



# PHILIPPINE HISTORY SOURCE BOOK

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ANNOTATED COMPILATION OF SELECTED  
PHILIPPINE HISTORY PRIMARY SOURCES AND  
SECONDARY WORKS IN ELECTRONIC FORMAT



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EARL JUDE PAUL CLEOPE, PHD  
JOSE RHOMMEL HERNANDEZ, PHD  
JOSE VICTOR JIMENEZ, PHD  
JELY GALANG, PHD  
DONDY PEPITO RAMOS II  
JANET REGUINDIN ESTELLA  
ALVIN CABALQUINTO





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## Foreword

It has been a year already when the pandemic ravaged the Filipino community leaving so many people out of jobs and worst, infected by COVID-19. The education sector suspended the face to face sessions in order to prevent further exposure of teachers and students. To continue the teaching-learning process in the school, the government encouraged all schools to migrate from face to face sessions into online platforms so that continuing education shall not be halted. With this, students didn't have any choice but to utilize all possible materials on the internet to compliment their online lessons. In the case of Philippine history subjects, clamor for more materials are being heard from teachers and students from both public and private schools. Museums and libraries are continuously looking for ways in order to be at service to their clients using various online programs.

I am very glad that the NCCA - National Committee on Historical Research responded to this call. This project titled **Annotated Compilation of Selected Philippine History Primary Sources and Secondary Works in Electronic Format** aims to bring together the expertise and experience of the history departments of the Ateneo de Manila University, De La Salle University, Silliman University and the University of the Philippines Diliman on setting the bases and parameters of what readings to be selected, prioritized and utilized in the teaching of a general education (GE) course in Philippine history; and facilitate the compilation and annotation of Philippine history readings in electronic format as an intervention of NCHR to aid history teachers and students access key primary sources and secondary works in the context of remote learning. With these objectives, I am very confident that through this project, Philippine history will be learned effectively even if teachers and students are in the comfort of their homes.

Finally, I would like to commend all those involved in this project. I would like to mention in particular Dr. Neil Santillan, Vice-Head of NCHR who conceptualized and proposed this activity as a committee-initiated project. Also, I would like to congratulate Dr. Joey Jimenez, the head of this project for managing the project teams coming from various educational institutions earlier mentioned.

Thank you very much.

Very truly yours,  
EMMANUEL F. CALAIRO  
Head, NCHR

## **An Overview of the NCCA-NCHR Philippine History Source Book Project**

Neil Martial R. Santillan

The COVID-19 pandemic has forced educational institutions to shift from the traditional in-person class set-up to a remote learning modality that privileges virtual platforms and online processes. This continues to spur a multitude of challenges that have affected the way we teach and how we facilitate the learning process for our students. These include the reconfiguration of learning outcomes aligned with the new modality, difficulties in preparing materials (access to library resources, digitization constraints, and copyright issues), the readiness of faculty members to accept new assessment tools, mental health and well-being concerns of faculty and students alike, communication constraints due to limited internet connection and related concerns, and logistical problems and insufficient resources to attain effective classroom management. Amidst these issues and concerns, there is a need to find ways to achieve quality education while maximizing the limited resources.

To hasten learning processes in the context of remote learning, it is imperative to have a comprehensive list of learning resources that may include readings, multimedia resources, and other content resources to be utilized in synchronous and asynchronous sessions of the class. This sets the bases and parameters in curating the content of the lessons structured in study and assignment guides designed to involve active learning and enable interaction among students through a discussion forum and/or learning through collaboration.

It is in this context that the National Committee on Historical Research (NCHR) of the National Commission for Culture and the Arts (NCCA) has launched a project to facilitate an annotated compilation of selected Philippine history primary sources and secondary works in electronic format. The project sought to (a) bring together the expertise and experience of the history departments of the Ateneo de Manila University (ADMU), De La Salle University (DLSU) Manila, Silliman University (SU), and the University of the Philippines (UP) Diliman on setting the bases and parameters of what readings to be selected, prioritized and utilized in the teaching of a general education (GE) course in Philippine history; and (b) facilitate the compilation of Philippine history readings in electronic format as an intervention of NCHR to aid history teachers and students access key primary sources and secondary works in the context of remote learning. The proposal of the project submitted by NCHR was approved by the NCCA Board of Commissioners at its September 2020 meeting. The total cost of the project amounting to P 215,000.00 was fully utilized to disburse the honoraria of all individuals who participated as project team members, reviewers, and support staff.

To expedite the plan to have a source book on Philippine history, a project team was constituted a week before the end of July 2020. The team included seven professors from the four history departments that accepted the invitation for project collaboration: Alvin D. Cabalquinto and Janet Reguindin Estella (ADMU), Jose Rhommel B. Hernandez and Jose Victor D. Jimenez (DLSU Manila), Jely A. Galang and Dondy Pepito G. Ramos II (UP Diliman), and Earl Jude Paul L. Cleofe (SU). An orientation on the objectives and desired outcomes of the project was

held on August 5, 2020. It was also in the same meeting that the members of the project agreed to have Dr. Jimenez from DLSU Manila as Project Director. His able leadership oversaw the different aspects of the project from conceptualization to completion by conducting regular meetings from August 2020 to August 2021, providing detailed documentation of the discussion of the team, and updating the NCHR and NCCA Secretariat on the status of the project regularly.

During the first meeting of the project team on 25 August 2020, it discussed the bases of and parameters for the selection of the readings from the lens of pedagogical concerns in the teaching of Philippine history and pragmatic considerations to complete the project as an intervention to respond to the sudden shift to remote learning. These included the mode in curating the content (chronological or thematic), copyright issues, the inclusion of the topics covered in the CHED syllabus on Readings in Philippine History, length of the readings, types of primary sources, and other concerns in handling a GE course in Philippine history. After thorough deliberation, the project team decided to:

- (1) have an annotated compilation that follows the distribution of topics by historical periods- this emphasizes the value of periodization in mapping topics and perspectives in the discipline of history;
- (2) select ten reading materials (a combination of primary sources and secondary works) for each period;
- (3) include CHED prescribed topics and themes in each period whenever possible;
- (4) observe the following general guidelines in annotating each reading material- present a background of the author, discuss briefly the context and significance of the document, and limit the annotation to 250 words; and
- (5) distribute workload according to institutional affiliation.

In the said meeting, the project team also finalized the distribution of work assignments:

<b>Periods</b>	<b>Lead Institution</b>	<b>Team Members</b>
Before the 16 <sup>th</sup> century	DLSU	J. Hernandez
16-18 <sup>th</sup> centuries	DLSU	J. Hernandez
19 <sup>th</sup> century	UP	J. Galang/D. Ramos
Philippine Revolution	UP	J. Galang/D. Ramos

Philippine-American War	UP	J. Galang/D. Ramos
20 <sup>th</sup> century (up to 1935)	SU	E. Cleope
Commonwealth	ADMU	A. Cabalquinto/J. Estella
1941-1946	ADMU/SU	J. Estella/A. Cabalquinto/E. Cleope
1946-1972	ADMU	A. Cabalquinto/J. Estella
1972-1986	DLSU	J. Jimenez
1986-present	DLSU	J. Jimenez

A series of activities were carried out to achieve the expected output from the last five months of 2020 to the first half of 2021. The project mobilization was done online by email correspondence and via a teleconferencing platform to hold meetings. The collation of pertinent reading materials (print and online sources) was conducted in September 2020. The subsequent two months saw the annotation of the collated materials by the project team. A group of history majors from UP Diliman was employed by the project to facilitate the copy editing of the initial draft of the compilation during the first two weeks of December 2020. This was followed by the first layer of review of the annotated reading materials by the members of the project team that was completed before the end of December 2020.

The next layer of review was facilitated by a content reviewer and a copyright reviewer of the revised compilation in January 2021. UP Diliman Professor Emeritus Ma. Luisa T. Camagay was invited to serve as a content reviewer because she has experience in curricular review and textbook publishing as an author and evaluator, and is grounded in the General Education (GE) framework. As a content reviewer, she was able to perform the following responsibilities: (1) evaluate the annotated compilation to ensure its compliance with the learning outcomes of the course on Readings in Philippine History; (2) appraise the historical value of the annotated compilation; (3) determine the appropriateness and relevance of the readings; (4) ensure the factual accuracy of the authors' profiles and annotations; (5) check for consistency in format; and (6) make recommendations on how to improve the annotated compilation.

Likewise, Atty. Christopher Cruz was requested to serve as copyright reviewer given his wealth of experience as Director of the Intellectual Property Office of De La Salle University-Manila. As expected, he evaluated the annotated compilation to ensure that there is no copyright

infringement, identified which materials constitute an infringement of the copyright, and made recommendations on how to avoid possible copyright infringement.

To process the comments and recommendations of both reviewers, the project team met on February 26, 2021. Consequently, revisions were made by the members of the team to address the concerns raised during the said meeting. These include the need to have an introductory essay for each historical period to explain the selection of sources and provide a framework to bind the readings together, and privilege the use of reading materials that fall under fair use and have been published in sources that are already in the public domain. These revisions delayed the finalization of the project for a few months.

The source book will be disseminated to multiple publics both online and offline. The plan is to upload it as a reference material for teachers, students and other interested stakeholders via the online platforms of NCCA and the four history departments involved in the project. As an intervention to the needs of teachers and students who have no or lack stable Internet access and/or those who have no computers and tablets in a remote learning context, other modes of delivery include distribution of printouts and/or flash drives containing the compiled e-readings upon request by interested stakeholders to NCCA. If the Commission decides to have a print copy of the source book under its Publication Program, distribution of the print form of the project output is recommended to be set at 500 copies to target state colleges and universities and other tertiary institutions managed by local government units.

To disseminate the project output far and wide in the months to come, the NCCA-NCHR intends to forge partnerships with the National Historical Commission of the Philippines (NHCP), the Commission on Higher Education (CHED), the Department of Education (Dep Ed), national historical organizations, local studies networks, and other history-aligned organizations.

