 10 (b) of the Tydings-McDuffie Law.

³ The New York **Times**, March 24, 1934, p. 3.

"the existence of an adequate defense for the Philippines will be a powerful influence in preserving peace" and in maintaining a suitable defense against possible foreign aggression.⁴

The New York *Times* subscribed to Quezon's viewpoint when it welcomed with optimism the news regarding the Congressional enactment of a bill providing for the extension of aid of military experts to the Philippines. Also, the *Times* quoted Resident Commissioner Pedro Guevara as saying that "the pacific and non-aggressive intentions of my people, considerations of geography, finance and comparative size" made it necessary for the new government "to organize a defensive system that can assure tranquility and safety from attack."⁵

Shortly after the inauguration of the Commonwealth Government on November 14, 1934, President Quezon, who virtually became the commander-in-chief of the native armed forces, requested President Roosevelt to designate Major General Douglas MacArthur, then Chief of Staff of the United States Army, as military adviser of the Philippines.⁶ In treating the news announcing his important appointment, the *Times* emphasized the importance of a military defense for the future island republic. After commending the appointment of General MacArthur, the *Times* said:

High government circles feel that every effort should be exerted by the country to insure that the Islands, when complete independence is to be achieved, shall be in such state of defensive military preparedness as to make unprofitable any attack. It is hoped to make the Philippines the Switzerland of the Pacific.⁷

At the outset, General MacArthur viewed his new office with deepening concern. As Vicente Albano Pacis, former editor of the *Philippines Herald*, once said, MacArthur saw "a peculiar duty developing upon himself: that of arming the race

⁴ *Philippine Yearbook*, p. 105.

⁵ The New York *Times*, May 7, 1935, p. 8.

⁶ *Ibid*, September 19, 1935, p. 3. This same issue of the *Times* revealed that "General MacArthur knew the Philippines as MacArthur, was military governor of the Islands."

⁷ *Ibid*, In an exclusive interview with Dr. Carlos P. Romulo last January 26, General MacArthur reiterated the same objective when he said that "the Philippine Defense plan intend to establish here in the far reaches of the Pacific Ocean, an island Switzerland."

whom his father disarmed, to help return the military competence and confidence of the people whom his father conquered.”⁸

When General MacArthur arrived in the Philippines to report for his “peculiar duty”, President Quezon gave him a definite instruction on the proposed national defense plan. The Associated Press reported to the *New York Times* the first conference between MacArthur and Quezon with a hint that the first task to be undertaken by the National Assembly was the organization of the national defense.⁹

The first full report on the national defense plan was published by the *Times* five days after the inauguration of the Commonwealth Government. Under the by-line of Special Correspondent Sterling Fisher Jr., the *Times* carried the news story with the following lead:

MANILA, Nov. 19 (Wireless)—A universal military scheme aimed to provide the Philippine Commonwealth with 500,000 trained reservists by the time of complete independence in 1945 was revealed by Manuel Quezon today in his first press conference since he assumed the presidency.¹⁰

In the same news story, President Quezon minimized the widely expressed fears of eventual control of the Philippines by a foreign power other than the United States. He emphasized that “if the fate of the Philippines is to be under foreign rule, I would rather have America than any other country” He said further:

I do not anticipate that it will be under any foreign rule because I think we can organize an adequate national defense. I mean just an adequate defense and not strength to defend the country from continuing assault by a major power. But we can make the cost of conquest greater than any possible profit to the conquerors, and aggression is always committed to profit.¹¹

Five days later, the *New York Times* ran an Associated Press story regarding Quezon’s sponsorship of the national de-

⁸ Vicente Albano Pacis, *National Defense—a Basic Philippine Problem*, p. 50.

⁹ *The New York Times*, October 29, 1935, p. 12.

¹⁰ *Ibid*, November 20, 1935, p. 23.

¹¹ *Ibid*.

fense bill at the National Assembly. In this report the Associated Press emphasized the fact that in approving the bill the Assembly showed that its very "objective is a single one—peace—permanent peace." The bill provided that "the freedom, independence and perpetual neutrality of the Commonwealth shall be guaranteed by the employment of all citizens, without distinction of age or sex, and all resources in repelling an invasion and insuring territorial integrity."¹²

The Philippine national defense plan was received by educated Filipinos and American friends of the Islands with growing consternation. This very sentiment was expressed by Major William C. Rivers, United States Army (retired), in a letter to the *Times* editor. Major Rivers deplored that although the defense of the Islands was "largely a defensive matter" it was practically uncalled for because "Japan and other nations interested in the Orient would, I predict, welcome the neutralization of the Philippines."¹³

According to the Philippine national defense bill, President Quezon was to instruct General MacArthur, whom he gave an official title of Field Marshall of the Philippine Army,¹⁴ to prepare a national defense plan for the future Philippine Republic.¹⁵

After careful study of the matter, Field Marshall MacArthur finally submitted a fifty-two page report on the national defense of the Philippines on April 27, 1936.¹⁶

The news on the submission of this plan was reported to the *Times* by the Associated Press. The *Times* played up the dispatch on page one, column two under the following headlines: "Philippines Plan Fast Warships, 250 planes, 400,00 Reservists; General MacArthur Says the Tiny Craft Will Have Speed of 50 to 60 Miles an Hour—Promises Perfect Security for the Islands when the Program is Completed."¹⁷

In an interview with the Associated Press representative in Manila, General MacArthur said:

As we go along, we shall collect supplies and equipment

¹² *Ibid*, November 25, 1935, p. 4.

¹³ *Ibid*, December 22, 1935, LV, p. 9.

¹⁴ *Ibid*, April 25, 1936, p. 1.

¹⁵ *Ibid*, January 11, 1936, p. 11.

¹⁶ Douglas MacArthur, *Report on National Defense in the Philippines*.

¹⁷ The New York *Times*, May 30, 1936, p. 1.

for this army, guaranteeing that the reserves can go into action within a short time, fully equipped for field duty.

With the leadership such as afforded by President Quezon, these Islands will become a great nation and the gateway to the Far East. Their natural position will make them easy to defend and invasion costly.⁸¹

The national defense plan provides for an expenditure of ₱160,000,000 during the first ten years of its operation—from 1936 to 1946—to be appropriated in yearly instalments of ₱16,000,000. In reporting the important points of the plan, Special Correspondent Robert Aura Smith emphasized that the annual appropriation is 30 per cent of the total government expenditures, as compared to 28 per cent for education appropriations.¹⁹

According to President Quezon himself, the national defense plan envisioned a gradual development of a competent military system in the Islands to insure “domestic tranquility without external molestation under a stable government.”²⁰ Specifically, the military plan calls for a fleet of small and fast torpedo boats for coastal defense, an air corps based mainly on fast bombers and a regular army and reserve corps. The ultimate strength of the regular army will be 950 officers and 6,500 soldiers. The reserve corps will be trained under universal training service at the rate of 40,000 a year, which was later reduced to 20,000.²¹

Philippine Field Marshall MacArthur, in an Associated Press report which the *New York Times* played up on page one, announced that the national defense plan would cost ₱16,000,000 annually during the ten-year transition period and that this expenditure was about 60 per cent of the present cost of maintaining the Philippine units of the U.S. Army. He said:

This means economy, but I am confident that we can erect a defense that will discourage any invasion. It would take 500,000 men, \$10,000,000, tremendous casualties and three years' time successfully to invade the Philippines.²²

In its series of news reports cited in this discussion, the *New York Times* treated with equanimity General MacArthur's

¹⁸ *Ibid.*

¹⁹ *Ibid.*, July 5, 1935, IV, p. 5.

²⁰ *Ibid.*, November 25, 1935, p. 4.

²¹ *Ibid.*, June 20, 1936, p. 8.

²² *Ibid.*, May 30, 1936, p. 1.

explanation of his defense plan for the Philippines. It indirectly conveyed that it was well to take his words in their face value from the point of view of Far Eastern politics because it has become evident that the United States will always stand in defense of the Philippines in case of foreign aggression. As MacArthur himself said, "If ever the Philippines is attacked in an obviously helpless condition, I presume that America will feel morally bound to come to the rescue," for "Philippine security is a part of American security."²³ This very sentiment was expressed by Senator Joseph Robinson of Arkansas who declared in Manila before the Commonwealth inauguration that the United States is always under moral obligation to defend the Philippines from foreign attacks.²⁴ Similar sentiment was again expressed by Nicholas Roosevelt in the following quotation from an article published in the *Foreign Affairs* for July 1936:

There can be little doubt that if after the transition period is over the Philippines should be in danger from some foreign powers there would be a demand that America step in to help its former wards. Such argument would be based on a "moral obligation" to the Philippines.²⁵

The Foreign Policy Association published a report prepared by David H. Popper, pointing out that the national defense plan was a "covert conspiracy to keep the United States in the Islands" inasmuch as its secret objective was the creation of a strong American military and naval base "as outpost of American power in the Far East."²⁶

Connected with the discussion of the national defense plan is another aspect of the military problem which has occupied the attention of the American critics of Philippine Independence ever since the inauguration of the Commonwealth Government. The protectorate or dominion issue is only a product of general political and economic speculations both in Washington and in Manila as to the future destiny of the Islands in view of the Far Eastern crisis.

The first serious advocacy by a Filipino of American re-

²³ David H. Popper, "Militarizing Filipinos to Fight Japan," *America*, March 1937, pp. 13-15.

²⁴ *The New York Times*, November 19, 1935, p. 8.

²⁵ Nicholas Roosevelt, "Laying Down the White Man's Burden," *Foreign Affairs*, July 1935, pp. 680-6.

²⁶ *Foreign Policy Reports*, December 15, 1936.

tention of the Philippines came from Resident Commissioner Pedro Guevara when he declared at the House of Representatives in Congress that a protectorate for the Philippines would be much better than placing her under a neutrality treaty. He announced this suggestion in view of the Japanese renunciation of the Washington Naval Treaty. He said:

The best interest of the Philippines, the United States and the whole world will be better served with an American protectorate of the Philippine Islands. I do not want independence to be a reason for some nation to gobble up the Philippines.²⁷

When Mr. Guevara returned to the Philippines to run for membership to the Constitutional Convention, the Associated Press reported to the *New York Times* that he firmly believed that the continuance of the Philippine-American relations was the best means of assuring "the economic, social and cultural salvation" of the Islands.²⁸

Likewise, the first serious advocacy by an American of American retention of the Archipelago came from Senator Ernest Gibson when he stated that American abandonment of the Islands might "bring Britain and Japan face to face." He uttered this opinion also in connection with the Japanese renunciation of the Washington Naval Treaty. But unlike Mr. Guevara's suggestion, Senator Gibson's objective was to have the Philippines admitted as a state of the Union.²⁹

President Quezon put Mr. Guevara to a task when he declared that he was not in sympathy with American protectorate because "America will never consider favorably the idea of extending a protectorate over the Islands."³⁰ On another occasion, Quezon said: "It is idle to talk about (American protectorate) because even if everyone in the Philippines was for a protectorate, the Americans would not consider it for a minute."³¹

Special Correspondent R. A. Smith reported to the *Times* in a feature article that Senator Gibson's "plea for dominion status or modified statehood" was met in Manila "with an under-

²⁷ The *New York Times*, January 22, 1935, p. 4.

²⁸ *Ibid*, February 16, 1936, p. 26.

²⁹ *Ibid*, May 10, 1935, p. 6.

³⁰ *Ibid*, August 24, 1935, p. 7.

³¹ *Ibid*, September 25, 1935, p. 12.

current of satisfied response." Mr. Smith also reported that while local politicians were saying privately that Gibson's proposal was obviously reasonable it was unthinkable to adopt.³²

Another senator, Burton K. Wheeler of Montana, favored retention of the Philippines by the United States because "the Far East is becoming more and more uncertain," and "the economic advantages to the Philippines through association with the United States are worthy of preservation."³³

The above citations indicate that the persistence of the protectorate or dominion issue in the *Times* news treatment of the Philippine independence question was caused by two important motives; to wit, the preservation of Philippine economy and protection of the Islands from possible foreign aggression. Opposition to the issue by Quezon was merely motivated by his almost traditional commitment to carry on the independence campaign until it has been acquired. The discussion of the issue, as we have said, was just a matter of speculation on the future outcome of the existing Commonwealth experiment. In 1936 the issue had been obscured by the more important subject of the national defense plan and the so-called Japanese "menace".

The protectorate or dominion issue flared up again in the early part of 1937 when President Quezon "arrogantly" suggested to the Interdepartmental Committee on Philippine Affairs that the independence date be advanced from 1946 to 1939.³⁴ This proposal came as a great surprise to the United States officials inasmuch as the general impression at the time was that, in the words of *Times* Special Correspondent Fisher Jr., "any talk of shorter period than ten years before full independence was a disservice to the new government which had to struggle with the great problem of economic readjustment to its future freedom."³⁵

However, as was expected by the *New York Times*, President Quezon's proposal proved to be just another "trial balloon." Nine months later, the *Times* carried an exclusive story on page one, announcing that Quezon at last became receptive

³² *Ibid*, April 21, 1935, IV, p. 12.

³³ *Ibid*, November 9, 1935, p. 6.

³⁴ *Ibid*, March 28, 1937, IV, p. 7.

³⁵ *Ibid*, March 11, 1937, p. 1.

toward the dominion idea although he declared that "the proposal must come from some one else."³⁶

To this important news item, the *Times* editorially reacted with discerning equanimity by stating that it was not in any way surprised with Quezon's change of view. The editorial said in part:

That somewhat coy hint emphasizes again the extraordinary economic and political difficulties that still block the establishment of any new and equitable relationships between the Philippines and the United States. It is no surprise that responsible Filipino leaders should now be flirting with the idea of abandoning independence if in its stead they can secure complete autonomy in domestic affairs and retain advantages of free trade in the American market and the protection of the American Army and Navy.³⁷

In another editorial printed a year later the *New York Times* declared that "should the Filipinos decide to ask the United States to be permitted to remain under the American flag, it would be very difficult for Congress to refuse."³⁸ However, Congress has not yet committed itself as to whether or not it would welcome dominion or protectorate proposal. But it must be remembered here that President Roosevelt was advised by the Joint Preparatory Committee on Philippine Affairs to recommend to Congress the revision of the Independence Law to conform with its proposals regarding the economic readjustments of the Philippines.³⁹

Early in 1938, Dr. George Gallup, director of the American Institute of Public Opinion, conducted a survey on popular sentiment in the United States regarding the question of Philippine independence. Covering a typical cross-section of the nation's population, the survey revealed that 76 per cent opposed Philippine independence, while 24 per cent favored it. Although the dominion status was not considered in the survey, it is proper to conclude from the result that an easy majority of the American people would favor it.⁴⁰

³⁶ *Ibid*, November 18, 1937, p. 1.

