

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Resolution No. **239**

Introduced by Rep. Edcel C. Lagman

RESOLUTION

ENJOINING AND DIRECTING THE COMMITTEE ON HUMAN RIGHTS, COMMITTEE ON BASIC EDUCATION AND CULTURE, AND THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION TO JOINTLY CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE UNAUTHORIZED AND ILLEGAL ISSUANCE OF MEMORANDUM NO. 2022-0663 DATED AUGUST 9, 2022 BY THE KOMISYON SA WIKANG FILIPINO (KWF) BANNING FROM LIBRARIES AND SCHOOLS FIVE BOOKS IN FILIPINO FOR BEING "SUBVERSIVE" AND "ANTI-GOVERNMENT".

WHEREAS, in the hierarchy of civil liberties, the freedom of expression, which includes free speech and free press, is accorded premium protection;

WHEREAS, the Supreme Court in *Chavez vs. Gonzalez* (G.R. No. 168338, February 15, 2008) held that "any attempt to restrict it must be met with an examination so critical that only a danger that is clear and present would be allowed to curtail it.";

WHEREAS, Liu Xiaobo, the Chinese writer, literary critic, human rights activist, and Nobel Peace Prize honoree declared that "Freedom of expression is the foundation of human rights, the source of humanity, and the mother of truth.";

WHEREAS, the Bill of Rights under Article III of the Constitution unequivocally provides: "No law shall be passed abridging the freedom of speech, of expression, or of the press";

WHEREAS, Section 5(2) of Article XIV of the Constitution provides that "Academic freedom shall be enjoyed in all institutions of higher learning.";

WHEREAS, the KWF issued Memorandum No. 2022-0663 dated August 9, 2022 which banned from libraries and schools five books in Filipino for being "subversive" and "anti-government";

WHEREAS, the five books are: "Teatro Pulitikal Dos" by Malou Jacob, "Kalatas: Mga Kuwentong Bayan at Kuwentong Buhay" by Rommel Rodriguez, "Tawid-diwa sa Pananagisag ni Bienvenido Lumbera: Ang Bayan, ang Manunulat, at ang Magasing Sagisag sa Imahinatibong Yugto ng Batas Militar 1975-1979" by Dexter Cayanes, "May Hadlang ang Umaga" by Don Pagusara, and "Labas: Mga Palabas sa Labas ng Sentro" by Reuel Aguila.

WHEREAS, the said Memorandum is a patently unconstitutional edict, an obtrusive weapon of thought control, an unmitigated censorship and a wanton assault on academic freedom;

WHEREAS, the KWF has no power and is not authorized under R.A. No. 7104, its enabling statute, to ban and censor writings in Filipino;

WHEREAS, its principal mandate is "to ensure and promote the evolution and development and further enrichment of Filipino as the national language of the Philippines, on the basis of existing Philippine and other languages", but it has no power to destroy or proscribe writings in Filipino;

WHEREAS, the controversial Memorandum was signed only by the two fulltime Commissioners namely, Commissioners Carmelita Abdurahman and Benjamin Mendillo, out of 11 Commissioners including Chairman Arthur Casanova;

WHEREAS, the Memorandum does not have the conformity of the requisite majority of the Commissioners and it does not even have the imprimatur of the Chairman;

WHEREAS, no less than the Commission itself has published three of the five books, namely: "Teatro Pulitikal Dos" by Malou Jacob; "Kalatas: Mga Kuwentong Bayan at Kuwentong Buhay" by Rommel Rodriguez; and "May Hadlang ang Umaga" by Don Pagusara;

WHEREAS, the action of the KWF of banning the subject books for purportedly violating Section 9 of R.A. No. 11479 on "inciting to commit terrorism" is an unwarranted sanction by an unauthorized agency without trial and due process;

ACCORDINGLY, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Committee on Human Rights, Committee on Basic Education and Culture, and the Committee on Higher and Technical Education be enjoined and directed to jointly conduct an inquiry in aid of legislation on the unauthorized and illegal issuance of Memorandum No. 2022-0663 dated August 9, 2022 by the Komisyon sa Wikang Filipino (KWF) banning from libraries and schools five books in Filipino for being "subversive" and "anti-government".

Adopted,


EDCEL C. LAGMAN