## Authors' Profiles

### **Jose Rhommel B. Hernandez**

Dr. Jose Rhommel B. Hernandez is currently an Associate Professor and the Chairperson of the Department of History of the De La Salle University, Manila. He is formerly the Graduate Program Coordinator of the same Department. He holds a Doctorate in Philosophy in History and a Master of Arts, also in History, from the University of the Philippines, Diliman. He finished his BA in Philosophy from the Philippine Dominican Center of Institutional Studies and his Bachelor in Sacred Theology from the University of Sto. Thomas. Dr. Hernandez has published several translations of historical documents and accounts from Spanish to Filipino and English. He has also published articles and book chapters on the different aspects of Philippine History and the Spanish colonial period including language, religion, culture, politics and the Philippine Revolution of 1896. He has also edited and refereed articles for publications in both local and international journals like the Journal of Southeast Asian Studies of the National University of Singapore.

### **Jose Victor Jimenez**

Jose Victor Jimenez, an Assistant Professor, is former Vice Chair of the Department of History at De La Salle University-Manila, where he has been teaching for over three decades. Asst. Professor Jimenez obtained his Bachelor of Arts in History from the De La Salle University, and M.A. and Ph.D. major in the same discipline from the UST Graduate School.

Dr. Jimenez is the Project Director of the “Annotated Compilation of Selected Philippine History Primary Sources and Secondary Works in Electronic Format” under the auspices of the NCCA-National Committee on Historical Research (NCHR). He is a member of the Pi Gamma Mu, International Honor Society in Social Sciences, Philippines Beta Chapter, and a lifetime member of the Philippine National Historical Society (PNHS), Manila Studies Association (MSA), Philippine Historical Association (PHA), and American Studies Association of the Philippines (ASAP). His research interest lies in institutional history. He has written a history of De La Salle University from 1911 to 2012.

In the realm of oral history, he supervised an oral history project on “The Student Life at De La Salle university, 1930-1945: An Oral History,” which was funded by the De La Salle University Centennial Office and was undertaken by his historical method class from summer 2010-summer 2012. The project was a modest contribution to the De La Salle Centennial Celebration.

Heeding the call of administration of the De La Salle University to engage in interdisciplinary research, he served as a co-principal investigator of the project on “Kahirapan at OFW Phenomenon: Pagdalumat sa Perspektibong Multidisciplinary,” (“Poverty and OFW Phenomenon: Conceptualizing from the Multidisciplinary Perspective”), which was funded by the De La Salle University Research Coordination Office. The project involved faculty members from four departments namely, Filipino, Psychology, Theology and Religious Education, and History. He developed and designed an online course on the Economic History of the

Philippines, which was funded by the College Research Fund/Special Fund, College of Liberal Arts, De La Salle University.

He sits on the editorial boards of TALA: An Online Journal of History and Philippine Social Science Journal. He has served as an evaluator of textbooks and research projects. He has published in refereed academic journals and read papers in national and international conferences.

### **Janet Reguindin Estella**

Janet Reguindin Estella is a Lecturer at the Department of History, Ateneo de Manila University. She obtained her BA History (2003) and MA History (2009) from the University of the Philippines Diliman. She is currently a candidate for PhD in History from the same university. Her research interests include life history, women's history, local and environmental history. In 2012, she was awarded by the National Commission for Culture and the Arts (NCCA) the Young Historian's Prize for her Master's thesis entitled *Si Dr. Dioscoro L. Umali (1917- 1992) at ang Kaniyang Ambag sa Sektor ng Agrikultura sa Pilipinas*.

### **Alvin D. Cabalquinto**

Alvin D. Cabalquinto is a Lecturer at the Department of History, Ateneo de Manila University. He obtained his BS Health Sciences degree and is finishing his MA History degree from the same university. His research interests include history of health and medicine, cultural history, and transnational histories.

### **Jely A. Galang**

Jely A. Galang is Assistant Professor of History at the University of the Philippines (UP) - Diliman. He holds a PhD Asian Studies (History) degree from Murdoch University (Western Australia). In 2011, the National Commission for Culture and the Arts awarded him the Young Historian's Prize. He is a member of the Philippine Association for Chinese Studies and the Asian Studies Association of Australia. His research interests include the nineteenth century Philippines, Philippines-China historical relations, and modern history of East Asia. He is currently the Deputy Director of the UP Third World Studies Center.

### **Dondy Pepito G. Ramos II**

Dondy Pepito G. Ramos II is Assistant Professor of History at the University of the Philippines Diliman. He obtained his BA and MA History degrees from the Department of History, UP Diliman. His research interests include local history, biography, and social history.

### **Earl Jude Paul Cleope**

Earl Jude Paul Cleope, Ph.D., is a professor of History and is currently the Vice President for Academic Affairs of Silliman University in Dumaguete City. He is a Commissioner of the National Historical Commission of the Philippines. He is also a member of the Board of the Philippine Studies Association Inc., and the Advisory Board of the Philippine National Historical Society. He is currently working on a book project about the Maritime History of the Visayas.

## Topic 1: Pre-16<sup>th</sup> Century Philippines Reading Materials

### List of Reading Materials:

1. "A New Species of Homo in the Late Pleistocene of the Philippines"
2. "Upper Pleistocene Homo sapiens From the Tabon Cave (Palawan, The Philippines): Description and Dating of New Discoveries"
3. "The Austronesians: Historical and Comparative Perspective"
4. "The Austronesians: Historical and Comparative Perspective"
5. "The Austronesians: Historical and Comparative Perspective"
6. "Soul Boats: A Filipino Journey of Self-Discovery"
7. CHAO JU-KUA'S DESCRIPTION OF THE PHILIPPINES
8. "Questions and Challenges in Philippine Prehistory"
9. *Kalantiaw: The Code that Never Was*
10. The First People of Sulu

## INTRODUCTION FOR PRE-16<sup>TH</sup> CENTURY READINGS

**Jose Rhommel B. Hernandez, Ph.D.**

The following are ten readings discussing certain aspects of the Pre-16<sup>th</sup> Century Philippines. The excerpts are discussions of archaeological and historical studies on particular topics concerning the Philippines. The first excerpt is from the article of archaeologists Armand Salvador Mijares and his team discussing the initial finds in Callao Cave in Peñablanca, Cagayan. These findings would later on be the foundations in establishing the human remains as the *Homo luzonensis*. This is currently acknowledged as a species of Homo and thus establishing the Philippines as a part of the archaeological map of human evolution.

The second excerpt is from the article of archaeologist Eusebio Dizon and his team on the human remains from the Tabon Cave in Palawan. Discovered in the 1960s by the archaeologist Robert Fox, Dizon and his team went further in reassessing the area resulting in new dates and eleven more human remains. The readings three, four and five are from the study of Peter Bellwood and company regarding the Austronesians. The excerpts study different aspects of the migration and settlement of the Austronesian in the Philippines and Southeast Asia. Included also are the Pacific Islands and Madagascar near the African Coast.

Reading Sixth is from the work of archaeologist Alfredo E. Evangelista providing a glimpse on the life of ancient Filipinos based on the so-called “soul boats.” These “soul boats” are actually wooden coffins shaped like boats and are found in different archaeological sites in the Philippines. At around the same time of these “soul boats” is the document written by a Chinese bureaucrat named Chao Ju-Kua. The document is provided herein as Reading number 7 detailing some contacts made by the author with the peoples of Ma-yi which archaeologists and historians recognize as either Manila or Mindoro.

Readings eight and nine are studies dealing with methodological problems in the field of Philippine Prehistory. Reading eight is from the lecture of F. Landa Jocano on the different problems in the study of Philippine Prehistory while Reading nine is from the study of historian William Henry Scott on the Maragtas. Reading ten is a transcript of a story regarding the first people of Sulu. Mythical at most but it shows the understanding of a group of people regarding their past.

## “A New Species of Homo in the Late Pleistocene of the Philippines”

**This is an excerpt of the seminal article on the discoveries made by archaeologist Armand Salvador Mijares and his team (Florent Detroit, Philip Piper, Rainier Grun, Peter Bellwood, Maxime Aubert, Guillaume Champion, Nida Cuevas, Alexandra De Leon, Eusebio Dizon) in the Callao Cave in Peñablanca, Cagayan. This particular study details the discovery of the Right Metatarsal 3 (RMT3) of a human being in Callao Cave, Cagayan. Now designated as the *Homo luzonensis*, the date of the said remains is 67,000 years Before Present. Comparisons were made with the other human remains found in Southeast Asia.**

### **Excerpt:**

Hominin movement into Island Southeast Asia has always been problematic due to the lack of well-dated human remains. The humid tropical environment of Island Southeast Asia contributes to the problems of bone preservation. Early modern human remains have, however, been recovered in Niah Cave in Sarawak, Malaysian Borneo, dating to 42 ka, and from Tabon Cave in Palawan dating to 47 plus/minus 10/11 ka. Borneo is located on the sunda shelf and was possibly joined by dry land to Sumatra, Java and Peninsular Malaysia during periods of lowered sea level in the Pleistocene. The island of Palawan may have been intermittently attached to northeastern Borneo when sea levels reached their minima during the most extreme climatic phases. Thus, migrating human populations could have reached both islands without necessarily requiring a sea crossing.

To reach the rest of the Philippine archipelago and other islands in the Wallacean group (e.g., Sulawesi, Flores, Timor) that were never attached to either mainland Asia or Australasia (Sahul), open sea crossings were required. The Lake Mungo remains from Australia dating to 40 plus/minus 2 ka are evidence that modern humans were capable of making early sea crossings. *Homo floresiensis*, discovered on the islands of Flores, Indonesia, is another hominin that managed to cross the Wallace line. While its remains are only dated to 18-38 ka, Flores also has stone artifact assemblages suggesting that a hominin of unknown affinity reached the island more than 800 ka years ago. Our recent excavations (2007) in Callao Cave have produced what is probably one of the earliest hominin fossils east of Wallace's Line, from the island of Luzon, northern Philippines.