³⁷ *Ibid*, November 20, 1937, p. 16.

³⁸ *Ibid*, March 19, 1938, p. 14.

³⁹ *Ibid*, November 30, 1938, p. 1. The Tydings-Kocialkowski Economic Readjustment Act partially fulfills the recommendations of the JPCA.

⁴⁰ *Ibid*, February 23, 1938, p. 15.

The Gallup survey also presented three important reasons for the American opposition to independence. They are: first, Japan would invade the Islands if the United States withdraws; second, the Philippines is valuable as an American military and naval base during the present Far Eastern crisis; and third, the Filipinos are not yet ready for complete self-government.⁴¹

The protectorate or dominion issue is not yet considered as a serious problem because the Philippines is already scheduled by the Independence Law to receive her political freedom in 1946, while the Philippine-American economic ties will continue until 1960 in accordance with the recommendation of the Joint Preparatory Committee. This present arrangement makes the dominion proposal optional, but it does not mean that it may not be considered seriously in the near future, especially in connection with the fulfillment of the present national defense program.

⁴¹ Ibid.

A Short-Short Story of Parachuting

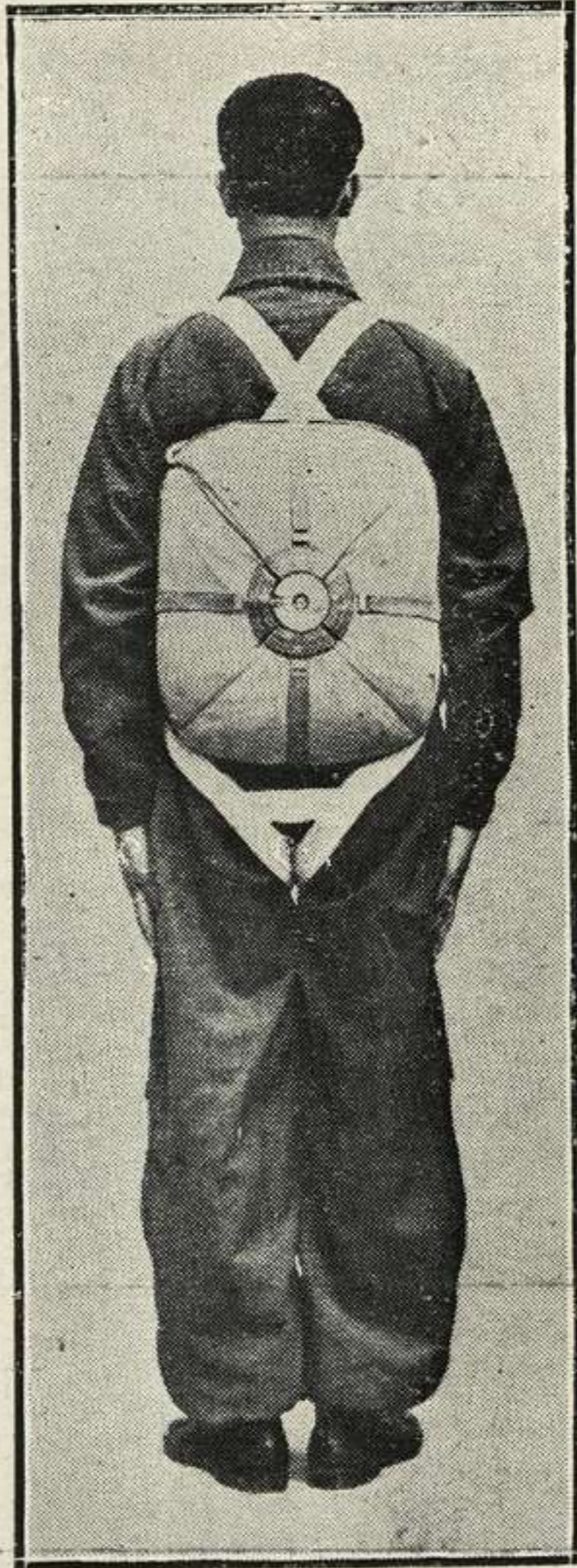
By P. R. Z.

I am certain there is a scholar in some corner of the earth who assiduously is preparing the "History of Parachuting in the Two World Wars", a book which however is still non-existent as far as I know. Today information is cautiously kept in the war ministries and so we may have to content ourselves gathering notions on the appalling subject only through the reports of the daily press and a few sporadic articles in magazines. Naturally, revised editions of encyclopedias in some ten years' time will tell us more accurately the particular role which parachutes play in war since even the most up-to-date encyclopedias can but offer obsolete information on the subject.

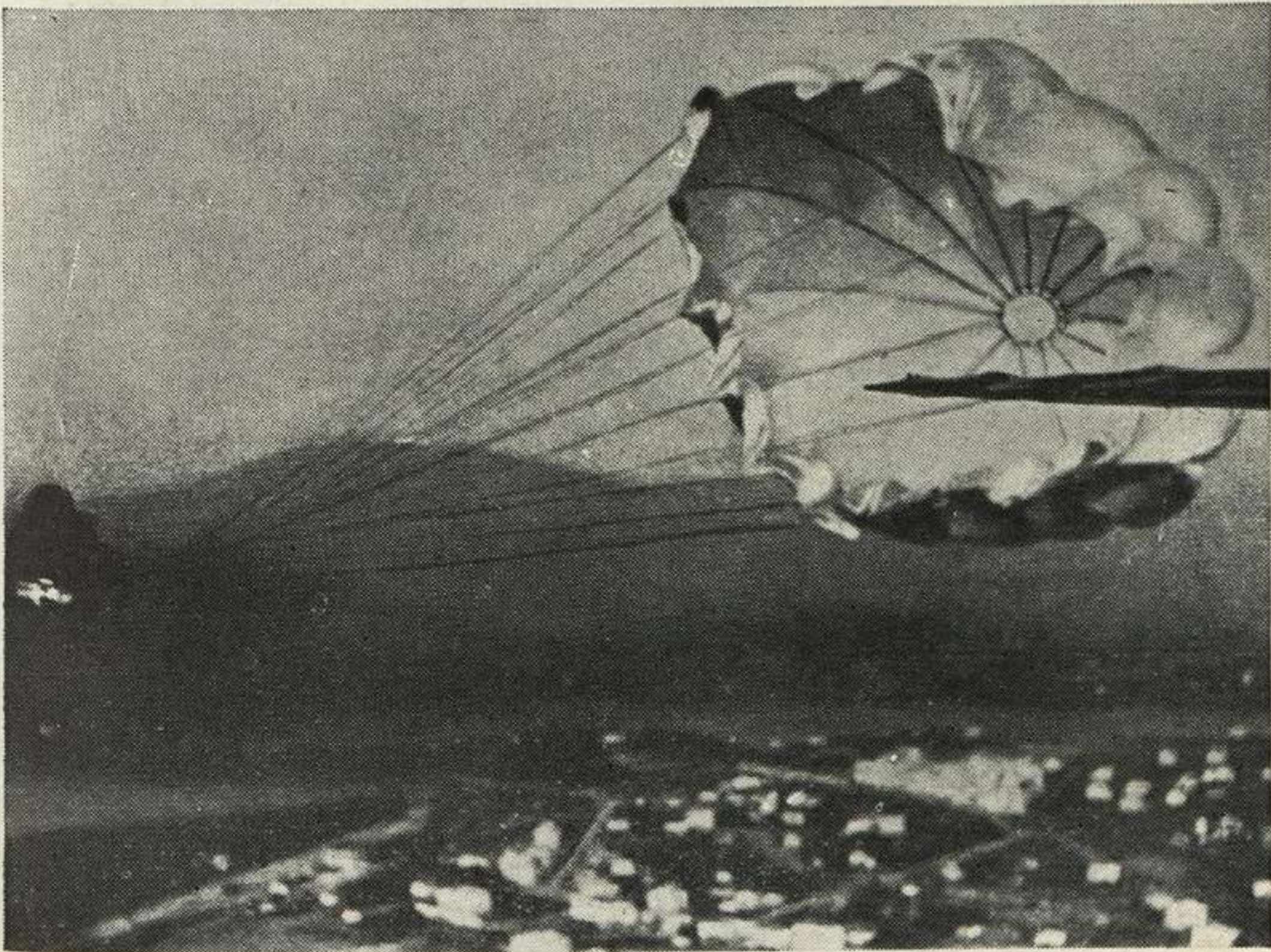
I intend simply to give a resume of what has been said here and there of parachuting, with an interpretation of facts and a few personal views merely to justify the authorship of the present article.

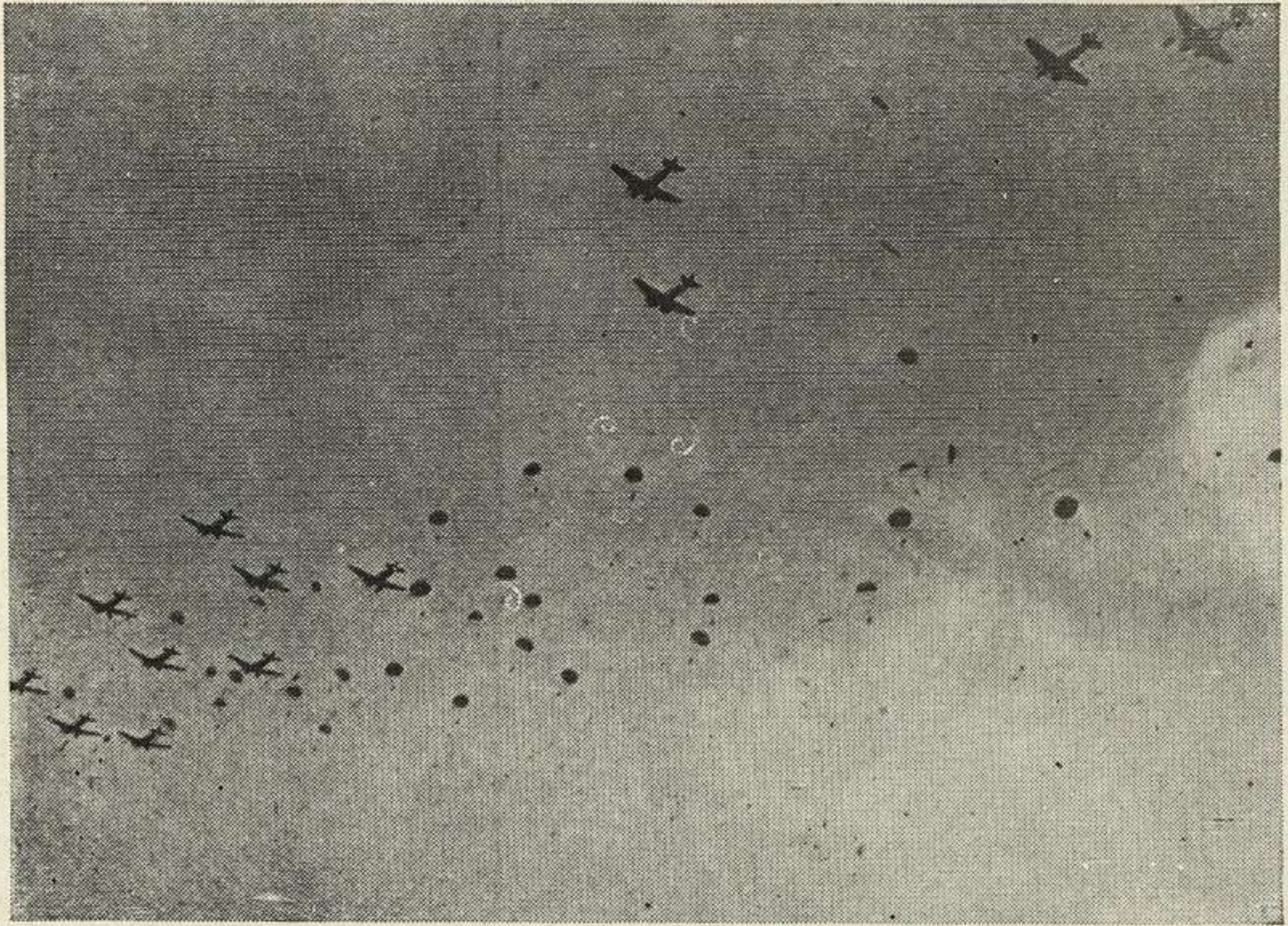
In my early youth (about the years 1920-22), I was one day impressed upon reading in Italian newspapers about a daring young man who from the roof of a tall building in Milan attempted a descent to the street with a self-made parachute, only to dash to pieces on the pavement. He received posthumous publicity in many illustrated penny magazines; but his feat was not complimented upon, the "press" passing him by for an utter fool. Perhaps rightly so, for the people of the time who survived the first world holocaust were fairly prejudiced against all sorts of heroes and wanted to enjoy a holiday from hero-worship. I think I am the only one to remember him now; but should a zealous patriot of our time chance across those illustrated magazines, he would doubtless propose

The "standard" parachute of the Italian air force.

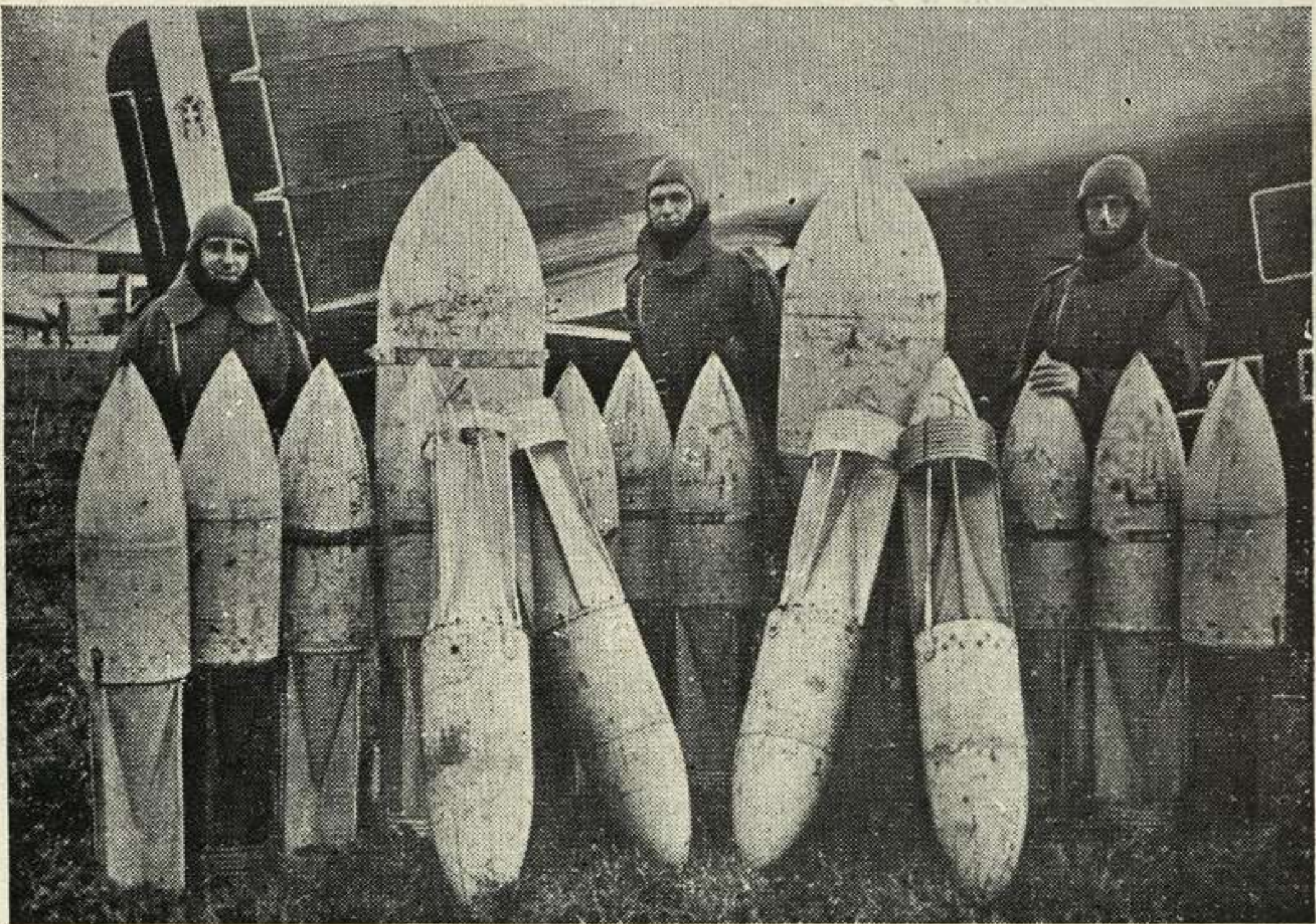


"Just a jump from a plane in flight."





"Men parachuting."



Col. Angelo Londi, an international ace with his bomber and bombs.

that the government erect a plaque if not a bust to the "iron-willed youth" who honestly gave his life to parachuting, "an example of virile daring from whom the youth of the Fatherland should admiringly take a lesson," and so forth. He has not yet been actually vindicated with a bust and an eulogy in the main square of his native town, yet his theory that parachuting needs practising even from low heights—the very point that the press then ridiculed—has been amply proved today by the thousands of German youths who "dive with their parachutes unopened for the greatest possible distance: first, to gain time and second, to shorten the time they might be helpless targets for alert riflemen on the ground," as Ralph Heinzen, war correspondent for the *United Press*, has reported.

The fact strikes us that only now in the present emergency has parachuting gained a reputation as an outstanding art of war. Flying in fact is no longer conceivable without the aid of parachutes. In the recent past the parachute seemed to concern the pilot closely—or his crew, if any—who in emergency cases could easily bail himself to safety and thus save his life, a certain amount of probabilities in his favor. Now the parachute is likewise an offensive device of war, not restricted merely to lifesaving in air mishaps. Indeed the outstanding innovation of espionage in World War No. 1 was exactly the employment of airplanes in landing spies over enemy lines, which innovation to some extent was father to the present intriguing Fifth Column.

Richard Wilmer Rowan in his "Story of Secret Service" holds that priority of that idea should be credited to Bert Hall, the American lieutenant who first attempted to land spies over enemy lines with a French monoplane during the Balkan Wars of 1912-1913. The same young American adventurer later turned up on the Western Front where the use of "air spies" and the practice of "special missions" evolved side by side with technical improvements in army aviation. In France he became a member of the Lafayette Escadrille at the close of the Great War, being one of the handful of survivors of that world-famous company of "air devils". This same Lafayette Escadrille was highlighted recently in press dispatches when it dropped Lindbergh as honorary member on account of his speech of May 19, criticizing the foreign policy of President

Roosevelt. The honor was conferred on him in 1927 after his epochal crossing of the Atlantic.

"The air transport of spies, "writes Richard W. Rowan," from this tentative beginning came to be a regular duty in the flying corps of all the belligerent Powers. Numerous improvements in the routine of the strategem were devised to help both pilot and passenger. The landing of the plane was presently made, if possible, somewhere near the dwelling of a resident agent who would shine a strong light up his chimney." I should advise the reader to recall the many American and British films which show the system adopted by spies rather correctly. But according to unbiased historians, it was the Allies who gained greater advantage in sending spies over by planes and who had better developed the practice despite the aviators' frank distaste for such missions. "Belgium and the thirteen conquered departments of France were opened to French or British Secret Service, with scores of more or less obscure landing places available and hundreds of patriotic men and women to lend a hand. The Germans however did not have as equal an advantage as the Allies in this service because they had to rely mainly on some French or Belgian renegades, at best some rascals liberated from a jail of the occupied territory. While however such an agent might know his way about well enough, he was handicapped by his own record and the likelihood of being recognized by local authorities."

The experiments continued for several months until the Germans shook their heads and realized that they could do very little to counter the air spies system of the Allies, favored as the latter were by the circumstance that they were to pursue their espionage in conquered soil where assistance was readily available. They were installed to pick up vibrations of an airplane engine in those ideally remote sections where an agent might be landed. Exactly at this point the Allies devised the use of the parachute for spy service thereafter. The spy was to come down by a noiseless parachute, making his descent in a district as a rule covered by a resident agent.

"Espionage thus produced its most fantastic wonder of the four years' contest, with secret agents floating down out of the darkened sky upon a foe who anticipated their coming and yet would have had to disengage every soldier from every battle,

trench line or reserve area on two fronts to stand watch over all the partisan French or Flanders fields spread out to welcome and conceal them."

But even this "fantastic wonder" has been surpassed in the present war; this time unexpectedly in the hands of the Germans, and amplified to a still more fantastic extent.

The Germans in the previous war learned the lesson that spying in itself by air spies, dropped by parachute who could reside in Allies territory at their leisure, even granting all the caution and cunning possible on their part, was scarcely effective; for the renegades were too scarce and little reliable while the Germans themselves were at length hindered by accent and speech difficulties. Hence in this new war they have devised the dropping of parachutists by the hundreds shortly before advancing with armoured troops. We know they have dropped hundreds of parachutists not only in Allied uniforms but even in the clothings of priests and nuns, or as workers and peasants though only as momentary disguises. "The Germans have carried the refinement of parachute strategy," writes the United Press correspondent, "to such a point that spies when dropped in civilian clothes, wear exactly the same type of clothing as workers or peasants of the region where they are to operate. For example, in the mining region they wear black woolen undershirts while in the Flemish countryside they wear red shirts just as do the peasants." Their main duty is sabotage while the troops' advance is rapidly made. They cannot stay in the country hidden for long. Hence there is an altogether different service from the traditional work of a resident spy as is generally known by the public who might have read the stories relating the intrigues and romances of famous spies, to wit, Mata Hari or Mademoiselle Le Docteur. In fact there is an altogether new performance of spying in the history of secret service.

You imagine soldiers posing as nuns. Such an unseemingly disguise indeed! Some of the boys who certainly are deadly are chosen for their angelic faces if they have to play the role of nuns. Such roles required that they train themselves not only to look religious but also in a way entirely feminine. Underneath the disguise they wear the dread German Army uniform.

We must not however suppose that they systematically wear the army uniform underneath and the disguise-clothing over. It may be the reverse. Whether they should wear the army uniform underneath or over is entirely determined according to the chances of permanence that a designated sector might offer. Thus, a suit of clothes becomes a matter of life and death; if life, then naturally, life in a prison camp.

"I saw three captured parachutists," Ralph Heinzen lately wrote, "who went to prison camp instead of before the firing squad only because they wore what would pass for a German uniform although one had a complete civilian suit of clothes underneath." Probably if this other had the civilian clothes over and the uniform underneath, his life might not have been spared. Who knows what judicial involvements might have arisen? It may make a great deal of difference to an unsympathetic court martial to know that the prisoner was found with civilian clothes under an army uniform or an army uniform under civilian clothes.

As for Hitler, judicial dangers in the case of captured parachutists are as good as removed. His commandment is: "Thou shalt not shoot them after capture." He had warned the Governments of England, France, Holland and Belgium last May 13 that for every German parachutist shot after capture, 10 enemy prisoners would be shot; a pretty high score even in a war of retaliation. However we must credit the Germans to be the first to have granted that an aviator caught while taking part in this form of espionage should not be executed like an ordinary spy. Up to 1915, there was no existing rule of warfare in the Hague conventions that might have helped an aviator's position before a court martial should he be taken prisoner because acting as a spy himself or landing one.

The test case developed from what Rowan calls the curious misadventure of two airmen, Bach, an American in the French flying corps, and Sergeant Mangot. "Each of these pilots succeeded in landing their spies, but both came to grief when taking off from an impromptu landing field. They tried to work their way overland to a neutral frontier but had no means of disguise and hence were summarily traced from the broken plane and made prisoners. Conducted to Laon and there brought to trial on grave espionage charges, the luckless pair was cast

for the unenviable distinction of helping to establish an international precedent. But Jimmy Bach was a genial, well-to-do adventurer. He afforded the luxury of a distinguished civil attorney coming from Berlin to defend him and his French companion. At the first trial on October 10, 1915 no decision was reached. A second on the thirtieth ended in the charge of espionage against both dismissed. Bach and Mangot as war prisoners spent the next three dreary years imprisoned at Nuremberg."

We must admit that the civil attorney in defending Mr. Bach was a very capable man. We must admit too that the German court martial was considerate enough to have allowed a civil attorney to defend two men whose business undoubtedly was spying in time of war, and to listen to his plea on their behalf.

On all special air missions thereafter it was arranged that the secret agent then dressed in uniform, with civilian clothes underneath.

With any Hague convention hardly in force in the present war, we may give allowance to Hitler's menace of retaliation in case of captured parachutists. If they are caught with an army uniform anyway, they should be treated like prisoners of war in perfect observance of the rules of war and in consideration of the fact that Germany herself set up this precedent by not executing Bach and Mangot.

In wars there exists no such thing as "All rights reserved" for an idea. Nevertheless the fact remains that the originators of parachuting for spy service undoubtedly were the Allies. Moreover the parachute is an incontestable invention of the French.

Fancy the feeling of the average Frenchman when the parachute he invented has now been set to work against him. Take the parable that follows: Just suppose that Graham Bell, the inventor of the telephone, is one night resting at his home. He has a number of telephone sets on his desk. Suddenly a burglar emerges from the doorway. When Bell tries to show his fists, the other starts throwing the telephone sets at his head and indeed knocks him down. At the hospital the poor inventor might well think that if he had not invented the te-

lepone, the burglar probably would have had nothing handy to throw at his head.

This parable taken *cum grano salis* of course may give a hint of the bitter psychological reaction of the British, French and Poles when credit is largely given to German for their present aviatorial achievements.

Ironically enough, the inventor of the parachute is the Frenchman, Jacques Garnerin (1769-1833) who was the first to make a descent from a balloon in a parachute he himself had constructed. The first to put the parachute to real use was a Polish aeronaut, Jordaki Kuparento (1808) while the first to introduce a principle of steadying the parachute was an Englishman, Robert Cocking, who died experimenting in 1837. Those three great men whose inventive genius has contributed so much to the progress of aviation are sons of the three very nations which are at present most suffering because of the very same contributions to progress they have given the world.

Jacques Garnerin was the first person who successfully descended from a balloon in a parachute and he duplicated the feat so often that he may be said to have first demonstrated the practicability of using the machine. Kordaki Kuparento ascended from Warsaw on July 14, 1808 in a fire balloon which at a considerable elevation took fire, but he was able to effect his descent by means of his parachute. Robert Cocking improved Garnerin's parachute; however he dashed to pieces at Leed on July 24, 1837. This was an unusual case indeed because we can truly say of Garnerin: he was the man who was wrong yet succeeded; and of Cocking: he was the man who was right but failed.

"The great defect of Garnerin's umbrella-shaped parachute," says the Encyclopedia Britannica, "had been its violent oscillation during descent and Cocking considered that if it were made of a conical form (vortex downward), the whole of this oscillation would be avoided; and if it were made of sufficient size, there would be resistance to check to rapid a descent. But in effect in this experiment his parachute descended very rapidly for a few seconds and still evenly until suddenly the upper rim seemed to give way and the whole apparatus collapsed, taking a form resembling an umbrella turned inside out and nearly closed. . . . Cocking had a posthu-

mous recognition of his being right because later John Wise (1708-79) made some experiments on parachutes of both forms, Garnerin's and Cocking's and found that the latter was much more steady, descending generally in a spiral curve."