The Callao Cave metatarsal indicates that species of hominin crossed water gaps between Sundaland and Wallacea to reach northern Luzon by 67,000 years ago. The specimen leaves us with a conundrum—in size, it compares with modern Negrito populations, but a few morphological features are unusual. A comprehensive analysis of size and shape characteristics, including comparisons with larger samples of *Homo sapiens* and fossil species of the genus *Homo*, is now needed.

Provisionally attributed to a rather small-bodied *Homo sapiens*, the Callao MT3 documents the presence of a hominin species on the island of Luzon as early as 67 ka, and is testimony to a capability to colonize new territories across open sea gaps. The Philippine specimen also indicates that Flores was not the only island in Wallacea to be occupied by hominins more than 50,000 years ago.

The discoveries of Callao Cave also raise some other important questions about the cultural behavior of these early colonizers of the Philippine Archipelago. For example, even though there is evidence of butchery in the animal bone assemblage, not a single stone implement was recovered, suggesting perhaps the use of an alternative technology. To answer such questions, more archaeological research in the cavities of karstic limestone formations of the Philippines is required.

**“Upper Pleistocene Homo sapiens From the Tabon Cave (Palawan, The Philippines):  
Description and Dating of New Discoveries”**

**The following is an excerpt of a collaborative study between Filipino and French scholars on the much discussed and cited human remains of the so-called Tabon Man. The original discovery was made in the 1960s by the archaeologist Robert Fox. The authors of the study Upper Pleistocene Homo sapiens from the Tabon cave (Palawan, The Philippines): description and dating of new discoveries are Florent Detroit (French), Eusebio Dizon (Filipino), Christophe Falgueres (French), Sebastien Hameau (French), Wilfredo Ronquillo (Filipino) and Francois Semah (French). The study reassessed the discoveries made by Fox in the 1960s and resulted to new dates and yielded eleven more human remains. The original article was published by Science Direct in 2004 under the category Human Paleontology and Prehistory.**

**Excerpt:**

The Tabon Cave is located in the southwest coast of the Palawan Island. The site has been thoroughly studied in the 1960s by Robert Fox from the National Museum of the Philippines.

Owing to the discovery of long-lasting human occupation layers, abundant lithic industries and human fossils, the Tabon Cave is frequently quoted as one of the most important upper Pleistocene sites from insular Southeast Asia. Indeed, it is worth noting that the human fossil record of this large geographical area still suffers a major gap corresponding approximately to the Upper Pleistocene period. Thus, the Tabon human fossils are among the very scarce specimens that could candidate to stand chronologically between the latest Indonesian Homo erectus (such as Solo Man) and the earliest Homo sapiens from insular Southeast Asia. The age of the former group is still highly disputed, from more than 100,000 to least that 50,000 years BP, whereas the oldest anatomically modern Homo sapiens known up to now only date back to the very late Upper Pleistocene and Early Holocene period.

Despite their high significance, the human remains recovered from the Tabon Cave had not been described and published after their discovery. Nor there have been attempts to answer the numerous questions arising from the R. Fox's pioneering work until recent fieldwork was undertaken by the Archaeological Division of the National Museum of the Philippines.

A scientific collaboration between this institution and the Prehistory Department of the *Museum national d'Histoire naturelle* (Paris) resulted as a first step in the exhaustive paleoanthropological description of these historical human fossil finds and direct dating of the Tabon frontal bone.

All the human fossils recovered from the Tabon cave, including the early discoveries of the 1960s show a similar aspect (reddish-brown color of the bones and abundant concretions on the bone surface) that indicates that they probably underwent several fossilization processes.

Only a robust mandibular fragment from the earlier excavations appears to be considerably more mineralized than the other fossils.

From the whole human fossil record, two specimens obviously differ from others. These are respectively the very robust mandibular fragment and the immature partial atlas. All other specimens (frontal bone, mandibular fragment, ulna epiphysis, tibia diaphysis, fragments of fibula, partial calcaneus, metatarsal, proximal phalange and lumbar vertebra) show medium to small proportions and morphological features that correspond to an overall weakly built anatomically modern *Homo sapiens*. Therefore, it seems possible that they belonged to a single individual and from a strictly anatomical point of view, the minimal number of human individuals is 3 for the Tabon cave. However, the dating results, pointing to a discrepancy between the frontal bone, one of the fragmentary mandible and the tibia indicate a probable higher number of individuals.

Questions arising from these new discoveries deal with the relationships that could be traced between the specimens of the fossil record. From a biological point of view, one may ask whether the fossils unearthed represent one or more prehistoric human groups and, in a broader perspective, what are their phylogenetic relationship with other fossil *Homo sapiens* known from insular Southeast Asian sites such as Niah (Borneo), Moh Khiew (peninsular Thailand) and the Gunung Sequ are (East Java).

The association of specimens exhibiting respectively large and small overall dimensions points to the presence of at least two distinct *Homo sapiens* morphologies in the Tabon Cave during the Upper Pleistocene times. It could be the result of a taphonomic association of two actually distinct groups of *Homo sapiens* (biologically and or/chronologically) or only reflect the presence of a single group characterized by a high sexual dimorphism. However, the former hypothesis seems currently more likely. The unnumbered left mandibular fragment shows an obviously more primitive overall morphology than any other individuals (large dimensions associated with a series of primitive morphological features). And, as a first impression, the pattern of association of morphological features documented by other specimens indicates to some extent affinities with Australian fossil *Homo sapiens*. For instance, the conspicuous morphology of the supra-orbital complex of the frontal bone, which combines projecting glabella and supraciliary arches with rather thin and clearly separated lateral trigones.

**“The Austronesians: Historical and Comparative Perspective”**

**This is an excerpt of *The Austronesians in History: Common Origins and Diverse Transformations* from the book edited by Peter Bellwood, *The Austronesians: Historical and Comparative Perspectives* (2006). It gives a general background on the Austronesian expansion. The Austronesians is a linguistic group recognized as the immediate ancestors of Filipinos as well as other Southeast Asians. Bellwood, a British Archaeologist who was educated in Cambridge and is one of the leading experts on the subject, effectively summarized in this brief excerpt the basic information on the expansion of different Austronesian groups from Easter Island near Chile in South America until Madagascar.**

**Excerpt:**

It is necessary to return again to the linguistic evidence in order to plot the geographical axes of expansion of early An-speaking peoples. Beginning with Pre-Austronesian level, a number of claims have been made for Asian genetic relationships between An and other Asian mainland language families. Perhaps the best known of these claims is the Austro-Thai hypothesis of Paul Benedict (1975; Reid 1984-5), which postulates that the Tai-Kadai and Austronesian language or chain of languages spoken on the southern Chinese mainland. Benedict has suggested a number of important vocabulary reconstructions for this ancestral language, including terms for field, wet-field (for rice or taro), garden, rice, sugarcane, cattle, water buffalo, axe and canoe. The overlap between this list and that presented above for Hemudu and other coastal southern Chinese Neolithic sites needs little emphasis. One has to consider very seriously the possibility that the initial expansions of Austronesians and TaiKadai languages (and probably also Austroasiaic) began among Neolithic rice-cultivating communities in China south of the Yangzi. The archeological record agrees very well and provides a date range for initial developments between 5000-4000 BC.

Moving beyond Austro-Tai into Austronesian proper, the reconstruction of linguistic prehistory which is most widely used today is that postulated by Robert Blust (1984-5). This is based on a “family-tree” of subgroups and a hierarchy of proto-languages extending from Proto-Austronesian (Pan) forwards in time. Reduced to its essentials, Blust’s reconstruction favors a geographical expansion beginning in Taiwan (the location of the oldest Austronesian languages including Pan), then encompassing the Philippines, Borneo and Sulawesi, and finally bifurcating, one branch moving west to Java, Sumatra and Malaya, the other moving east into Oceania (see Darrell Tyron’s more detailed summary in this volume).

A wealth of linguistic detail can be added to this framework but here I will restrict myself to some implications of broad historical and cultural significance. During the linguistic stage before the break up of Pan it would appear that some colonies with an agricultural

economy moved across the Formosa Strait to the Chinese mainland to Taiwan (Mainland 1984, 1992). Here developed the Austronesian languages (s), and after a few centuries some of these languages made the first moves into Luzon and the Philippines. This movement led to the division of Austronesian into its two major subgroups, Formosan and Malayo-Polynesian (or Extra-Formosan). The reconstructed Pan vocabulary, which relates generally to this early Taiwan-Luzon phase, indicates an economy well suited for marginal tropical latitudes with cultivation of rice, millet, sugarcane, domestication of dogs and pigs, and the use of some kind of watercraft.

As a result of further colonizing movements through the Philippines into Borneo, Sulawesi and the Moluccas, the Malayo-Polynesian (MP) subgroup eventually separated into its several lower-order Western and Central-Eastern branches. The break-up of Central-Eastern MP probably occurred initially in the Moluccas, and Eastern MP contains all the Austronesian languages of the Pacific Islands apart from some in western Micronesia. The vocabulary of Proto-Malayo-Polynesia (PMP), a linguistic entity which might have been located somewhere in the Philippines, is of great interest because it contains a number of tropical economic indicators which were absent in the earlier and more northerly Pan stage. These include, according to Blust (1984-5), *Colocasia taro*, breadfruit, banana, yam, sago and coconut. Their presences may reflect a shift away from rice, a plant initially adapted to sub-tropical latitudes, towards a greater dependence on tubers and fruits in equatorial latitudes (Bellwood 1980a, 1985). The PMP vocabulary also has terms for pottery, sailing canoes and several components of substantial houses (Zorc 1994).

It may now be asked how the archeological record relates to this reconstruction of the directions and cultural components of Austronesian expansion. Specific archeological cultures cannot logically be equated with specific ancestral languages in prehistoric time. However, the appearance of certain technological and economic components of Pan and PMP can be searched for profitably in the archeological record of the area now occupied by Austronesian speakers. As already indicated, it is a reasonable inference that both Pan and PMP represent agricultural societies who, amongst other things, grew rice, made pots, lived in well-made timber houses and kept domesticated pigs. As it happens, direct material evidence of all these items survives in the archeological records of the islands of Southeast Asia, and all of them make an initial appearance in widespread excavated sites between about 4000 and 1500 BC. Furthermore, their appearances (especially pottery) show a time trend – earliest in the northerly regions of China, Taiwan and Luzon and progressively later as one moves southwards into equatorial Indonesia and western Oceania (Springs 1989). Given this seeming correlation between the linguistic and archeological records (Bellwood 1985), we may hypothesize a direct association with the dispersal of the Austronesian language speakers, rather than dispersal of the cultural items by diffusion alone.