The while I write this article, Italy is just entering the war. We may certainly expect a good deal of Italian parachuting not second to that of the Germans. In a recent announcement, the Ministry of Propaganda hinted at the importance the Italian Air Force attaches to the mass training of parachutists. And if the Ministry emphasizes that the Italian parachutists are "plucky young men with steeled nerves", the Ministry heaps no lesser praises upon the Italian parachute, claiming such to be something indeed outstanding among all other types hitherto used in aviation by other countries. *The Direzione per I Servizi della Propaganda* relates that "this subsidiary and complementary instrument, indispensable for flying, was invented and improved upon in Italy, modestly and unassumingly in a manner entirely unfamiliar to the methods of publicity commonly used abroad. The Italian parachute bears silent witness to its own excellence, which is proved by the considerable number of lives saved (about 500 in the course of ten years) and its widespread employment as a corollary to flying." Foreigners should know that parachutes are not all alike and that for instance the model used by Italian airmen is of Italian origin, the result of Italian inventive genius and constructive technique. For this reason the Italian people are justly proud of the part the Italian parachute has played in the conquest of the Empire and in the Spanish War, the two most recent tests which assured a supremacy to the valour and fighting power of the Italian Air Force, which cannot be easily surpassed."

The parachute model which has gained so high appreciation among Italian aeronautic circles is known by the name of "Salvator", which name refers to "salvation" or "saviour." It is fitted with a double mechanism which guarantees its automatic working and with another system, workable by hand, at the choice of the aviator, who if he has his nerves under control when having recourse to the parachute in emergency cases, may use the latter; whilst the parachute is also able to work automatically in cases where the aviator, owing to cir-

cumstances already foreseen, is not in a condition to set any mechanism in motion because hampered in his movements or even in his faculties of perception.

In such cases, which unfortunately are frequent, the automatic mechanism renders invaluable service and guarantees absolute supremacy to this system; whereas aviation in other countries, for instance in America, has not taken into consideration, or has done so only after considerable delay, the lesson taught by experience in the Italian system.

The inventor of the "Salvator" type of parachute is Lieutenant-Colonel Prospero Freri of the Italian Air Force. He is now undertaking experiments on further life-saving tests of a much more vast and complicated nature than those which are hitherto known; and such experiments are destined without doubt to arouse the greatest interest in aeronatic circles.

The parachute now progresses on a parallel with the aeroplane; the one follows in the wake of the other and both are destined to depend inexorably upon the other. No one taking to flying as a means of ordinary travel can ignore the fact that, whereas accidents while flying are possible, sad consequences may possibly and even certainly be avoided by the use of the parachute. This is the crucial problem with which the professional activity of aviation experts is faced; these experts have faith and hope and continue to carry on the struggle in order that the introduction of the parachute into civil aviation may as soon as possible become an accomplished fact. They are overcoming unheard-of difficulties and are conquering prejudices which are now out of date.

It seems that everything has been planned for the introduction of the parachute into service on the Italian passenger lines. Now, civil aviation is effected under circumstances which differ considerably from those met with in military aviation. It must be remembered that plucky young people with steeled nerves, capable of keeping their heads in the most desperate situations, are not the only travelers on passenger air lines. Elderly people, invalids and young children may also be traveling, all of whom, needless to say, are unfamiliar with the use of the parachute and not at all easy to teach. And as the secret of its infallible services lies in its being used in time, how

could uninitiated passengers know which was the right moment to use it? ..

Lieut.-Colonel Freri has a very straightforward reply to this objection: "The pilot, and he alone, must be the one to judge as to the necessity and advisability for the passengers to take to the parachutes." The pilot must discharge the passengers as if they were bombs. Safety-hooks, worked by an electric mechanism, hold the seats and the entire cabin containing the passengers; and should the pilot perceive the situation to be a desperate one, he would merely have to move a lever, thus putting simultaneously in motion the releasing mechanism, which frees passengers and cabin from the airplane and entrusting the lives of the passengers to the parachutes. Can this theory, based on the guaranteed working of a straightforward, almost elementary mechanism, be doubted?

Some time ago a foreign writer, whilst expressing his admiration for the Italian flying squadrons specially trained for acrobatics, also expressed a doubt as to whether "the game was worth the candle." To him, the risks involved seemed to outweigh the wonderful results obtainable by means of training carried to a high degree of perfection. He failed, however, to consider the share taken by the parachute in the special training for acrobatics. This share consists of the sense of personal safety which the pilot has in entrusting his life to the parachute in cases of emergency.

The service record of the parachute, which proves its value and efficiency in the saving of human life, is moreover enhanced by the widespread employment of aviation as a means of delivering supplies. The delivery of supplies by air worked splendidly in the East African campaign, guaranteeing the maximum and most efficient radius of operations to the auxiliary services connected with the general conduct of this campaign and eliminating the factor of distance by forming links of conjunction between the detachments of the Italian Expeditionary Force.

It is imperative in the extensive Colonial regions for the parachute to provide hitherto un hoped-for means of resource for auxiliary services, in cases of difficult operations of surveillance and for rapid communications with inhabited centres for all requirements of civil life, the most important of these being

urgent hygienic supplies. In this field of activity the Italians have proved to be pioneers and the Germans have profited by their experience. The most successful experiments for future warfare have been carried out by the Italians, with the employment of massed parachutists, in whom the highly up-to-date and intense military training will always find fresh resources of attack and defense. The greatest merit of parachuting in Italy, however, must be attributed to its employment in civil aviation, as it is obvious that flying, although called upon in time of war to show its most drastic and dramatic possibilities, and therefore its most thrilling aspects, will find its major employment first and foremost in passenger service when peace comes.

CIVIL LAW

Dual Citizenship--An International Problem

By E. Voltaire Garcia, LL.B., D.C.L.

A citizen has been defined as a member of a nation or sovereign state, especially of a republic; one who owes allegiance to a government, and entitled to a protection from it. Thus, citizenship is the status of being a citizen; membership in a political society; it implies the relation of allegiance and protection between individuals and their country. It is a term of municipal law, and carries with it the idea of connection or identification with the state and a participation in its functions. Dual Citizenship is the status of being a citizen of two different countries.

Citizenship, having its foundation on the relation between a person and his country, is regulated necessarily and primarily by municipal law, each nation deciding for itself who its citizens are or shall be; thus, it has been held: "nor can it be doubted that it is the inherent right of every independent nation to determine for itself and according to its own constitution and laws what classes of persons shall be entitled to its citizenship (Wong Kim Ark, 169 U. S. 649)"; it is, therefore, the settled rule that each and every nation decides for itself who are to be its citizens. There are generally two ways of acquiring citizenship, either by birth or by naturalization. Citizenship by birth may depend upon the place of birth, *jus soli*, under which principle every person born within the jurisdiction and allegiance of the state becomes its citizen irrespective of the citizenship of his parents. It generally depends also upon

the citizenship of the parents; this principle is founded on blood relation, *jus sanguinis*. Citizenship by naturalization is an artificial means of conferring the attributes of citizenship upon one who is not so by birth. Naturalization may be individually acquired, either by a special law or under a general naturalization law. Citizenship by naturalization may also be conferred collectively as when a territory is conquered by or ceded to another nation and the latter confers upon the conquered peoples the attributes of citizenship of the new nation.

Considering citizenship as entirely and absolutely within the control of municipal law, and considering further that the different countries of the world do not follow the same identical rules and laws of citizenship, the result is often times a conflict of laws on citizenship, and an individual who otherwise is entitled to only one citizenship becomes the citizen of two countries. So long as nationality or citizenship is regulated primarily and absolutely by municipal law and no uniform law exists for the determination of the nationality of origin, or citizenship at the moment of birth, as well as citizenship by naturalization, an individual may be born with double or dual citizenship, or being born with one citizenship may acquire another by naturalization without forfeiting the former resulting likewise in dual citizenship.

The principle of *jus sanguinis* is followed exclusively by seventeen countries and in the main by twenty-five other countries (23 American Journal of International Law, Special Supplement—Page 80). Thus, children born in the United States where the principle of *jus soli* prevails, of citizens of any of the countries following the principle of *jus sanguinis* are born with two or double citizenship. No country adheres exclusively to *jus soli* but twenty-six countries follow it principally (23 American Journal of International Law, Special Supplement—Page 80); some countries, however, observe both principles.

The feasibility of a person being born with double citizenship having been shown, there is so far, no rule of international law for preventing dual citizenship, in the same manner that there is no accepted rule for terminating dual citizenship once it has been acquired on account of the conflict of laws of different countries. As a consequence of these anomalous

situations of a person having double citizenship, conflicting demands are often made on persons born with multiple nationality particularly by countries following the principle of *jus sanguinis*, for purposes of compulsory military training and services. The situation is rendered worst in times of war. Italy, for example, considers as Italian subjects, children born in the United States of Italian parents and imposes military duty on them as they go to Italy, (Ferrari, "The Italo-American Conflict in Naturalization" 31 Current History, 306-11). France, also claims as citizens those born in the United States of French parents, and although they may have attained the age of majority and intend to reside permanently in the United States, they were unable to visit France as American citizens, (Flournoy, "International Problems in Respect to Nationality by Birth", 20 Proc. American Journal International Law, 59-66). Under the Japanese law of nationality which is based on *jus sanguinis*, American born Japanese are considered Japanese subjects and liable to military training.

Another most common source of conflict of nationality is that arising from citizenship by naturalization. The conflict is due in the main on the fact that naturalization involves expatriation and the principle of absolute voluntary expatriation is not recognized as a rule of international law nor as a municipal law of all countries. Thus, while an alien may be naturalized in one state as a citizen thereof, he may still remain as a citizen of his country of birth, if the laws of the latter do not allow expatriation or requires its consent before any of its subjects may be naturalized in a foreign country.

The Turkish law of 1869 prohibited an Ottoman subject from being naturalized in a foreign country without previous authorization of the Imperial Government, and without any such authorization, such naturalization will be considered null and void, (Gordon, "The Turkish-American Controversy over Nationality, 25 American Journal International Law, 658-69). Many Turkish immigrants, nevertheless, became naturalized Americans without Imperial consent and on their return to Turkey were claimed as Turkish subjects and held for military duty, payment of taxes and other obligations.

One more source of conflict of citizenship laws and which often results in dual citizenship is that which refers to the natio-

nality of married woman. While the general rule is to the effect that a married woman follows the citizenship of her husband, there are states that qualify the rule in the sense that if the husband may not become a citizen thereof by naturalization, the wife retains her nationality, notwithstanding the fact that according to the law of the husband's country she follows her nationality. There is here, therefore, a dual citizenship on the part of the wife; the country of birth of the wife considers her a citizen, while the husband's country claims her also as its citizen.

Prior to the inauguration of the Commonwealth of the Philippines the principle of *jus soli* was the rule in the Philippines; accordingly, all children born in the Philippines have been held citizens thereof by operation of law (U. S. vs. Lim Bin, 36 Phil. 924). Upon the taking effect of the Constitution of the Philippines, the principle of *jus soli* gave way to that of *jus sanguinis* (Art. 4, Sec. 1, Philippine Constitution).

Where a person is possessed with dual nationality each country of his as heretofore been referred to may make demand upon him to perform duties of citizenship. Moreover, there are municipal laws which may be violated even outside the jurisdiction of state. Thus, in times of war between the two countries of which one is a citizen, and the latter takes side in favor of one, he necessarily commits the crime of treason against the other. Generally, in conflicts like these, the laws of the country of residence assume full jurisdiction and control over the citizen.

An attempt has been made in the Hauge conference to remedy situations in cases of double citizenship; thus, the Protocol relating to military obligations in certain cases of dual nationality, provided in Article I—"A person possessing two or more nationalities who habitually resides in one of the countries whose nationality he possesses, and who is, in fact, more closely connected with that country, shall be exempt from all military obligations in the other country or countries. This exemption may involve the loss of the nationality of the other country or countries."

Commonwealth Act No. 63 governing the acquisition and loss of Philippine citizenship is indeed a step towards preventing dual citizenship. Said law reads in part:

"How citizenship may be lost. — A Filipino citizen may lose his citizenship in any of the following ways and/or events:

- (1) By naturalization in a foreign country;
- (2) By express renunciation of citizenship;
- (3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more;
- (4) By accepting commission in the military, naval or air service of a foreign country;
- (5) By cancellation of the certificate of naturalization;
- (6) By having been declared, by competent authority, a deserter of the Philippine army, navy or air corps in time of war, unless subsequently a plenary pardon or amnesty has been granted; and
- (7) In the case of a woman, upon her marriage to a foreigner if, by virtue of law in force in her husband's country, she acquires his nationality.

How citizenship may be reacquired.—Citizenship may be reacquired:

- (1) By naturalization: PROVIDED, That the applicant possess none of the disqualifications prescribed in section two of Act Numbered Twenty-nine hundred and twenty-seven;
- (2) By repatriation of deserters of the Army, Navy or Air corp; PROVIDED, That a woman who lost her citizenship by reason of her marriage to an alien may be repatriated in accordance with the provisions of this Act after the termination of the marital status; and
- (3) By direct act of the National Assembly (Secs. 1 and 2 of Commonwealth Act. No. 63)."

The most common manner of preventing differences between countries in cases of dual nationality is by means of Treaty by the states. While this had been satisfactory to some extent, it has not entirely remedied the situation. Until and after a universal and international law on citizenship and naturalization has been established dual citizenship will continue to be a world problem. A uniform law similar to Commonwealth Act No. 63 for all nations would help solve the problem.

COMMERCE

Depreciation for Public Utilities

By WASHINGTON SYCIP, M.S.C.

ON ACCOUNT of the great difference between public utilities and private enterprises, a unique treatment of depreciation of public utilities should be welcomed by all accountants. The amount of profit that may be realized by any private entity is governed only by the law of supply and demand (except in abnormal times). Public utilities, however are allowed only a certain rate of return on the valuation of their property. Public utilities are rendering services which form part of our daily needs and without which we will be greatly inconvenienced. Before they can render such services satisfactorily, they have to be granted certain privileges in the form of franchises, rights of way, etc. which give them a monopolistic nature. It is in exchange for such rights that the government reserves the right to regulate their profits.

In fixing the rates of return of the public utilities the government has to grant them a just and reasonable return on the value of their property. There are various theories as to just how the value of the property should be determined. They will be briefly discussed before touching on the topic of depreciation.

Original Cost.—If the rate of return is based on the original cost, it is necessary for the company to have accurate and complete records. This basis may be unfair to the public if the ori-

ginal cost is excessive and is the result of unwise investment. The investor is assured of a return on the amount of his investment. He does not derive any benefit nor does he suffer any loss from market fluctuations.

Reproduction Cost.—By cost of reproduction is generally meant the cost to construct a plant similar to the present one at present market prices. In this case the investor is allowed a rate of return, not only on his original investment, but also on any unearned increment on his investment. And should the value of the property be adversely affected by market prices, he has to suffer the loss. In other words the investor assumes the risks of market fluctuations. This basis, like the original cost basis, does not permit the investor to receive a return on the value of the plant as a going concern.

Capitalization Theory.—This theory permits the investor to get a return on the capitalization of the business. There is no fixed relation between invested value and capitalization. Invested values may fall below capitalization because of the issuance of stocks and bonds below par or the issuance of bonus stock. It is fortunate that capitalization has never been used as a basis of valuation but has been used only as an aid in determining proper valuation.

Present Value.—This theory will give the investors a return on the actual present market value of the plant. This method has gained the support of the Supreme Court as evidenced by the decision in the case of *Ynchausti Steamship Co., vs. The Public Utility Commission*.¹ Part of the decision is quoted here:

It is the theory of the law that a public utility should have a fair and reasonable return upon its property which is used by the public, and, under the modern authorities, the rate is based upon the physical valuation of the property, because in effect the property is both used and consumed by the public. In an action to condemn land to a public use, it would not be contended that the measure of damages to the owner would be the original cost of the land, or that if at one time the land was of a much greater value and had depreciated, the owner would then be entitled to recover the once greater value. In such a case the measure of damages would be the actual value of the time

¹ *Philippine Reports*, Vol. 42, p. 621.

of the appropriation. So, on principle, the vessel here is deemed taken and condemned by the public at the time of the filing of the petition, and the rate should go up and down, and the purpose of the hearing is to place a physical valuation upon the vessel and then base a reasonable rate upon that valuation. Hence the original cost of the vessel is not the basis for the valuation and is not important, except in so far as it may enable the Commissioner to determine the present value of the vessel.

In this case, only the actual and the estimated cost of the vessels were submitted, the estimated cost being approximately 400% of the actual cost. This was in the year 1920 when prices were still abnormally high and so the Supreme Court further added:

As a fair and impartial tribunal, it should require competent proof of the necessary facts upon which to base the rates, and where, as in this case, the only proof offered was the original and estimated costs, neither of which is competent except as it tends to show the present or market value of the vessel, the Commissioner had no right to accept either rate as the true basis, or one to the exclusion of the the other, and should have required that proof should be furnished of the present or market value of the vessel under reasonably normal conditions. The basing of the rate on the original cost of the vessel was prejudicial, legal error.

Again the case of the Metropolitan Water District vs. Public Service Commission,² the Supreme Court held:

The public utility is entitled as a just compensation and a fair return upon the value of its property while it is being used by the public.

As far as valuation for rate making is concerned there seems to be no doubt that the Supreme Court has adopted the present value of the property.

Bases of Depreciation.—In the case of industrial concerns, it is universally recognized that cost should be used as a basis of depreciation. There is no such uniformity of practice in public utilities. Present value, cost, and appraised value—all have been used as bases of depreciation. In the case of Ynchausti

² Philippine Reports, Vol. 58, p. 397.

Steamship Co. vs. The Public Utility Commission,³ the Supreme Court states: "This same principle should apply to the 5% depreciation. The percentage for depreciation should be based on market value and not on the original cost of the vessel." The United States Supreme Court in the case of United Railways and Electric Co. of Baltimore vs. Harold E. West⁴ also held this view. It said:

One of the items of expense to be ascertained and deducted is the amount necessary to restore property worn out or impaired, so as continuously to maintain it as nearly as practicable at the same level of efficiency for the public service. The amount set aside is the so-called depreciation allowance. Manifestly this allowance cannot be limited by the original cost, because, if values have advanced, the allowance is not sufficient to maintain the level of efficiency... This naturally calls for expenditures equal to the cost of the worn out equipment at the time of replacement; and this for all practical purposes, means present value. It is the settled rule of this court that the rate base is present value, and it would be wholly illogical to adopt a different rule for depreciation.

Justice Brandeis, in his very strong dissenting opinion, writes:

To use as a measure of the year's consumption of plant a depreciation charge ased on fluctuating present values substitutes conjecture for experience. Such a system would require the consumer of today to pay for an assumed operating expense which has never been incurred and which may never arise.

The use of original cost as a basis of depreciation will not be an injustice to either the investor in the utility or the public. To express it in the words of Justice Brandeis:

For, if the amount set aside for depreciation prove inadequate and investment of the new capital becomes necessary, the utility would be permitted to earn a return on the new capital. And if the amount set aside for depreciation proved to be excessive, the income from the sur-

³ Philippine Reports, Vol. 42, p. 621.

⁴ 280 U. S., pp. 234-291.

plus reserve would operate as a credit to reduce the capital charge which the rate must earn.

Those who advocate the use of present value as a basis generally do not understand the purposes of depreciation as depreciation has been proved to amortize past cost and not to provide for future replacements.

In spite of the Supreme Court decision, most of the utilities here use cost as a basis of depreciation. However, where the government makes an appraisal, the appraisal value are sometimes taken on the books and the depreciation based thereon.

Methods of Calculating Depreciation.—Utilities that take into consideration the item of depreciation use either the straight line method or the sinking fund method. The most common practice is to arrive at a composite rate by the straight line method. It is difficult, if not almost impossible, to compute the depreciation for each individual asset. The Federal Communications Commission prescribes this method for all telephone companies in the United States. The Philippine Long Distance Co. also employs this method. In the Uniform System of Accounts for Telephone Companies,⁵ the following explanation for computing depreciation rates is given:

Depreciation charges shall be computed by applying the composite annual percentage rates considered applicable to the original cost of each class of depreciable telephone plant owned or used by the company. These percentage rates shall be based upon the estimated service values and service lives developed by a study of the company's history and experience and such engineering and other information as may be available with respect to prospective future conditions. These percentage rates shall be computed in conformity with the group plan of accounting for depreciation and shall be such that the loss in service value of the property, except for the losses excluded under the definition of depreciation, may be distributed under the straight line method during the service life of the property.

Replacement Method.—If the replacement method is followed, the item of depreciation is disregarded. All replacements

⁵ Uniform System of Accounts for Telephone Companies, Federal Communications Commission, pp. 22-23.

are charged to expense. This method is seldom used except in public utilities. The reason for this is because their properties are so extensive and consist of so many assets, big and small, that differentiation between capital and revenue is very often difficult. The advocates of this theory maintain that in a seasoned property replacements will occur with regularity and charging replacements to expenses will not distort the profits of any period. They say that the depreciation allowances are seldom accurate and that since this method charges to operation only the actual costs it will remedy the inaccurate estimates of depreciation. Before such a method can yield the same results as the straight-line method of depreciation, the following conditions are essential:⁶

(1) Property must be constructed in equal installment.

(2) Life of each unit or installment in years must equal the total number of units or installments.

(3) Replacements must be in kind, without changes in prices.

(4) There must be no additions or extensions except as provided in (1) and (2).

(5) There must be no outright or final retirements.

If the above conditions do not exist, this method is not feasible as the profits of some periods will be distorted. It is doubtful whether all of the requirements can be found in one property.

Recording Depreciation.—The method of recording depreciation does not differ from the method used in private enterprises. The credit is often called "Reserve for Accrued Depreciation" or "Retirement Reserve." The nature of the account is still the same but it is usually shown in the liability side under the caption of "Reserves" or "Deferred Credits and Reserves" or "Reserve Liabilities." The reason for it is not shown, as a deduction from the fixed asset accounts is probably the fear of the utilities that this may result in a reduction of the rate base. Or it may be because of the failure to understand the valua-

⁶ W. A. Paton, *Accountants' Handbook*, p. 611.

tion account. The primary purpose of the Allowance for Depreciation is to indicate the lossening value of the asset and not to provide for replacements. The construction of many utilities is a continuing process. In such cases, the depreciation of the assets used in the construction of other assets is properly capitalized.

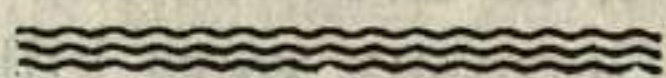
The method of accounting for replacements is similar to that ordinarily practiced as evidenced in the following extract from the Uniform Classification of Accounts for Electric Utilities⁷ prescribed by the Public Utility Commission of the Philippines:

. . . when, in order to keep the productive capacity of the plant up to its original or equivalent state of efficiency, it is necessary to make a complete replacement of such building, structure, or unit of equipment, the money cost of the original unit replaced and which has been charged to property (estimated if not known, and if estimated, the basis thereof shall be shown in the record entry), plus the cost of removing same, shall be charged to this account *Depreciation Reserve*, and the amount at which it was charged to the property account shall be credited to such property account, and the cost of removing the same shall be credited to cash or the appropriate liability account. The cost of the new unit is then charged directly to the appropriate plant account.

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⁷ Uniform Classification of Accounts for Electric Utilities, Public Utility Commission of the Philippine Islands, p. 32.

BOTANY



Poisonous Plants and How to Avoid Them

By Dr. E. QUISUMBING

The subject of plant poisons is so broad that I doubt, very much, whether in an hour or so allotted to me today will suffice to cover the whole subject. So in my talk today I shall limit myself to irritating plants of the Philippines which may be of interest to boy scouts.

Plant irritants may be classified under two categories; the internal irritants and the external ones. That is, those poisons affecting the internal organs and those affecting externally that is, the skin. The subject of internal poisons is so very broad a subject that it would be impossible to include in my talk. Acquaintance with plant poisons goes back when I was teaching veterinary Science at Los Baños. I kept on my interest on plant poisons in connection with the book that I am preparing on medicinal plants of the Philippines.

Knowledge on plant poisons dates back as far back as history. In ancient times poisoning was considered a fine art and to be poisoned was considered just as natural as contracting a disease. The knowledge of poisons in general was brought from the East to the West World. It became necessary, therefore, for people to protect themselves against poison. This

resulted in the introduction of the so-called professional tasters. These professional tasters partake of the food first and drink in the presence of the company about to enjoy the meal.

The ancient Greeks and Romans knew poisons and from the Sanskrit writings, it is evident that the Hindus, as early as 900 B.C. knew poisons extensively. The first law punishing poisoners was enacted in 82 B.C. In the 16th century poisoners guilty of poisoning in Germany were killed by a slow emersion in boiling water. In the 18th century the poisoners were burnt. In 1400 B.C. the Greeks disposed of criminals by killing them with *Conium maculatum* and a little later the *poppy* was introduced. Later criminals were killed by snake bite and by forcing them to eat large amounts of peach kernels. The kernels of peach are highly poisonous when eaten. There were various methods used in poisoning. Irritant substances were in some way or other applied to underclothing with the result that the victims died from an extensive dermatitis or poisons were introduced into gloves and on to letters and books with the hope that these poisons will eventually reach the mouth via the hands. The most popular way of poisoning was to add poison to the food or drink of the intended victim. Wholesale poisoning was effected by the contamination of wells and springs. Women rid themselves of men they deem undesirable by applying poison to their lips; such poisons were then introduced into the mouth of their victims during the act of kissing. Fumes of *Datura stramonium* and *Atropa belladonna* were sometimes introduced into the rooms of the intended victim. In the Philippines, the Filipinos have many uses for poisonous plants. There are many other methods of poisoning which I cannot relate here for lack of time. Poisonous plants were determined by watching the animals during grazing and those plants not eaten by the animals were considered poisonous.

We know that there are many plants that may at times be excellent food while at certain other times or circumstances they may prove poisons. The "patani" is a good example; the wild one is usually poisonous while the cultivated one is edible. There is also a difference in the immunity of a person or animal to poisonous plants. For example, the castor bean plants. Majority of people are not affected by touching the seeds but others are very susceptible to it producing rashes. We have also such plant irritant, more or less, like those of the famous poison

ivy of the temperate countries, that while some people are susceptible to it by merely touching it, others are not.

Again a part or parts of the plant may be poisonous while the remainder may be harmless and may even form a part of the human or animal diet. This is the case with peach, apricot and plum kernels which frequently contain dangerous amounts of poisonous acids while the outer portion of the fruit is eaten with impunity. Take another example, the rhubarb. Some of us are very fond of it. The rhubarb is known to be poisonous while the petioles are innoxious and edible. It is used in seasoning "sinigang". We make some of the most delicious pies out of it.

We have many plants in the Philippines that are known to cause mechanical injuries. The leaves of many grasses are so sharp and some of them contain stiff hairs that cause irritation on our skin. This irritation on the skin may cause the formation of subcutaneous and, in rare cases, even of intramuscular abscesses. A very common disease to begin with mechanical injury is common among the children and what we call the tropical ulcers. These tropical ulcers are acquired by children in playing in grassy patches and it is one of the most pernicious diseases of children and may even take months to heal.

Poisons may be classified in various ways:

1. According to their origin—vegetable, mineral, animals, etc.
2. According to their chemical constitution, alkaloid, glucosides, toxic-albumins, pyrotoxins, etc.
3. According to similarity in pharmacological actions, that is, such poisons acting on the blood, others acting on the nervous system, the muscular system, etc.

For lack of time I am going to limit my talk today to such plant poisons that are external or mechanical in nature. The question of internal poison is so extensive and complicated that we cannot incorporate a discussion of it here. The only thing that I wish to mention and emphasize in connection with internal poisons is try to avoid eating anything that you can make. No matter how attractive and good looking and appetizing a fruit or a seed is, avoid it. For example, there is a vine in the forest whose fruits resemble greatly a

grape only the color is slight pinkish. That particular plant which I am referring to is poisonous and may cause you some internal disturbances. While some plants are poisonous in a general way, they may be of some medical value if taken in desired doses.