The Neolithic archeological records in Taiwan began around 3000-4000 BC with archeological assemblages of southern Chinese type, presumably carried initially by small

groups of agricultural settlers across the Formosa Strait from Fujian (Tsang 1992). Characteristic artifacts of the oldest sites include cord-marked pottery, polished stone adzes and slate spear points. Other items such as slate-reaping knives and baked clay spindle whorls (for spinning thread for weaving) perhaps arrived a little later. By 3000 BC in Taiwan there is evidence for rice and from pollen records for inland clearance for agriculture.

Between 2500 and 1500 BC related archeological assemblages with plain or red slipped pottery, rather than the older Taiwan cord-marked type, appeared in coastal and favorable inland regions of the Philippines, Sulawesi, northern Borneo, Halmahera and (with domestic pigs) to as far southeast as Timor. No sites of this period have yet been reported from the large islands of western Indonesia but research on pollen history in the highlands of western Java and Sumatra suggests that some fairly intensive forest clearance for agriculture was underway there by at least 2000 BC, and probably earlier (Flenly 1988). In the equatorial latitudes of Indonesia there may also have been a shift away from rice cultivation towards a much greater dependence on the tropical fruit and tuber crops listed above for PMP vocabulary. No cereals were ever introduced into the Pacific Islands, with the exception of rice to the Marians.

By 1500 BC, therefore, agricultural colonists had spread from Taiwan to the western borders of Melanesia. The continuing expansion through Melanesia western Polynesia, represented by the Lapita culture, seems to have been even more rapid than preceding movements, perhaps because food producing (as opposed to purely foraging) Papuan-speaking populations were already occupying some coastal regions of the large islands at New Guinea, the Bismarcks and the Solomons. Finely decorated Lapita pottery has been found in coastal or offshore island sites from the Admiralties in the west to Samoa in the east, a distance of about 5000 kilometers (see following chapters). This Lapita expansion occurred between 16000 to 1000 BC and to north and east of the Solomons it involved, for the first sustained period in the Austronesian prehistory, the settlement of these uninhabited regions continued onwards (Irwin 1992), ultimately to incorporate all the islands of Polynesia and Micronesia and on the other side of the world, Madagascar.

**“The Austronesians: Historical and Comparative Perspective”**

**This reading is a continuation of the previous excerpt from Peter Bellwood’s study on the Austronesians. In this part, the focus is on the rationale behind the expansion and migration of the Austronesians. For this, he cites seven possible reasons based on evidences of one of the most rapid colonization which occurred in the “Prehistoric agricultural world.”**

The rate of which the early Austronesian colonization occurred must surely be one of the most rapid on record from the prehistoric agricultural world, although admittedly much of it was across sea rather than into large and absorbent land mass. It was probably not caused simply by an over-reliance on land-hungry shifting cultivation, an explanation which I have favored in the past (Bellwood 1980b), but by a number of different stimuli. These include, not necessarily in order of significance:

- (1) Continuous population growth based on an agricultural supply, allowing a continuous generation by generation “budding-off” of new families into new terrain.
- (2) The inherent transportability and reproducibility of the agricultural economy to support colonizing propagules, especially on resource-poor small islands.
- (3) The presence of a deep and absorbent “frontier zone” available for colonization adjacent to the area of early Austronesians agricultural development, occupied purely by foraging populations (i.e. Taiwan and the Philippines in the early days of expansion), most of whom presumably have shown little interest to adapting a systematic agricultural economy for themselves.
- (4) A developing tradition of sailing-canoe construction and navigation.
- (5) A predilection for rapid coastal movement and exploration, probably to find the most favorable environments for cultivation and sheltered inshore fishing, and thus promoting a colonization pattern of wide-ranging settlements followed, often only centuries later, by territorial in-filling.
- (6) A culturally-sanctioned desire to found new settlements in order to become a revered or even deified founder ancestor in the genealogies of future generations (presumably this evolved hand-in-hand with the colonization process itself);
- (7) A desire to found new resources of raw materials for “prestige goods” exchange networks.

Not all of these stimuli were presented before the process of Austronesian expansion began; those listed at (4) and (6) particular surely evolve in part as a result of process itself, as might (7) if it was of major significance as an agency of colonization (which I doubt). However, it is my suspicion that the top root of the expansion process, a sine qua non, was the possession of a systematic agricultural economy capable of supporting continuous population growth.

The specific here may ask why, it agriculturally induced population growth was so important; all early agricultural peoples did not simply expand in this way. I would reply that perhaps the majority of them did, and this becomes highly significant if one takes the view that early agriculture was an uncommon development in a primary form (i.e as a result purely of local evolution from an indigenous foraging cultural base), restricted to only a very few specific environmental and floral/faunal regions of central Africa, southwestern Asia, China these early expansions, flourishing in a lightly populated, healthy and resource rich world, which laid the bases for the distributions of many of the major language families of the old World today. The environment plays major roles in the evolution of agriculture from a primary form.

**“The Austronesians: Historical and Comparative Perspective”**

**The excerpt reading below is Peter Bellwood’s summary and periodization of the Austronesian expansion. The periods are based of course on the major transformations of Austronesian societies upon settling in the Island Southeast Asia. The summary is useful inasmuch as it gives students of history a tool for understanding the different periods of transformation in Philippine as well as Southeast Asian prehistory.**

**Excerpt:**

Perhaps I may finally sketch, in brief, some of the major transformations, which I believe prehistoric Austronesian societies underwent in Island Southeast Asia between about 1000 BC and AD 1.

- (1) 4000-3500 BC; Initial Austronesian expansion to Taiwan; selded cereal and tuber agriculture, limited seafaring from South China.
- (2) 3000 BC; Proto-Austronesian expansion to the northern Philippines; improvement of seafaring technology; stylistic shift from cord-marked to plain or red-slipped pottery.
- (3) Late third and second millennia BC; Proto-Malayo-Polynesian dispersal from the southern Philippines to Borneo, Sulawesi and the Moluccas, equatorial enhancement of fruit and tuber production vis-à-vis cereals, except in more southerly and climatically-seasonal islands such as Java where rice is presumably always maintained its prominence. One development of great interest which might have occurred about this time might have been the beginnings of forager adaptations to the rainforests of Borneo and Sumatra (see Sather, this volume).
- (4) Second/first millennia BC? Beginnings of mobile maritime (proto-sea nomad?) adaptations around the Sulu and Sulawesi Seas (of Bellwood 1989 for a maritime economy with longdistance exchange at Bukit Tengkorak, Sabah, around 1000 BC), and possibly elsewhere. These, in turn might have laid some of the seafaring groundwork for:
- (5) Middle and late second millennium BC: Lapita colonization of Remote Oceania to as far as Tonga and Samoa. Seafaring skills were here developed further amidst an ever-expanding vista of uninhabited islands, but with few opportunities to settle on large western Melanesian islands (especially New Guinea) already inhabited by Papuan-speaking peoples.
- (6) Second/first millennia BC? Austronesian settlement in Vietnam and Malaya, in both regions in competition with pre-existing agriculturists.
- (7) 500 BC and after. Introduction of bronze and iron metallurgy into Island Southeast Asia. Dong Son drums were also traded from Vietnam into the Sunda islands, extending from Sumatra to the Southern Moluccas.

Perhaps the metallurgical introductions listed last above were no more than side effects of something much greater; the incorporation of parts of Island Southeast Asia into a network of Old World trade stretching from the Mediterranean to eastern Indonesia. Indian pottery of c200 BC to AD 200 has now been unearthed in Java and Bali (Ardika and Bellwood 1991), and at the time the archeological records reveals a hitherto-unprecedented level of similarity in local pottery design and manufacture across a huge region which includes coastal regions of the Sunda islands, borneo, Sulawesi and the Philippines. It is possible that a great deal of linguistic assimilation of prior (especially Old Malay itself), Javanese and perhaps other languages or subgroups (cf. Blust 1991 for the possibility of some kind of linguistic leveling in the Philippines). By AD 500 the Western Austronesian area was perhaps a zone of continuously flourishing inter-island travel and trade, with the odd proviso that divorced into an almost total isolation from the rest of Island Southeast Asia. Such are the enigmas of history.

### **“Soul Boats: A Filipino Journey of Self-Discovery”**

**The following is an excerpt of an article originally published in the multi-volume Philippine Heritage in 1978. This particular edition was taken from the book by Alfredo E. Evangelista himself entitled “Soul Boats: A Filipino Journey of Self-Discovery” published in 2001. Alfredo E. Evangelista is the former head of the Anthropology Division of the National Museum of the Philippines and was its Deputy Director until his retirement in 1989. He studied anthropology at the University Chicago and was under the tutelage of archaeologist Wilhelm Solheim and H. Otley Beyer in his excavations in the Neolithic settlements in the Bondoc Peninsula, Masbate and later in Romblon. The essay discussed some of the archaeological evidences of jar burials and coffin burials in the Late Neolithic period in the Philippines. Of particular interest is the discussion on the so-called “soul boats” or wooden coffins shaped like boats found in different archaeological sites in the Philippines.**

**Excerpt:**

Archaeological evidence and early ethnographic accounts by Spanish missionaries indicate that the disposal of the dead in hollowed-out wood has had a long tradition in the Philippines. It developed side by side with other forms of burial including the inhumation of corpses wrapped in mats or tree bark, and interment of corpses or skeletal remains (in jar containers) in caves or under the ground or in the open air. Where only the skulls were interred the container used were ornamented square boxes of either wood or baked clay, or simply slightly deep plates of both high and low-fired clay. In a few instances, as in a Central Philippine burial cave, coffin and jar-burial were practiced simultaneously.

Generally, the dug-out coffins were provided with lids triangular in cross-section, giving them the appearance of roofed boats. Consequently, they have been called “boat coffins.” Extrapolation from ethnographic data referred to these coffins as “soul boats” used by the spirit to sail to the world of the dead. Archaeological evidence appears to support this stance. Even where the bones were those of adults, in a practice termed secondary burial, the elongated shape of the coffin and its pyramidal roof were retained. Its overall length, though, was reduced, the coffin appearing at first glance to be a child’s. In a rock shelter in eastern Masbate Island, for example, is a sawed-off banca with human skeletal remains in it. Being of recent interment, the burial boat was left undisturbed.

It appears further that the idea of burial in a box is as old as burial in a jar, as gleaned from recent archaeological activity in the Tabon Caves of Quezon, Palawan. In one of the chambers of a cave named Manunggul, a Late Neolithic jar-burial assemblage (C14 date: ca. 1000 B.C.) was carefully excavated and studied. Almost a hundred funerary pottery vessels and their associated artifacts constituted the assemblage. An outstanding find was a magnificently

decorated burial jar which had a cover featuring a “ship-of-the-dead with the figures of two humans riding in it. This is the oldest evidence linking spirits with watercraft. Another remarkable find in this same cave was a pottery coffin, 73 centimeters long and 34 centimeters wide. This is the first known coffin made of pottery.

In 1966, a report reached the Museum regarding a newly discovered burial using coffins. The informant claimed that he had explored the diorite formation for hidden pirates’ treasure, about which he had read so much in books, and came upon a hole left by a fallen rock. He peeped into this hole and vaguely discerned a group of boxes that turned out to be coffins with human bones, ornaments and highly-fired ceramic wares. He collected some of the latter and brought them to Manila as proof of his discovery.

Of the 22 coffins counted, 17 were in perfect or good condition, the remainder being badly disintegrated, due to the depredations of the elements and termites. In common with the previous collections, the material for the coffins of the new site was also hardwood. Also common in both sites was the employment of the serpent motif carved at both ends of the lids. In some instances, the rendering was abstract, but in most cases the head, eyes, jaws and teeth were carved in the round. One head had a hollowed-out set of eyes, suggesting that artificial eyeballs were once embedded in them. In a number of cases, the tongue of the serpent jutted out or in its place was a carved figure of a human being halfway in the serpent’s jaws, so that only the pelvic area and the lower limbs showed. Other motifs were those of the monkey and an unidentifiable four-legged animal, although these were not as commonly used as the serpent.

The coffins had been carved out of a species of hardwood locally called *mulawin* (*Vitex parvilora*), which was still obtainable in the island. From the coffins that still contained the skeletal remains of adults, it was concluded that the mode of burial was secondary, otherwise the corpses would not have fit into the coffins. In addition to the coffins, the workers recovered two Chinese brown-glazed stoneware jars that contained the bone remains of a juvenile in one and of an adult in the other. The site was evidence of the practice of jar-burial existing side by side with coffin-burial.

If the coffins and the bones were well preserved, so were the artifacts. The associated potteries from South China and Siam appeared to have just left the factory. As well-preserved were the beads of carnelian and glass, the bracelet of trochus shell and the ornaments of gold. Particularly exciting in the matter of preservation were the perishable artifacts that survived the elements. Of the Chinese jarlets, one still had a wooden stopper. Other perishable items included a coconut-shell cup bamboo artifact, and combs and bracelets of turtle shell. No other pre-Spanish site has so far yielded such objects.

## CHAO JU-KUA'S DESCRIPTION OF THE PHILIPPINES

**The Following is an excerpt of Chao Ju-Kua's Account of Certain Barbarians written ca. 1280. Chao Ju-Kua is a Chinese bureaucrat who travelled extensively in the world known to the Chinese in the 13<sup>th</sup> century. The reading was originally published as a translation into Spanish by Jose Clemente Zulueta in 1901. It contains descriptions of places and the peoples of Ma-yi which archaeologists and historians recognize as either Manila or Mindoro. The essay shows the early trading activities of the ancient Filipinos and their connection to the known world at that time. It also showed certain characters of the Filipinos as traders in the East and Southeast Asia.**

### **Excerpt:**

The country Ma-yi is located north of Poni. About one thousand families inhabit the shores of a river which has many windings. The natives dress in linen, wearing clothes that look like sheets; or they cover their bodies with *sarongs*. In the thick woods are scattered copper statues of Buddha, but no one can tell the origin of those statues. Pirates seldom visit those districts. When [Chinese] merchantmen arrive at that port they cast anchor at a place [called] the place of Mandarins. That place serves them as a market, or site where the products of their countries are exchanged. When a vessel has entered into the port, (its captain) offers presents consisting of white parasols and umbrellas which serve them for daily use. The traders are obliged to observe these civilities in order to be able to count on the favor of those gentlemen.

In order to trade, the savage traders are assembled, and have the goods carried in baskets, and although the bearers are often unknown, none of the goods are ever lost or stolen. The savage traders transport these goods to other islands, and thus eight- or nine-months pass until they have obtained other goods of value equivalent to those that have been received [from the Chinese]. This forces the traders of the vessel to delay their departure, and hence it happens that the vessels that maintain trade with Ma-yi are the ones that take the longest to return to their country.

The most noteworthy places of this country are: San-hsii; Pai-pu-yen; Pu-li-lu, which is located near San-hsii; Li-yin-tung; Lin-hsin; and Li-han. The products of that country are yellow wax, cotton, pearls, shells, betel nuts, and jute [*yu-ta*] textiles. Foreign traders import porcelain, commercial gold, iron vases for perfumes, leaden objects, glass, pearls of all colors, and iron needles.

San-hsii, or the "Three Islands," belong to Ma-yi. Their names are Ka-may-en, Pa-lao-yu, and Pa-chi-neng. Each of these islands is inhabited by its own races, who are scattered

throughout them. But upon the arrival of the vessels, the natives assemble in order to trade. Their general name is San-hsii. Their customs are about the same as those observed in Ma-yi. Each tribe consists of about one thousand families. The country has many lofty hills and rugged rocks which rise up like gigantic walls. The houses of the inhabitants are built of bamboo. The high region of the country has few springs, but the women go to the banks of the rivulets and creeks and thence back to the mountain bearing on their heads two or three jars filled with water, a load that does not bother them. They ascend the mountain with the same ease as if they were on the level. The interior of the valleys is inhabited by a race called Hay-tan. They are of short stature, have round yellow eyes, curly hair, and their teeth can be plainly seen [showing] from between their lips. They build their nests in the forking of the branches of trees, and a family, usually consisting of from three to five individuals, lives in each nest. They wander through the fastnesses of the thickets and invisible to the sight, shoot their arrows at the passers-by. On this account they are greatly feared. When the trader takes them a porcelain jar, they bow and take it, and then uttering cries of joy, run away with it.

When foreign traders come to one of their villages, they must not touch the ground, but must remain aboard their vessel, which is anchored in the middle of the current and announce their presence by beat of drum. Thereupon the savage traders approach in their light craft, in which they carry cotton, yellow wax, strange cloth, cocoanuts, onions, and fine mats, and all those things they offer for sale in exchange [for the articles of the Chinese]. In case of misunderstanding in the price of the goods, it is necessary to summon the chief of the traders of that place, so that he may present himself in person, and arrange the tariff to the satisfaction of all. The imported objects are silk umbrellas, porcelain, and a kind of basket woven from rattan. Foreign traders receive twice or thrice the value of the goods sold aboard, in order to serve them as a bond of security. Afterward the foreign traders disembark and perform their contracts there, and then return to their vessel. The goods pledged by the natives remain only three or four days aboard the vessel, and then after the expiration of that term they are restored [to shore]. Then the vessel visits another village of the savages, for the coast villages of the Three Islands do not have one common jurisdiction. The hills keep the winds from the vessels during the continuance of the northeast monsoon. But when the southwest monsoon begins, the dashing of the waves against the coast is so violent that great currents are formed that do not allow the vessels to remain at anchor. This is the reason why those who maintain trade with the Three Islands delay their return for four or five months. Porcelain, black damask, and other silk fabrics, pearls of various colors, lead, fishnets, and tin are imported. Pu-li-lu is near Three Islands. Its villages are very densely populated, but its inhabitants are very cruel and inclined to piracy. The sea is full of reefs and shoals, and the beach has rocks which are indented like dry wood, and their points are very sharp like those of swords and spears. In order that the vessels may reach that country, they take a long and circuitous route, in order to avoid those shoals. There are corals there, but it is very difficult to get them. The popular and trading customs are the same as those which exist at the Three Islands.

**“Questions and Challenges in Philippine Prehistory”**

**F. LANDA JOCANO**

The following is an excerpt of the seminal lecture of Filipino anthropologist F. Landa Jocano entitled *Questions and Challenges in Philippine Prehistory* which was originally published in the *Historical Bulletin* in the years 1983 and 1984. F. Landa Jocano holds an MA and PhD in Anthropology from the University of Chicago. He taught at the Department of Anthropology at the University of the Philippines where he later served as its chairperson. He also taught at the UP Asian Center and the UP Institute of Philippine Studies. The particular excerpt below is from the compilation made by N.M.R. Santillan and M.B.P. Conde entitled *Kasaysayan at Kamalayan: Mga Piling Akda Ukol sa Diskursong Pangkasaysayan* published in 1998. Jocano’s essay discussed the discipline of Philippine Prehistory and is basically a synthesis of his findings during his years of research. It is in this essay that he questioned the commonly held Wave Migration Theory and proposed his own Core Population Theory.

**Excerpt:**

The inner value of scholarship is change. We cannot hold on to old ideas when new empirical evidence no longer supports them. We cannot afford to continuously make the same historical inferences from old data when new theoretical orientation leads us to advance new hypotheses and to other better interpretations. Hypotheses are developed because we want to have a clearer knowledge of the relationships between the data or sets of data we are studying.