The intact skin is an active absorber of most poisons soluble in lipoids and in water. There has been reported of many cases of serious skin troubles by the application of certain skin ointments. If these are particularly applied over prolonged periods they may be responsible for serious or even fatal poisoning which is too well known to be mentioned. Many of the cases of deformity of faces in beauty parlors are due to the application of some of these skin ointments. As to arrow poisons, the case is so well known that mention here is unnecessary. Most arrow poisons are vegetable in nature.

Before we proceed discussing external poisons, I want to say first something on poisonous mushrooms which are found in the Philippines.

Philippine Poisonous Mushrooms:

Poisonous mushrooms were known even before the Christian Era. An epigram attributed to Martial on the death of Macrinus says: "You were wont to deny, Macrinus, that men could be killed by fungi; yet Boleti (fungi) were the cause of your death." It is an amazing fact that in the Philippines every year scores of people are poisoned by mushrooms. This is due to lack of knowledge of poisonous mushrooms and for being careless. Unfortunately we only know those cases that we hear of or read in the newspapers.

There are evidences in the Philippines of the presence of deadly varieties of mushrooms. Some of these are native, while others were introduced from other countries accidentally. Fortunately, the deadly poisonous varieties are not found in the lowlands and if at all, in a very negligible number. Most of these are confined in Baguio and vicinity. The toxic substances found in those mushrooms are *phallin* or *muscarin*.

1. *Amanita phalloides*.—Deadly poisonous. (Death Cup or Destroying Angels).

This species and its various forms are the most dangerous of all poisonous mushrooms. It is often called "deadly amanita" or "deadly gaaric."

"The cap is fleshy, thick, viscid, slimy when wet, sometimes smooth, orbicular to bell-shaped, convex when finally expanded, yellow, white, or greenish to nearly olive. Sometimes there is only a tinge of yellow at the center of the white cap. In some cases a large part of the cap may be yellow with a deeper shade at the center. It is 5 to 11 centimeter broad. The gills are white, free from the stem, sometimes joined only a narrow white ring to the stem. The stem is very often scaly, thick, cylindrical, varying from stout to slender, stuffed by fibrills, then hollow, white or tinged by the color of the cap, often much lighter in color, 5 to 15 centimeters long, 6 to 10 millimeters in diameter. The ring is superior, membranous, white, easily disappearing. The cup is white, often olive to greenish, sometimes yellowish outside, thick, membranous, usually more or less buried in the ground. The flesh is white, often olive to greenish under the cuticle. This mushroom has no disagreeable taste, no lucid hues to warn one off, and to the untutored looks much like the mushroom of commerce, the edible mushroom, *Psalliota campestris* commonly called "Champignon". But the death cup is full of the toxic principle called phallin." *

Phallin is so slow in affecting the nerves that by the time distress is felt, it is generally too late; the poison has reached the blood stream. Although the antidote has been developed by the Pasteur Institute, it is still in the experimental stage and not widely available. At present, hope lies in early identification of the fungus, in stomach pump, emetics and purgatives in a hurry.

This mushroom is quite common in and around Baguio, Mountain Province. It occurs from May to September.

2. *Amanita muscaria*—Deadly Poisonous (Fly Amanita)

This beautiful but poisonous mushroom is called fly amanita because the early settlers in the United States used it for making fly paper.

"The cap varies in color from bright yellow to orange or orange-red. It is 10 to 15 centimeters in diameter, covered with colored powder scales that are easily washed off; at first it is nearly half-round and later flat. When young and moist, it is quite sticky. The gills are white and free from the stem. The stem is 10 to 19 centimeters long, white or tinged with yellow, often scaly, enlarged at the

* The descriptions of these mushrooms were prepared by Mr. Jose M. Mendoza, mycologist of the Bureau of Science.

lower end into ball. The ring is white and prominent, but soon tears off. The volva is usually much torn and surrounds the swollen end of the stem in the form of scales or rings."

Muscarin is the toxic substance found in this mushroom in deadly doses. It is one of the most deadly of the genus *Amanita*. The action of the poison is so rapid at times that in some cases it is difficult to save the life of the victim. Immediate injection of atropine may save the victim.

This mushroom grows on the ground in woods at high altitudes, like Baguio, Mountain Province.

3. *Lepiota morgani* Peck (*L. chloropora* Copeland.) (Payong ahas) (Tag.)

This mushroom is widely distributed in the Philippines growing any where, from sandy places to well-manured grounds. It is seldom met in the forests. It appears early and late in the mushroom season, generally growing in groups of a few or many individuals, but sometimes singly. It is traditionally known among the country people as poisonous. It is often picked among other edible mushrooms. It is an attractive mushroom and one who knows nothing about mushrooms is apt to collect it for the table.

"The cap is from 9 to 30 centimeters in diameter, soft and fleshy. At first it is nearly globose, soon becoming expanded, seldom depressed in the middle. It is generally white but covered by a brown cuticle which breaks up into scales except at the center. When bruised, its color changes to brownish and then to yellowish. The gills are broad, close together, entirely free, to first white, soon becoming green or greenish because of the mass of green spores adhering to them; when the gills get older they assume a yellowish color. The stem is white or nearly so, tinged with brown, smooth, firm, cylindrical swollen at the base, sometimes tapering slightly upward, 7 to 9 centimeters long and 5 to 9 millimeter in diameter. The spores in mass are green, becoming yellowish green in age. The ring is about 1 centimeter broad, conspicuous, fixed, persistent, white above until discolored by the spores."

Muscarine is the poison found in this mushroom, although in lesser amount than that in *Amanita muscaria*. Fortunately,

this mushroom has an emetic action which prevents fatal consequences. It is violent gastro-intestinal irritant. Death is almost unknown in healthy adults. Emetics and purgatives should be administered at once.

4. *Panaeolus campanulatus* Linn.

People who have tried the innocent-looking *Panaeolus* behave like drunks. They stagger and fall, laugh or weep hysterically. Fortunately as far as we know it is not fatal.

This common mushroom grows on horse manure, carabao and cattle dung, or on grassy places in heavy manured grounds. It sometimes grows singly, but mostly in groups of several to many. It is found from the latter part of May or June to November. This is common in Manila and in the provinces.

"The cap is 2.5 to 4.5 centimeters in diameter, fleshy conical to bell-shaped, sometimes umbonate, not fully expanded, smooth, white, somewhat shiny, not translucent, gray, clay-colored, becoming reddish, when dry wrinkled or cracking, then scaly; the margin is occasionally fringed with remains of the veil. The gills are loose, somewhat crowded attached to the stem, gray-olive, sooty, black-spotted. The stem is 5 to 14 centimeters long, 3 to 5 millimeters in diameter, pithy, stuffed, cylindrical, sometimes channeled, frail, almost equal, a little broader at the base, of the same color as the cap, first white then black and powdery. The flesh is grayish, colorless, and tasteless."

There are no set rules for telling whether the mushrooms are edible or poisonous. The only safe procedure is to know a mushroom before eating it. Such tests as "peels" or blackens a silver coin when cooked" are of no value. Some of these tests happen to apply also to edible mushrooms.

Here are a few points worth remembering:

1. Avoid eating mushrooms in the button or unexpanded stage. Edible and poisonous mushrooms look all alike when they are in the button stage.

2. Avoid all mushroom that have death cups, stalks with a swollen base surrounded by a sac-like or scaly envelope, especially if the gills are white. This refers to the species of *Amanita*.

3. Mushrooms with white gills and a ring on the stem,

especially when the gills become greenish at maturity, should generally be avoided. *Lepiotamognai* is a good example for this.

4. Mushrooms that have brown to black gills which grow on animal dung should generally be avoided. *Panaeolus* species are included in this rule.

5. Unless you are very familiar with the edible species you are collecting never gather mushrooms in or near wood areas except for study.

6. Do not eat any mushroom on the word of the self-styled expert, unless you are personally familiar with the species in question.

7. Boiling does not suffice to rid a deadly variety of mushroom from poison.

8. Edible mushrooms should always be eaten soon after gathering. Do not eat decaying or rotting ones. Some edible mushrooms may be dried for future use.

9. Mushrooms that are perfectly fresh and wholesome may prove indigestible even to those whose digestive powers are in no way defective. Faulty cooking or overindulgence in eating are frequent causes. A heavy meal of mushrooms on returning from a long walk, tired and hungry, is harmful; in no case should fungi be eaten unaccompanied by the other foods, such as rice, bread, or meat.

10. Never use yourself to experiment on the edibility of mushrooms. It may prove fatal.

External Poisons:

Grasses.—There are many grasses in the Philippines that cause mechanical injury, and in your trip in the forests during camping it is necessary that you take along with you medicine such as iodine, sodium bicarbonate, mercurio-chrome, alcohol, hydrogen peroxide, ammonia, etc. Specific mention of the use of these medicaments in the easing and relief of pains will be mentioned separately in connection with the plants in question.

A. *Cogon*—In newly burnt areas watch out for cogon runners especially if you go bare-footed. The tips of these runners are so sharp that they are liable to puncture the soles of your feet. The after effects of the wound produced by these runners are what you should worry so the wound must be



cleaned, disinfected and dressed immediately. To avoid being wounded by cogon runners the best is not to go bare-footed.

B. *Spiny Bamboo*—The spines of the spiny bamboo may inflict deep wound sometimes. Try to avoid them in your camping trips.

C. *Talahib, Agingay, etc.*—There are many grasses during your camping trips that you may encounter with very sharp edges. These may inflict wound.

D. *Palms*—There are two species of palms; namely, *Arenca Dinnata* and *Arenca tremula*, the fruits of which are very irritating. Avoid the fruits of these as the juice in the husk contains a substance with a lot of crystals which we call raphides. People making sweet with the kernels of cabo negro are very careful in the preparation of this sweet. They boil the fruit first to get rid of this raphides. The irritation is due to a poison (calcium oxalate) in these needle-like crystals which we call raphides. You can be relieved of the pain and irritation of these crystals by the application of soap and hot water or dilute ammonia water.

E. *Semecarpus*—In Tagalog it is commonly called *Ligas*. This belongs to the same family as the casuy. The juice of the bark and of the fruits of this ligas is very irritating, and may produce inflammation and rashes. I will not be a little bit surprised if other species are also irritants. You may relieve yourself of the discomfort by applying on the surface affected with a solution of sodium bicarbonate.

F. *Casuy*—In roasting casuy nuts avoid the oil getting into your skin because it is painful and irritating. You may get the relief of the effect by the application of ammonia water or a solution of sodium bicarbonate.

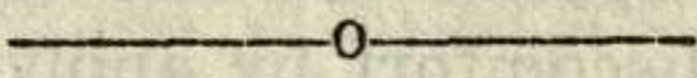
G. *Ivy*—This belongs to the family Araliaceae. In the field avoid getting in touch with any plants of this family because it may produce the same effect as irritation due to poison ivy. Fortunately, we do not have this plant in the Philippines.

H. *Laportea*—This is commonly called *lipá* or *lipang kalabao*. Nearly all the species of *Laportea* have irritating effects. These plants have hairs with glands at the tip. When you touch these not only a portion of the tip of the hairs are

left in your skin but also by pressure a poison is ejected from the hairs. The pain is similar as to the bite of an ant. This is one of the most disagreeable and irritating effects. This is due to the poisons in the juice of an organic acid generally known as formic acid. You may relieve your pain by the result of touching these leaves by the application of some ammonia water or a solution of sodium bicarbonate.

I. *Mucuna*—Many people are susceptible to the hairs, even with dried specimens. Ammonia water is the antidote I know by experience.

Very little is known on the toxicology of these poisons that I have just mentioned to you causing irritation of the skin, etc. This will be a very fine piece of research, a medico-botanico research, for ambitious students and which is of great importance medically speaking.



Movie Criticism and a Tragedy

By ANTONIO ESTRADA, M.LL.

The intriguing title to a masterly picture, *We Are Not Alone*, contains an answer to those who are making a noise about divorce, by which, as has been pointed out, is really meant that remarriage the very possibility of which abolishes marriage.

For, at the bottom of the movement to amend the law lies a fundamental misconception of the nature of marriage and the family gives a rise to. At one of those interesting bouts known as public doctoral examinations, the question was sprung, 'What is wrong with trial marriage?' The question may well be asked now, for the proposed amendment to the divorce law would turn all marriage into a trial marriage.

Well, to be absolutely exact, the trouble with a trial marriage is that it is not a trial marriage.

For, a marriage naturally leads to such a radical alteration in the point of view of both husband and wife, by which they sink themselves in the good of the family, that after a while they can look back on the past and smile at their own unreal anticipations of marriage. How often in real life do married people recall with a wonder bordering on incredulity the trivial passions that seemed so immense before marriage! But this normal psychological evolution in both husband and wife is based upon the idea that when bride and groom join hands before the altar, they do so forever.

To go through the appearances of wedded life, but without this basic psychological conviction is to experience not marriage but some other form of social life. Hence, a divorce law that allows remarriage really abolishes marriage.

Here we can well and truly say that neither husband nor wife nor both together can undo that social thing they did when they married, because 'We are not alone.' Others have got to be taken into account.

* * *

Heroic Finland is admirable and hopeless. Unless peace comes in time Finland will go the way of Poland, Czechoslovakia, Austria, and we may add, Lithuania, Latvia, and Esthonia.

The promised aid of England and France will be of no more effect than it was in the other two cases: *first*, because the Allies have their hands full with Germany, and *second*, because for reasons as obvious as they are unspeakable, England has no wish to offend Russia too much.

The world press has carried on such a propoganda in favour of Finland that may have been lulled into an expectation of seeing the tiny nation roll back single-handed the billows of Russian arms. It is true that so far the Russians have sustained great disasters, but is it not curious that so far the Finnish casualties have never been published? If we consider that the total population of Finland is rather less than four million, we must realise that hardly half a milion men can have taken the field against the multitudinous Russians.

Russia's error—tragic for her soldiers—is to have launched a campaign in mid-winter. This is exactly what England and France meant Germany to do in Poland: that is why they engaged in dilatory tactics. But the German General Staff is not Russian: they fixed a term, and began the war upon its expiry. Hence, the difference between the German invasion of Poland and the Russian attack on Finland.

But the campaign in the press has cast a halo round Finland that has unhappily veiled from the world Finland's really urgent need of help. And the propaganda goes on. One writer even says Finland has the best army in the world—or is it the best propaganda machine?

Now, one of the aims of this propaganda is to secure the sympathy of Catholics throughout the world. The very same people who saw thousands and millions of Catholics butchered and tortured in Russia, in Mexico, in Hungary, and in Spain,

without speaking a word of protest, now bestir themselves to kindle Catholic indignation in behalf of their cause.

We have actually read that 'Finland is profoundly Catholic.' How Catholic, the Franciscan Calendar for last year will tell us. Out of a total population of 3,786,844, there are only 3,000 Catholics. In other words, less than one in a thousand!

One-tenth of one per cent of the Finns are Catholic. Therefore, Finland is profoundly Catholic.

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THE APPEAL of paradox is of necessity narrow: it is the appeal of technical language. For instance, to those who have given the matter some thought there is no difficulty in understanding the statement that "Literature is language" any more than there is making sense out of the thoughts and feelings of those who use and have used a given tongue. And Language is literature so far as words have connotations as well as denotations, and connotations have their source in memorable passages of literature.

Yet those who have never given this matter any thought may well think the two statements put down above mere nonsense.

Now, the connection between language and nationalism is in great part literature. Some such thing as this was hinted at in one of the papers read out recently at the Annual Meeting of the Filipino Writers' League and in one of the resolutions passed, making much of the sociological and even proletarian aspects of today's writing.

But, interesting as this topic is in itself (and we shall in all likelihood have occasion to dwell upon it some other time), let us now confine ourselves to the fact that President Quezon last night pointed out clearly what had been adumbrated in the morning by some of the speakers regarding the status of English, Spanish, and Tagalog among us.

We live in the Philippines, and therefore we need a national language with which to talk things over with our countrymen throughout the length and breath of the Archipelago. Translation is such a cumbrous tool. The annoyance felt by President Quezon in having to address himself to some parts of the country through interpreters is an annoyance lying in wait

for us all, so long as something is not done to remedy the Babel of dialects that divides the different regions.

We know the sinister efficacy of the motto: Divide and conquer. We are divided linguistically, and it is no less a part of our national defence to unite ourselves idiomatically than it is to unite ourselves militarily. English and Spanish have already seeped down to the common *tao*. Let us hope Tagalog will have better luck.

But while we live in the Philippines and need a national language, we also live in the world and need an international language. Here is where Providence has been generous to us and given us not one but two international languages: Spanish and English.

There is surely no need to recall how it is more imperative than ever to have friends among the other nations of the world. But understanding must prepare the way for friendship, and the value of using the same language and being familiar with the same current and historical literature as another nation is incalculable. Indeed, apart from this community of language there is a gulf sometimes impossible to bridge.

That we should through our use of Spanish and English be able to come to a real and lasting understanding with the British Empire and most of North America as well as with Spain and all of South America—could any nation about to launch out into the world reasonably as for more?

And to cap the climax, what an inexhaustible wealth of first rate models do we not have in English and Spanish for the development of our own Tagalog Literature! Let us hope that a hundred years from now no Filipino scholar will have to lament his countrymen's having developed a literature that was insular and barbarous where it might easily have been civilised.

* * * *

We are told that in pointing out how English cannot become the national language without incurring an expense out of all proportion with the national purse, President Quezon related an anecdote in which he played a part.

Being seriously ill in Baguio years ago, he was visited by Fr. Serapio Tamayo, the Rector of Sto. Tomas University. The usher who had picked up the sort of English that is not infre-

quently learned in our schools, asked the priest to wait, and announced him to the sick man as, 'Dee Press is here!' To which President Quezon replied with an explosion of his old energy, 'Tell the Press to go to hell!' How faithfully the English speaking attendant obeyed the injunction we are left to conjecture.

Now the root of this evil is not hard to find, and it has nothing to do with the inherent difficulty of English phonetics. It is merely a typical fruit of that jingoistic tendency that gets its politics mixed up with everything else: the idea that a Filipino can teach English better than anybody else *simply* because he is a Filipino, even if he hardly knows English.

Nationalise the schools! Nationalise the teachers! Nationalise the text books! Nationalise this and that and the other! The abuse of patriotism is responsible for the wretched English many of our schools have long been dealing in. We have only to notice how students of those schools where English is still taught by *competent* teachers: Filipino, British or American speak and write the language, to realise the enormity of which the nation has been the victim!

And of a piece with this irresponsible attitude is the policy of letting hundreds and thousands of schoolchildren pass and graduate even if they do not come up to the mark, in order to give other children the chance likewise to flunk their way to graduation.

After twenty or thirty years of this, let us go and blame the climate—or the budget.

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Spanish Today in the Philippines

AN interesting explanation is offered why Spanish has fallen off considerably in the Philippines of late: that those in charge of writing in it have avoided the main thoroughfare of events and gone off into private by-paths of their own.

There is something to that. But can it be denied that the official attitude of the past, making Spanish as nearly superfluous as possible in schools, has greatly contributed to the condition regretted?

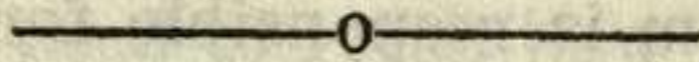
But perhaps facts are not so dark as this. More people today, we are told by those who are in a position to know, speak correct Spanish in the Philippines than forty years ago. And

more people speak Spanish than read it. That accounts for the ailing writers.

But the writers are not all ailing.

There are undoubtedly Filipino writers in Spanish today who write ably and modernly about present-day subjects—one has but to turn over the pages of the dailies in the language—and Spanish, far from decaying here seems rather on the rise—a rise that encouragement from Malacañan will certainly accelerate.

And we must not forget the generous help offered us by no less a man than the head of the Spanish nation himself.



FORECAST FOR SEPTEMBER

In "La Universidad En La Paz de España", the Rev. Fr. Silvestre Sancho, O.P., rector magnificus of the University of Santo Tomas, points out that a University should be more than a place where the student goes to sit and pile up units for credit.

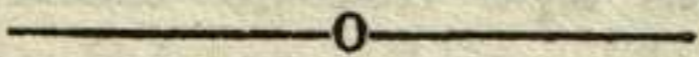
It should be a place where life, in the largest sense, is taken seriously; where discipline and sacrifice are engendered; where understanding of the cultural and practical is promoted, where personalities and attitudes are evolved; and above all, where the moral aspect of education is emphasized and safeguarded.



O. Henry has been called a Yankee Maupassant, the designation being an unconscious tribute to his broad Americanism. However flattering the appellation might have been, it is interesting to note his half-resentful resort: "I have been called the American Maupassant. Well, I never wrote a filthy word in my life and I don't like to be compared to a filthy writer."

The Bookman, in turn, says editorially: ...but, better read **The Brush** in the September issue of the **Unitas**

ALSO OTHER INTERESTING ARTICLES



NEWS AND NOTES

Revised B.S.C. Curriculum.—The four-year curriculum of the university leading to the degree of Bachelor of Science in Commerce has been revised to take effect immediately after the summer session.

The revision reveals that the completion of 132 units will make the commerce student eligible for graduation. Formerly the curriculum required completion of 156 units.

Like the best Philippine colleges which specialize in commerce, only the most important subjects have been retained in the course.

To suit the convenience of its students there will be three sessions in the college, morning, afternoon and evening. In the morning a complete commerce course and the combined business and law course will be offered. As in the afternoon, only sessions for the commerce course will be given it is reliably confirmed.

These changes in the B.S.C. study took effect with the start of the 1940-41 academic school year last June.

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Women in all U.S.T. Civil Courses.—All the civil courses at Santo Tomas was opened to the women students. The opening of the Faculty of Engineering and the School of Architecture to women, effective last June. Classes in these two colleges of the university were adjusted in such a manner as to make it possible for women to attend them without any difficulty.

While formerly classes in architecture were held until eight o'clock in the evening, all classes in the college end at 5:00 p.m. beginning 1940-41. The same time-schedule were adopted by the College of Engineering.

Evening classes will be maintained in the Colleges of Law, Liberal Arts and Education. Classes will be conducted, however, in the morning and afternoon, for the women in these colleges.

In response to public demands, the university opened five new courses, namely: the Junior Normal, Electrical Engineering, Mechanical Engineering, Industrial Chemistry, and Associate in Industrial Chemistry.

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General Franco is Honorary Rector.—In acknowledgment of his appointment as honorary rector of this University by the Congregation of Universities and Seminaries in Rome, General Francisco Franco, present head of the government of Spain, sent a note of gratitude and greeted affectionately the professors and students of Santo Tomas for the felicitations accorded him. A radiogram to Reverend **Rector Magnificus** Silvestre Sancho, O.P., S.T.D., was received.

The radiogram follows in full:

“MADRID PALACE

“D L T SANCHO

“RECTOR, UNIVERSITY OF SANTO TOMAS, MANILA

“EXCELLENCY GENERALISSIMO FRANCO IS GRATEFUL FOR YOUR FELICITATIONS FOR HIS APPOINTMENT AS HONORARY RECTOR. HE SENDS HIS AFFECTIONATE GREETINGS TO THE PROFESSORS AND STUDENTS OF THE UNIVERSITY.

“RESPECTFULLY,

(SGD.) “COLONEL FRANCO.”

It is understood that Father Sancho sent his warm felicitations on Gral. Franco's appointment immediately when the news was received here last spring.

Generalissimo Francisco Franco was appointed by the congregation of Universities and seminaries in Rome, through Pope Pius XII, as Rector, **honoris causa**, of the pontifical university in early April this year. Advice about the matter was received by the Rev. Fr. Silvestre Sancho, **rector magnificus**, on April 10.

Considered a unique case, the choice of General Franco as honorary rector is the first in history, this being the first time in which the Holy See honors the head of a nation in such a manner.

His choice as honorary rector, it is believed, came as a consequence of his recognition of all degrees conferred by the university, which places Santo Tomas graduates on an equal footing with graduates of universities in Spain.

Commenting on the action of the Holy See, Rev. Fr. Rector Sancho, released to the Philippine press the following statements:

This is an extraordinary thing. It is the first time such an action is taken by the Holy See to honor not only the head of a nation, but also the University of Santo Tomas. We consider this a manifestation of the great interest of Rome in the welfare of the University of Santo Tomas, coming as it were, as a consequence of the granting of state recognition by Generalissimo Franco of all University Degrees granted by this Pontifical University. The greatness of the honoree as leader of Spain and champion of our civilization honors the University in equal measure. We rejoice in the action of the Holy See and rejoice in the greatness of the event.

Local students and professors of the university welcome with gladness the appointment of Spain's military head as honorary rector and consider it as a unique distinction for the pontifical and royal institutions.

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New Rulings for Faculty Club.—Membership to the Faculty Club of the university shall be made compulsory to all teachers, instructors, professors, deans and lecturers of the university beginning last June, it has been ruled by the Father Rector Magnificus.

Subscription to two publications which are considered the most important in the university to them shall also be made obligatory with the beginning of the academic year 1940-41. These are the **Unitas** and **Hispanidad**, a new monthly magazine in Spanish which made its maiden bow early this year.

The importance of the new magazine have been stressed by the university head in a recent faculty meeting which he presided.

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Hispanidad is graphically consecrated to the diffusion of the glories of Spain, a truly great pioneering Catholic nation. It carries significant historical and literary articles. Edited by Rev. Dr. Jesus Castañon, O. P., Rev. Dr. Florencio Muñoz, O.P. and Prof. J. de Castro, a newly appointed professor of Spanish in this institution.

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Many Relics at U.S.T. Museum House Show.—Historical, ethnological and artistic relics from well-known private collections, aside from its usual century-mellowed and modern treasures, were exhibited in the reorganized museum of Santo Tomas, oldest museum in the Philippines, in its first annual open house on March 12 to 14. The show attracted approximately twelve thousand visitors, according to a fair estimate.

New features were the presentation of various collections (from four members of the alumni association) which formed interesting studies in coins and medals, stamps, and autographs.

These served as themes on the history of the University of Santo Tomas in coins and medals from Dr. Jose P. Bantug; "Glimpses of Philippine History" in coins and medals from Inocencio Delgado; "Trends in Philatelic Art," consisting of forty framed stamps, from Councilor Aurelio Alvero; and "The Hands of Great Men," a collection of autographs of great men in various endeavors, from Jose D. Carpio of the Accounts Department.

The museum, which is now located in the former paranympus of the main building and the exhibition room adjoining it, was kept open from nine o'clock in the morning to five in the afternoon during the three-day show. A staff of exhibitors were in attendance to guide and give whatever information was desired by the visiting and curious public.

The very recent donations to the museum from the Very Rev. Rector Silvestre Sancho were also displayed. They are as follows: 1 pc. Jade cup believed to have belonged to King Taruk of Cochin-China; 1 pc. Medal, XXXIV International Eucharistic Congress, Budapest, Hungary, 1938. Ae.; 1 pc. Medal, University of Barcelona, 1837-1937, Ae.; 1 pc. Document, Academia Barcinonensis Restituta, 1837-1937; 3 pc. Medals, Pope of Peace. Ae; 1 sht. Paper bills, El Banco de España, Bilbao; 1 pc. Paper bill, Banco de España, 10 pesetas No. B 9773731; 1 pc. Paper bill, Banco de España, 5 pesetas No. B9970936; 1 pc. Paper bill, Banco de España, 2 pesetas No. A9047957; 1 pc. Paper bill, Banco de España, 1 peseta No. A439373; 1 pc. 56 centimos No. C4611596; and 1 pc. Paper bill, Government Ceylon, 1 rupee, No. 73797.

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New Appointments Released.—With the start of the new academic year a list of appointments has been released thus completing the key positions in the University:—

Very Rev. Dr. S. Sancho—RECTOR for the second time and DEAN of the the Graduate School.

Very Rev. Dr. E. Jordan—VICE-RECTOR and DEAN of the College of Education.

Very Rev. Dr. J. Ylla—DIRECTOR of the U.S.T. Central Seminary.