As a general alternative to earlier ways of looking at Philippine Prehistory, as well as our relations with the other peoples of Island Southeast Asia, the following proposals are advanced:

1. The peoples of Island Southeast Asia belonged to the same population. This is what we call the core population. It grew out of the combination of human evolution which occurred in Island Southeast Asia about 1.9 million years ago, as evidenced by the fossil materials recovered from different parts of the region, and the movements of other peoples from Asia mainland during prehistoric times.
2. The core population share a common cultural orientation as evidenced by similarities in their tool tradition that included both flake and core implements and their complex ceramic industries that included cord-making and designs made on the plastic surface of

unfired pottery with a carved paddle. Others shared cultural elements consist of similar ornaments, pendants, house types, belief systems, ritual complex and funerary practices.

3. The configuration of these shared elements into a common way of life is what we call the base culture. It emerged from similar responses people made to similar geographical conditions, climate, fauna and flora. Certainly, there were variations due mainly to the relative isolation of some islands. But as a whole, there were (as there are still) more things that ancient men in the region held in common than those which they did not.
4. None of these ancient men could be categorized under any of the historically identified ethnic groups (i.e., Malays, Indonesians and Filipinos) today. The Western colonizers were the ones who fragmented the population into ethnic groups as they partitioned the region into their respective colonies. Thus, variations in cultural and historical experiences started to become clear-cut as the colonizers defined the boundaries of their territorial trusts. The British popularized, in scholarship the term Malay to characterize the group of people they encountered in the Malay Peninsula. The Portuguese, the Germans and the Dutch introduced the Indonesians to the Western World. The Spaniards strongly worked for the conversion of Filipinos (formerly Indios) to Christianity. Later on the Americans came and further differentiated the Filipinos from their Southeast Asian cousins.
5. In this connection, the explanation of the peopling of the Philippines through a series of waves of migration, as documented by folk history like the Maragtas, has to be reconsidered. The undue credit given to the Malays as the original settlers of the region and dominant cultural transmitter must be corrected. The movements of peoples during prehistoric times were complex events which cannot be explained by the simple sequential migrations of people from one area to another. Emerging from a common population with the same base culture, the Malays, Filipinos and Indonesians are co-equal as ethnic groups in the region of Island Southeast Asia, without any one of them being racially or culturally dominant.

In conclusion, we hope that the base culture hypothesis may lead us to a concerted effort towards better understanding of Philippine prehistory and enlightened cooperation among the peoples of Island Southeast Asia. Now that our common heritage has been defined, we also look forward to the emergence of regional consciousness and a common (regional and racial) designation that none of the present names is capable of encompassing. May the base culture idea equalize the roles of each group in the region, without one having to appear dominant simply because of an allegation, without any supporting evidence, that they were the ascendants and originators of cultures.

*Kalantiaw: The Code that Never Was*

The reading is an excerpt of William Henry Scott's article entitled *Kalantiaw: The Code that Never Was.* Scott is known to be the American historian who first questioned the existence of the Maragtas and the Wave Migration Theory which was partially based on the said document. He specializes on the 16<sup>th</sup> century Philippine History as well as the northern Philippine ethnic groups. His dissertation which he defended in the late 1960s at the University of Sto. Thomas entitled *Prehispanic Source Materials for the Study of Philippine History* has become a model of historical and historiographical criticism in Philippine historical studies. The article at hand discussed briefly a part of his dissertation, particularly the mythical code of Kalantiaw. This would somehow show that historical study is a continuous consideration and investigation of sources. The sources are bases of a meaningful past. There is therefore an absolute need to study them continuously.

**Excerpt:**

The Marco-Pavon Antigua Leyendas is the source, and the only source of the Kalatiaw Code. The Code therefore can be no more valid than the forgery which contains it. It is entitled "The 17 theses or laws of the Regulos in use in 150 since 1433," and was supposedly discovered in the possession of a Panay ruler in 1614, its original being still in the possession of on eDon Marcilio Orfila or Zaragoza in 1839. The figure "150" must mean 1150 in accordance with the usual custom of abbreviating dates and the example in the second chapter of Part II where the year of a Kalatiaw-built fortress is given as 433 instead of 1433. This makes the statement "in use in 1150 since 1433" ridiculous, of course, but no more ridiculous than the fact that the fort-building date of 1433 appears in a source itself dated 1137. Despite these peculiarities, however, Robertson published an English translation of the Code in apparent good faith in 1917, the same year Soncuya published the Spanish version.

The name of Kalatiaw himself appeared in print for the first time in a 1913 article by Manuel Artigas in the *Renacimiento Filipino*, "*Informes ineditos sobre Filipinas*," which made mention of "prehispanic civilization...a calendar, written laws, forts." Artigas was the head of the Filipiniana Section of the Philippine Library, and the year before, he had supplied footnotes to Marco's "Resena historica—which is a matter of fact, were much more scholarly than the book itself. The name is documented in no earlier source, though digno alba of Kalibo, in connection with the inauguration of the new province of Aklan in 1965, sought it in local folklore. I had tried to get stories or legends from the present generations of Aklanons living in Batan," he later wrote, "but not one old man can tell me now."

By this time, Kalantiaw was well on his way to becoming a National Hero. In 1966, Sol H. Gwekoh's "Hall of Fame" gave new biographic details—e.g., Datu Bendahara Kalantiaw was born in 1410, his father was Rajah Behendra Gulah, and he became the third Muslim ruler in

Panay at the age of 16. Then in 1970, Gregorio Zaide's *Great Filipinos in History* argued that his real name was Lakan Tiaw and gave a direct quote— "The law is above all men." The next year, the *Manila Bulletin* reported the celebration of the 538<sup>th</sup> anniversary of the promulgation of the Code on 8 December with the coronation of the Lakambini ni Kalantiyaw. Artist Carlos Valino, Jr., depicted the event itself in oil on canvas with the law-giver reading from a node of bamboo held vertically. The President of the Republic bestowed the Order of Kalatiaw on deserving justices, and a 30-centavo postage stamp was issued to commemorate his name. Finally, lest some future generation forget a Filipino who "possessed the wisdom of Solomon, the fighting prowess of Genghis Khan, and the sagacious statesmanship of Asoka, "his Code was fittingly inscribed on brass in the Kalantiaw Shrine in Batan, Aklan.

The contents of the Code itself are no less peculiar. They were presumably promulgated by a central authority of sufficient power to put local chieftains to death for failure to enforce them, and prescribe 36 different offenses irrationally grouped in 18 theses, punishable by 15 kinds of corporal and capital punishment bearing no relation to the nature or severity of the crimes.

Legalist commentators have not been wanting to cite the codes of Leviticus or Hammurabi for comparisons of severity, but what is incredible about the Kalantiaw Code is not its severity but its capricious viciousness. Its catalogue of punishments alone sound like the fantasies of some uninhibited sadist—plunging the hand into boiling water three times, cutting off the fingers, laceration with thorns, exposure to ants, swimming for three hours, drowning weighted with stones, beating to death or being burned, boiled, stoned, crushed with weights, cut to pieces, or thrown to crocodiles.

One wonders what pedagogical mischief has been done to three generations of Filipino youth by the belief that their ancestors suffered a society submissive to such a legal system.

## The First People of Sulu

**The following excerpt is from a story entitled “In Tau Nakauna” or the First People Sulu. This was documented by Maduh Damsani of the Coordinated Investigation of Sulu Culture (CISC), Efren Alawi of the Institute of Philippine Culture of the Ateneo de Manila and Gerard Rixhon, the Director of the CISC. This was originally narrated by Mullung (Muhammad Absari Salahuddin) of Anak Jati’ Indanan, Sulu. There are similarities to other legends and myths from the Philippines and Southeast Asia and these are useful in understanding somehow the unity of the ancient Filipinos, prior to the coming of Islam and Christianity.**

Once upon a time, our islands were unnamed and uninhabited. One day, it happened that a war erupted in a country nearby. As the war ended, only five men managed to escape; two of them were tall with long noses and the three others were quite short. These five left their country and landed at one end of our island of Jolo where until then no people lived. Here they established their residence where occasionally they heard a saw wild horse and wild carabao. For food, they gathered what they found from the forest.

Sometime later, another war ravaged this same country. Again, five people were able to escape; this time, they were all women. They too, left and landed on our island and met the first five refugees. They were not 10 people, give men and five women. They lived together and begot children.

One day, one of the tall men with a long nose and one of the short men decided to go in search of some populated land. They left in a small banca which they paddled day and night. This trip took not only weeks but months.

After some time, they ran out of food so they ate what they could get from the sea. When they ran out of seafood, they found themselves scraping the bottom of their boat and eating what they could pick from the scrapings. They wanted badly to touch land but there was none in sight, no place to dock.

One night, at about two o’clock in the morning, their drifting boat suddenly stopped. They tried to get it moving by rocking it, but they could not move it an inch.

They waited for daylight and they discovered that they had run aground. “We are lucky,” one said. “Now we can go around and look for wood for new paddles. After all, there is no land without any trees.”

One of them with a small ax got off the boat and went looking for wood the badly needed paddles. With his small ax, he immediately started cutting a bamboo which was about 16 inches in diameter. He did not make any dent in it and a voice was heard. “Hey don’t hit me!” Since there was nobody, he lifted his ax but he heard the voice, “You don’t obey me, don’t hit me!” He

was afraid and at the third time he raised his ax he chose another spot to cut the bamboo. This time there was no sound. He fell the bamboo slowly. As he split the bamboo, a discovered a beautiful woman inside.

The lady in the bamboo told him that she was there hiding from a prophet who she refused to marry after learning that the life of a prophet is not an easy one.

They proceeded to make their paddles and the man left in the banca was glad that there are now the three of them. They starting rowing until the second night when they once again reach land. In the morning, they found that they were on a rock why they called Bud Talipaw.

The tall man said that they should settle and make it their home. Not long after, the tall man made love to Tuwan Putli Indal Suga and they lived as a married couple. Of this union, seven children, all boys were born. As they grew big, their mother told the father, "Now that our seven boys have all reached maturity, we better plan for their future, decide where they will live and divide the land among them.