Rev. Dr. A. Valbuena—SUPERIOR of the Intramuros House, Regent of Law and Assistant Prefect of the Libraries.

Rev. Dr. N. Dominguez—DEAN of Theology, Prefect of Discipline and Moderator of the Holy Name Society and its "Journal"

Rev. Dr. J. Valbuena—DEAN of Philosophia and Regent of Engineering and Architecture.

Rev. Dr. A. Rihuete—DEAN of Canon Law, General Treasurer and Mgr. of the Vars. & "V. E."

Rev. Dr. J. Castañón—DEAN of Religion, Head of the Spanish Department and director of "Hispanidad."

Rev. Dr. E. Bazaco—DEAN of Philosophy and Letters, Moderator of the "Varsitarian" and director of "Unitas".

Rev. Dr. E. Dominguez—DEAN of Pharmacy.

Rev. Dr. A. de Blas—ACTING DEAN of Liberal Arts and Head of Psychology Dept.

Rev. Fr. P. Mateos—ACTING DEAN of Commerce, Director of Purchase and Administrator of the budget.

Rev. Fr. A. Lopez—SECRETARY GENERAL, Sub-Prefect of Discipline in Intramuros and Moderator of the "Thomasian."

Rev. Dr. E. Serrano—Prefect of Libraries, Chaplain, and Director of "Boletín Eclesiástico"

Rev. Dr. F. del Río—Acting Prefect of Discipline.

Rev. Dr. T. Martinez—Director of the UST High School.

Rev. Fr. J. Cuesta—Regent of Medicine and Assistant Dean of Religion.

Rev. Dr. A. Salvador—Director of Athletics.

Rev. Dr. R. Alonso—Secretary of the Ecclesiastical Faculties and Manager of the "Holy Name Journal."

Rev. Fr. B. Castaño—Director of the Military Science Dept.

Rev. Fr. H. Aherne—Head of the English Dept. and Assistant Moderator of the Holy Name Society and its Journal

Rev. Dr. F. Villacorta—Assistant Prefect of the Comm. Library.

Rev. Fr. J. McMahon—Assistant Dean of Liberal Arts, of Religion and the Holy Name Activities.

Rev. Fr. M. Ferrero—Archivist and Chronicler of the University.

Rev. Dr. F. Muñoz—Asst. Head of the Spanish Dept., Subdirector and Mgr. of "Hispanidad" and Director of "Voz Estudiantil."

Rev. Fr. A. Garcia—Administrator; Editor "Unitas".

Rev Fr. V. Breton—Director, U.S.T. Press.

Similarly other religious members of the Faculty are engaged in other substantial activities: Fr. Palacio and Fr. Vacas, Assistant director of the Central Seminary; Fr. R. Rodrigo, Spir. Director of the Seminarians.

The rest of the U.S.T. Faculty, some 90% of our professors and instructors, are lay men and women.

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Banner List of New U.S.T. Women Physicians Out.—Santo Tomas graduates in medicine copped seven out of the first ten places in the medical board examinations given last May, results of which were released late in June. Of the 57 new women physicians who successfully passed the tests, 43, all of them members of the 1940 graduating class, were former U.S.T. coeds.

Carlos V. Garcia, Miss Milagros Tejuco y Valero, Miss Natividad Narciso, Emilio J. Dayrit, Oscar P. Jacinto, Miss Isidra Yatco and Jesus C. Delgado finished in the lead in a 1-2-3-4 etc. fashion among the latest group of successful candidates from the university of Santo Tomas that number about 152.

Others from other medical colleges passed, with U.P. copping first place and U.S.T. second.

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Father Rector On the Influence of Art.—That art has influenced the commercial and industrial development of various countries was the gist of an informal talk Rev. Fr. Silvestre, O.P., rector of the university, delivered at a meeting of the faculty of the school of fine arts and architecture of the pontifical university recently. Father Sancho emphasized the importance of the new course in industrial designing which the university is giving in answer to a long-felt need in the Philippines.

Industrial designing, as an integral part of the curriculum of various art colleges and universities abroad, is a comparatively new course here. It aims to train art students not only in the designing of various products and other household commodities but also in the study of the material and its manufacture. The students are also taught the market value of such products.

In an interview, Director Victorio C. Edades of the school of architecture and fine arts emphasized the fact that with the present movement to industrialize the Philippines and the economic aspects of the transition period the demand for more qualified industrial designers will increase. The school of architecture and fine arts of the University of Santo Tomas is training such designers now in cooperation with the industrialization program of the government.

To teach the course in industrial designing the university has engaged the services of a well-known artist, Galo B. Ocampo, who has a distinguished record as an artist and a researcher in Filipino art. He is the painter of the famous "Brown Madonna" and the author of a "Portfolio of

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Philippine Churches and Other Scenes." Mr. Ocampo will also act as technical assistant in the U.S.T. museum.

Another interesting course in the school of fine arts this year is cartooning and illustrating which Mr. Carlos V. Francisco will handle. Mr. Francisco is very prominent and well-known in that field.

El P. Sancho Reinstalado Rector.—El Muy Rdo. P. Silvestre Sancho, quien durante los cuatro últimos años ha desempeñado con extraordinario lucimiento el rectorado de la Real y Pontificia Universidad de Santo Tomás, ha sido reinstalado en dicho cargo por la Santa Sede.

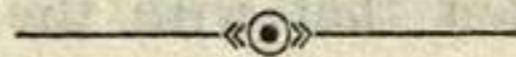
El Muy Rdo. Padre Canciller de la Universidad de Sto. Tomás, recibió el día 15 de mayo ultimo un telegrama de la Secretaria de Estado del Vaticano reinstalando al Padre Silvestre Sancho como Rector Magnificus de la Universidad, con la orden expresa de que tomase posesión del cargo inmediatamente, sin esperar la documentación oficial que se ha remitido por correo.

El Rdo. P. Sancho regresó de Iloilo, en cuya provincia estuvo haciendo un ciclo de predicaciones. Al ser informado de la orden telegráfica de S. S. el Papa, ordenó que la orden se cumpliera sin demora.

La toma de posesión tuvo lugar a las ocho de la mañana en la Capilla de la Universidad de Sto. Tomás, con asistencia de los Padres Dominicos y jerarquías de la Orden de Predicadores.

La ceremonia fué sencilla y de caracter profundamente religioso. El Rdo. P. Canciller leyó el despacho de Roma y acto seguido el Padre Sancho hizo la profesión de fé con arreglo al ritual de la Orden. Una vez reinstalado en el Rectorado de Santo Tomás, el Padre Sancho pronunció una breve alocución en la que agradeció a sus hermanos de hábito la cooperación que le prestaron durante su ejercicio anterior y les rogó que sigan pres-tándosela en el curso de los cuatro años subsiguientes.

En el mismo día empezaron a llegar a la Universidad de Santo Tomás numerosas felicitaciones al P. Sancho, por la honrosa y merecida distinción que S.S. el Papa le ha dispensado.



BIBLIOGRAPHY

HISTORY OF EDUCATION IN THE PHILIPPINES...

**By Rev. Dr. Evergisto Bazaco, O.P.
600 pages—U.S.T. Press...**

A last word should be said for the "pioneering torch" which the University of Santo Tomas has been through almost three and a half centuries. In the "History of Education in the Philippines" written by Father Evergisto Bazaco of the Dominican Order, head of the history department and dean of the college of philosophy and letters in the grand old heart of Spanish learning, is proof of the part played by the University of Santo Tomas.

From yellowed manuscripts and histories of the times, Father Bazaco verified the beginnings of UST as starting in the year 1587 upon the arrival of the first large mission of Dominicans in the Philippines. The first academic act was a number on a program to solemnize the feast of St. Dominic, an old university student at Palencia and the founder of the Order of Preachers.

According to Father Bazaco, the celebration was held in the main hall of the Cathedral and in the

presence of prominent dignitaries of the religious orders and of the civil authorities. The academic act was directed by a professor of theology, the Reverend Father Pedro de Soto, who "did so with such an abundance of doctrinal authority and with such cleverness and lucidity as to fill those present with admiration."

There was neither money nor a site for the "school," but Bishop Salazar was undiscouraged. Either in the Cathedral or in Santo Domingo, conferences and lectures were given, and from that small group surrounded by men hungry for learning, the University of Santo Tomas, to be a perpetual university and the sole property of the Dominican Order by royal decree of the Spanish sovereigns, was born. The years have seen it in both sorrow and glory, in temporary stagnation and forging ahead of threats to its crown, in dusty halls ill-befitting the glow of inner light and finally, not many years ago, in an earthquake proof building on a spacious campus and fast being surrounded by additional buildings to match its expansion.

Many of its old traditions, such as that of the doctors parading

through Manila on horseback as a part of their solemn investiture, are faded or gone as the university keeps abreast of a modern age. New traditions spring up and become a part of that which they displaced, and greater and stronger grows the Dominican stronghold of conservatism, learning and character building.

Judging the future by the past as proven in the present, the University of Santo Tomas and its host of those who are dead, and those who are living and those who are yet to be born, will truly be that which was decreed by royalty and sustained by democracy: The Philippines' Perpetual University.

—Yay Panlilio

The Beginning of the Jesuit Education in the Philippines, by W.C. Repetti, S. J. — 28 pages. Manila, 1940.

This booklet of Father Repetti seems to be a replica of the history book reviewed above by Yay Panlilio, where the Rev. Fr. Bazaco proves the high grade of education achieved in this country years ago,—education which was due principally to the work done magnanimously by the Catholic Church thru the early and all religious orders established here.

True-to-fact works like Fr. Bazaco's debunk the tendency of the increasing number of modern historians who see nothing in the educational system of the past but defects and errors. Or if these modern authors admit any good influence on the part of the Church, they usually limit themselves (and these with a good dose of inexac-

titudes and exaggerations) to the pedagogical labor of the illustrious Order to which the said and brave Spanish soldier belonged.

Apparently, Father Repetti, leaving aside such historians, treats in his booklet an answer to the above reviewed book, as far as the work of the Society is concerned. With its vulnerable points, the booklet supposes great study and is meritorious.

Estudio Bibliográfico del Arte y Reglas de la Lengua Tagala de Fr. Tomas Ortiz, por el P. Miguel Selga, S.J.—14 páginas. Manila, 1940.

También hemos recibido últimamente esta obrita, que, aunque pequeña en su tamaño, consideramos como una de las más grandes que han salido a luz en el presente año. El P. Selga, con la maestría acostumbrada y el derroche de citas y de nombres olvidados, privilegio exclusivo de los grandes hombres de archivos y de letras, nos dá un bosquejo del paradero de este libro perdido—Arte y Reglas de la Lengua Tagala—seguido de una corta pero interesante biografía del P. Tomás Ortiz y de las fuentes documentadas de que se valió o pudo valerse el preclaro Hijo de San Agustín,—Plasencia, Blancas de S. José, San Buenaventura, Santa Ana, Verdugo, San Gregorio, Santos, Orejita, Magdalena, San Agustín—para la fábrica tan completa de la obra que se propuso.

Le fecilitamos por ello al P. Selga y esperamos que de tiempo en tiempo nos dé a conocer nuevas obras, monumentos de nuestra cultura que fueron en el pasado y ahora ruinas esparcidas por diferentes partes del mundo.

M. H. LUARENT, O.P.:

**"De abbreviationibus
et signis scripturae
gothicae;"**

Romae, 1939.
(I-VII; 1-88).

ES UN pequeño folleto dedicado a los principiantes en paleografía gótica. No pretende el autor más que ser útil a los "tirones" (VI); no se le puede exigir una obra completa. Convendría, sin embargo, que en las ediciones posteriores fuese más didáctico y mejorase la presentación; faltan ejemplos cuando nos da reglas acerca de la escritura gótica, y en la mayoría de los casos no hay diversidad de tipos que permitan apreciar mejor las abreviaciones.

Los "Apéndices" o consejos resultan demasiado extensos para un folleto tan pequeño, además de que pudieran servir lo mismo de "Introducción." Se nota alguna falta de ortografía: en castellano "paleografía" se escribe con acento y no sin él (III).—No obstante estas observaciones, felicitamos al autor por su esfuerzo en querer ser útil a sus discípulos, y deseamos ver pronto una segunda edición perfecta y mejorada.

—F.

DE FORTITUDINE ET TEMPERANTIA

(2-2, q. 123-170) disseruit Petrus Lumberras, O.P. apud "Angelicum" de Urbe Summae Theologicae professor ad Apollinarem casuum moralium censor.—Roma, Pontif. Instit. Internat. "Angelicum". Salita del Grillo, 1, 1939.—Pp. I-XII: 1-224.

En este volumen, el cuarto de la serie de "Praelectiones Scholasticae

in Secundam Partem D. Thomae", el gran teólogo del "Angelicum" trata de las virtudes indicadas en el título de la obra; virtudes que en los "Manuales" ordinarios de teología moral apenas si se les da consideración alguna, con excepción del tratado de Lujuria y sus especies, y en el que los autores no tanto insisten en principios, cuanto en casos y normas demasiado prácticas para ser científicas.

El Autor desarrolla su trabajo siguiendo en todo el orden de cuestiones y artículos de Sto. Tomás exponiendo la doctrina del Angélico Maestro con la fidelidad y naturalidad que pudieran desearse. Con frecuencia se encuentra al pie de la página textos selectos del Comentarista Príncipe, no sólo de la parte dogmática, sino también de la moral, y su selección es siempre muy acertada y oportuna. Igualmente y en forma de notas se encuentran frecuentemente citadas autoridades modernas en el campo de la teología moral, notas altamente ilustrativas y que revelan la vasta y sólida erudición. En este como en los anteriores tratados el P. Lumberras lejos de ser un mero comentador, acusa en todos ellos su recia personalidad de profundo teólogo.

Sobriedad en el estilo, precisión, naturalidad en la exposición de la doctrina de Sto. Tomás (con cuya doctrina está tan familiarizado, así como con la de los teólogos de hoy día), siguen siendo las notas que caracterizan este volumen de Fortitudine et Temperantia. Que el gran Teólogo del "Angelicum" nos pueda ofrecer pronto sus Praelectiones a los importantes tratados de la I-II.

—F.R.G.

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