This is how the land was divided. Luuk was given to the son with black eyes; the Taglibi to the son with green eyes; Talipaw went to the son with brown eyes. The boy with blue eyes was given the trading center (Now Jolo town) while the son with the greenish eyes got Lipid and the son with the white eyes Parang. Finally, the son with the yellow eyes received Sawaki. These were the first seven men born in sulu, the people of Sulu, Lupa' Sug as it was called. The name Islam was to be added later when the Muslim faith spread to this part of the world.

**TOPIC 2: 16<sup>TH</sup> -18<sup>th</sup> CENTURY PHILIPPINES****List of Reading Materials:**

1. Customs of the Tagalogs
2. *Recopilacion de Leyes de los Reinos de las Indias*
3. *Historia de los Padres Dominicicos en las Islas Filipinas y en sus Misiones del Japon, China, Tung-kin y Formosa*
4. *Historia General de Filipinas: Conquistas espirituales y temporales de estos españoles dominios, establecimientos progresos, y decadencias*
5. *Relacion de las Islas Filipinas*
6. *Relacion de las Islas Filipinas*
7. Practica del Ministerio
8. Conspiracy Against the Spaniards (1588)
9. Insurrections by Filipinos in the Seventeenth Century
10. *La Democracia*

## **INTRODUCTION FOR 16<sup>TH</sup> -18<sup>TH</sup> CENTURY PHILIPPINES**

**Jose Rhommel B. Hernandez, Ph.D.**

The 16<sup>th</sup> to the 18<sup>th</sup> centuries under Spain are hereby encapsulated in ten excerpts coming from various documents written by Spaniards. The theme of the readings focus mainly on the situation of the Filipinos from the time of the early encounter until their actions towards the end of the 18<sup>th</sup> century which gave way to the different developments of the 19<sup>th</sup>. Although written by Spanish missionaries, the contents show the daily life and culture of the Filipinos during the Spanish colonial period.

The first is an excerpt of the Plasencia's *Costumbres de los Tagalos* which describe the different facets Tagalog everyday life. This is followed by a summarized translation of the laws regarding the method of *Reducción* used in the New World and the Philippines. The third excerpt is a description made by Dominican missionaries on the *Aetas* in different parts of Luzon. This shows a general impression which could be duplicated as to how Filipinos were perceived by the Spaniards. The fourth excerpt is a brief account/anecdote on the conversion of Filipinos to Christianity. Readings five and six are from the Jesuit Pedro Chirino speaking about the daily life of the Tagalogs and their language. These show the efforts of the Spanish missionaries to understand the Filipinos and the complexity of the Filipinos' culture and society.

Reading seven is from the *Practica del Ministerio* of Tomas Ortiz describing some basic tenets of the prehispanic Philippine religion. The description shows the dynamics the conversion to Christianity as well as the everyday life of Filipinos engaging the missionaries. Readings eight, nine and ten are accounts of three rebellions starting among the *datus* of Tondo, to the rebellions of *Tamblot* and *Bankaw* in the Visayas until the *Agricultural Revolt* of 1745.

## Customs of the Tagalogs

**Juan de Plasencia is a Franciscan friar who ministered in the Philippines from 1578 until his death in around 1590. Originally from Plasencia in Extremadura Spain, he is acknowledged as the founder of numerous towns in Luzon using the method of *reducción*. He also authored books on language and the famous *Doctrina Cristiana* published posthumously in 1593 and is the first book printed in the Philippines. The following is an excerpt of his long ethnography on the Tagalogs having been assigned in the Tagalog provinces of Bulacan, Laguna, Morong (Rizal) and Tayabas (Quezon). The reading discusses the social, political, economic and cultural setup of the Tagalogs at the period of early contact with the Spaniards. Plasencia documented the different social classes and their particular functions in the early Philippine society.**

### Excerpt:

This people always had chiefs, called by them *datos*, who governed them and were captains in their wars, and whom they obeyed and revered. The subject who committed any offense against them, or spoke but a word to their wives and children, was severely punished.

These Chiefs ruled over but few people; sometimes as many as a hundred houses, sometimes even less than thirty. This tribal gathering is called in *Tagalo* a *barangay*. It was inferred that the reason for giving themselves this name arose from the fact (as they are classed, by their language, among the Malay nations) that when they came to this land, the head of the *barangay*, which is a boat, thus called became a *dato*. And so, even at the present day, it is ascertained that this *barangay* in its origin was a family of parents and children, relations and slaves. There are many of these barangays in each town, or, at least, on account of war, they did not settle far from one another. They were not, however, subject to one another, except in friendship and relationship. The chiefs, in their various wars, helped one another with their respective barangays.

In addition to chiefs, who corresponded to our knights, there were three castes: nobles, commoners and slaves. The nobles were the free-born whom they call *maharlica*. They did not pay tax or tribute to the *dato*, but must accompany him in war, at their own expense. The chief offered them beforehand a feast, and afterward they divided the spoils. Moreover, when the *dato* went upon the water those whom he summoned rowed for him. If he built a house, they helped him, and had to be fed for it. The same was true when the whole barangay went to clear up his lands for tillage. The lands which they inhabited were divided among the whole *barangay*, especially the irrigated portion, and thus each one knew his own. No one belonging to another *barangay* would cultivate them unless after purchase or inheritance. The lands of the *tingues*, or mountain ridges, are not divided, but owned in common by the *barangay*. Consequently, at the time of the rice harvest, any individual of any particular barangay, although he may have come

from some other village, if he commences to clear any land may sow it, and no one can compel him to abandon it. There are some villages, as for example, Pila de la Laguna, which these nobles, or *maharlicas*, paid annually to the *dato* a hundred *gantas* of rice. The reason of this was that, at the time of their settlement there, another chief occupied the lands, which the new chief, upon his arrival, bought with his own gold; and therefore, the members of his *barangay* paid him for the land, and he divided it, among those whom he saw fit to reward. But now, since the advent of the Spaniards, it is not so divided.

The commoners are called *aliping namamahay*. They are married, and serve their master, whether he be a *dato* or not, with half of their cultivated lands, as was agreed upon in the beginning. They accompanied him whenever he went beyond the island, and rowed for him. They live in their own houses, and are lords of their property and gold. Their children inherit it, and enjoy their property and lands. The children, then, enjoy the rank of their father, and they cannot be made slave (*sa guiguilir*) nor can either parents or children be sold. If they should fall by inheritance into the hands of a son of their master who was going to dwell in another village, they could not be taken from their own village and carried with him; but they would remain in their native village, doing service there and cultivating the sowed lands.

The slaves are called *aliping sa guiguilir*. They serve their master in his house and on his cultivated lands, and may be sold. The master grants them, should he see fit, and providing that he has profited through their industry, a portion of their harvests, so that they may work faithfully. For these reasons, servants who are born in the house of their master are rarely, if ever, sold. That is the lot of captives in war, and of those brought up in the harvest fields.

*Recopilación de Leyes de los Reinos de las Indias*

The following is an English translation of the original Spanish legislations found in the *Recopilacion de Leyes de los Reinos de las Indias* or the Laws of the Indies concerning the establishment of the *Reducciones*. The *Reducción* is the process of transferring the natives to a particular settlement. It was also used to designate the place where the settlement was established. The Recopilacion is a compilation of the different laws promulgated by the Queen or the King of Spain and were legislated to guide the Spaniards in the colonies as to their behavior towards the natives. It was first released as a compilation in 1680 under King Carlos II. The legislation below can be found in Book VI, Title III and provided guidelines for the establishment of towns or pueblos. The copies of the laws were said to have been provided and translated by Zelia Nuttall (1857-1933), an American anthropologist specializing in Aztec-Mexican cultures. The legislations are of importance to the Philippines since these are the same legislations used in the establishment of the towns until the 19<sup>th</sup> century, immediately before the Revolution of 1896. It thus created a new landscape besides the social and economic changes throughout the period of Spanish colonization.

**Excerpt:**

On arriving at the locality where the new settlement is to be founded, the plan of the place, with its squares, streets and building lots is to be outlined by means of measuring by cord and ruler, beginning with the main square from which streets are to run to the gates and principal roads and leaving sufficient open space so that even if the town grows it can always spread in a symmetrical manner. Having thus laid out the chosen site the settlement is to be founded the following form.

The chosen site shall be on an elevation; healthful; with means of fortification; fertile and with plenty of land for farming and pasturage; fuel and timber; fresh water, a native population, commodiousness; resources of convenient access and egress. It shall be open to the north wind. If on the coast, care is to be taken that the sea does not lie to the south or west of the harbor. If possible, the port is not to be near lagoons or marshes in which poisonous animals and corruption of air and water breed.

In the case of a sea coast town, the main plaza is to be the starting point for the building of the town, is to be situated near the landing place of the port. In inland towns the main plaza should be in the center of the town and of an oblong shape, its length being equal to at least one and half times its width, as this proportion is best for festivals in which horses are used and any other celebrations which have to be held.

The size of the plaza shall be in proportion to the number of residents, heed being given to the fact that towns of Indians, being new are bound to grow and it is intended that they shall

do so. Therefore, the plaza is to be planned with reference to the possible growth of the town. It shall not be smaller than two hundred feet wide and three hundred feet long nor larger than eight hundred feet long and three hundred feet wide. A well proportionated medium size plaza is not six hundred feet long and four hundred feet wide.

From the plaza, the four principal streets are to diverge, one from the middle of each of its sides and two streets are to meet at each of its corners. The four corners of the plaza are to face the four points of the compass, because thus the streets diverging from the plaza will not be directly exposed to the four principal winds, which could cause much inconvenience.

The whole plaza and the four main streets diverging from it shall have arcades, for these are a great convenience for those who resort thither for trade. The eight streets which run into the plaza at its four corners are to do so freely without being obstructed by the arcades of the plaza. These arcades are to end at the corners in such a way that the sidewalks of the streets can evenly join those of the plaza.

In cold climates, the streets shall be wide; in hot climates narrow, however, for purposes of defense and where horses are kept the streets had better be wide.

The other streets laid out consecutively around the plaza are to be so planned that even if the town should increase considerably in size it would meet with no obstruction which might disfigure what had already been built or be a detriment to the defense or convenience of the town.

At certain distances in the town smaller, well proportion plazas are to be laid out on which the main church, the parish church or monastery shall be built so that the teaching of religious doctrine may be evenly distributed.

If the town lies on the coast, its main church shall be so situated that it may be visible from the landing place and so built that its structure may serve as means of defense for the port itself.

After the plaza and streets have been laid out building lots are to be designated, in the first place, for the erection of the main church, the parish church or monastery and these are to occupy respectively an entire block so that no other structure can be built next to them excepting such as contribute to their commodiousness or beauty.

Immediately afterwards the place and site are to be assigned for the Royal and Town Council House, the Custom House and Arsenal which is to be close to the church and port so that in case of necessity one can protect the other. The hospital for the poor and sick of non-contagious diseases shall be built next to the church forming its cloister.

*Historia de los Padres Dominicos en las Islas Filipinas y en sus Misiones del Japon, China, Tung-kin y Formosa*

The following excerpt is from the *Noticias Preliminares (Preliminary Notes)* of the six volume work by the Dominicans Juan Ferrando and Joaquin Fonseca titled *Historia de los Padres Dominicos en las Islas Filipinas y en sus Misiones del Japon, China, Tung-kin y Formosa* published from 1870-1872. The section contains ethnographic descriptions of the Spaniards in the Philippines, the Chinese migrants, the Mestizos, the lowland natives as well as the different northern peoples like the Tinguians, Igorots and Ilongots. Also included are the Negritos from the different parts of Luzon. The main author, Juan Ferrando, O.P. arrived in the Philippines around 1842 and was assigned to Vigan as companion to the Bishop Rafael Masoliver. He is described as more clear, concise and methodic of the Dominican historians of the Philippines. Utilized in this excerpt were the writings of historians like Diego Aduarte, O.P. and Francisco Antolin, O.P. He was able to finish the *Historia* to include the events until the year 1840. His unpublished work was later edited by Joaquin Fonseca, O.P. who added an appendix bringing the work down to the year 1871. Below is a part of the English translation by Jose Rhommel B. Hernandez and published in 1994 containing the description of the “Negros” and as later on labeled in the text itself, the Aetas.

**Excerpt:**

Not only in Luzon, but also in the Visayas can be found the true oceanic blacks which form an entirely different race from the rest known in the discovered world. In the Philippines, they are known by the Spaniards as the “Negritos,” and by the natives, as Aetas, Itas, Etas, Balugas, etc., according to the provinces in whose surroundings they live. They are very likely the first inhabitants of the country. In nothing are they similar to those of the Malay race in the divisions, color, hair, customs and mode living. Even their dialect is distinct from that which the nations coming from their caste speak. Many of the like those who go down to the towns speak the idiom of the Indios. Many doubt if they have a proper idiom. In their dances, however, they sing in an unintelligible manner and many seem to howl rather than sing. In their hair, not all are equals. Some tribes have it somewhat straight, but they are generally curly, like those who come from Africa, although not so dark. The color of the body is so dark, much more than that of the natives of the Malay race. They have their mouths broader than the ordinary, and more distant from the nose, which is small and grounded in some. Almost all have side burns and some have beard. Their clothing is made of a miserable girdle which covers their shame. The women, when going to the Christian towns cover their breasts with another piece of cloth made of cotton or valeté bark. They are of very limited intelligence, although in some can be discovered signs indicating more than the regular talent, if they will be cultivated. Their race can be called as the ultimate of the human species. Their physique has all the characters of a savage and degraded race. They themselves have an idea so low of themselves that they say that they are not men nor people, but

Aetas. They live within the forests in the ranges of the west of Manila Bay, from Mariveles until Pangasinan; in the slopes of one and another side, from that which crosses the island from the east to west from San Fabian until Valer; to the west of some towns of Cagayan, and in the other ranges from the Cape of Engaño until Tayabas; in the mountains of San Mateo and Camachin; in some parts of the provinces of the South; in a word, they are in almost all the mountains of Luzon, grouped in small tribes with relations between themselves, particularly the neighbors of a same range. They do not have any dwelling other than bad huts under the trees and at time some entangled branches to avoid in some way the effect of bad weather. Most of them sleep where the night seizes them, and when they are cold, or the humidity is very great, they burn bonfires and they turn themselves over on hot ashes. They are not dedicated to agriculture and are maintained from wild roots, leaves of trees and cattles that by chance opens itself to an arrow shot. They suffer much on rainy days, and days passed without them taking anything other than herb. For the hunting of the wild boar, or wild hogs, they have some arrows whose iron points are held with a cane by means of some strong small cords. The arrows are released to enter into the body of the wild beast, which afterwards remains in the thickets and the hunter is easily freed from its fangs, which is known to cause terrible wounds. Their government consists in leaving each one in a more complete liberty, and in the observance of some practices inherited from their old one. One of them is the eating in common large cattle gathered by some of them. There is no sign of religion found among them, as they may not be some practices indicating their belief in the immortality of the soul. Their matrimones are solemnized with some brute feasts that do not merit the hardship of being narrated. The essential ceremony consists in making an old woman nod at those engaged, saying sometimes the following expressions: "Produce the man, produce the woman", very proper to designate the primary end of the marriage, in which they differ hardly from the beasts. In some points they themselves go around burning notably, as happens in the mountains of Bataan, an effect of the miserable life they live. They lack women, since the Tagalog Indias hire many of them to their service. These women are mixed at times with the Indios, and the Mestizos who are born from them do not have curly hair. There is someone saying that their feature is better than that of the Tagalog.

Those who live in the surroundings of the Christian towns are voluntary slaves. For a little rice or other trifle, they cross from great distance wax, wood, canes and reeds. All have their patrons, who give them lodging when they go down to the towns. This benefit is not little favor considering the disgust that is in their uncovered bodies, covered regularly from the hips and groins. From the conversion of the natives of the islands which the missionaries began, they also thought of converting the people of this degraded caste. But nobody until now has been able to boast of have subjected and united a tribe for a long time to show them the civil and Christian life.

*Historia General de Filipinas: Conquistas espirituales y temporales de estos españoles dominios, establecimientos progresos, y decadencias*

**Juan de la Concepcion is a Recollect missionary known for his monumental 14 volume work *Historia General de Filipinas: Conquistas espirituales y temporales de estos españoles dominios, establecimientos progresos, y decadencias*. The work was published from 1788 until 1792. The following excerpt narrates a certain Fray Rodrigo's experience in working with the Filipinos near Bagumbayan which was then a highly forested area. The brief anecdote is a rich source of the possible transitions happening in the minds of the Filipinos in their reception of Christianity.**

**Excerpt:**

Father Fray Rodrigo was one day passing through a thicket. That thicket was, according to their customs, one of the reserved ones, and it was considered sacrilegious to cut anything from it, and that such act would be punished with immediate death. So infatuated were they with that blindness that no one, even though in great need, dared to take anything from that place, being restrained by fear. The Father saw a beautiful tree, which they call *pajo*, laden with ripe fruit. He ordered his followers to gather some by climbing the tree. They strenuously resisted, but Father Fray Rodrigo insisted on it. They declared that they would not do it under any circumstances, and that it meant sure death if they offended the respect whose fatal sentence comprehended all the trees of that place. The Father severely chided them for their error, and to show them that it was so, he determined to gather fruit himself. He began to break branches and to clear the trunk, in order to facilitate the ascent. The Indians were grieved, and urgently begged him to desist from that undertaking which they considered as so rash. But the religious, arming himself with the sign of the cross, and reciting the antiphon, *Ecce lignum crucis*, managed to gather some of the ripe fruit, which the tree offered. He ate it in front of them and liked the fruit very much, for indeed it is savory. They looked as his face amazed, expecting his instant death. When that did not happen, they recognized their delusion and detested their cheats. They also ate without experiencing any harm. The Father charged them to say nothing upon their arrival at the village. He took with him a goodly quantity of that fruit and divided the great portion of it among the chiefs. Esteeming the gift, they, in their ignorance, ate it without fear. In a sermon on the following day, the Father disclosed the secret and checked their vain fears; so that, undeceived by experience, they followed him with their axes, and in short order felled that thicket, which was a confused center of perverse iniquities. Thereupon, many of those infidels submitted to the true knowledge.

*Relacion de las Islas Filipinas*

**The author of the following excerpts is the Jesuit Fr. Pedro Chirino. He first arrived in the Philippines as a young priest in 1590 and was assigned to Balayan and later on to Taytay in the following year 1591. He studied the Tagalog language and was one of the first missionaries to deliver sermons in that language. His masterpiece is his *Relacion de las Islas Filipinas* which was published in Rome in 1604. The two excerpts shows the status of the Tagalogs in the early years of the Spanish contact particularly their everyday life and language.**

**Excerpt:**

The Filipinos are not so ceremonious in their actions as are the Chinese and Japanese; yet they have their politeness and good breeding, especially the Tagalos, who are very civil and courteous in word and action. Upon meeting one another, they practice our custom of uncovering the head--not that they used hats, caps, or bonnets; but they wore a piece of cloth like a towel, some three or four palmos long, which they wound around the head in becoming fashion, like the ancient crowns or diadems. This they removed, as they now do the hat [sombbrero]--which they have adopted, in imitation of us, abandoning the potong, as they called the towel or diadem which they formerly wore. As among them it is not courtesy to remain standing before a person whom they respect, they seat themselves upon the ground, or rather on their heel-bones. Seated in this way, with head uncovered and the potong thrown like a towel over the left shoulder, they talk with their superiors. The mode of salutation upon entering or meeting anyone is as follows: They draw the body together and make a low reverence, raising one or both hands to the face, and placing them upon the cheeks; they next sit down waiting for the question that may be put to them, for it is considered bad manners to speak before one is spoken to. Their greatest courtesy is in their form of address; for they never speak to one as "thou," or in the second person, whether singular or plural, but always use the third person, saying for example--"Does the lord, or the chief, wish for this or that?" There are many examples of this to be found in Holy Scripture or sacred language, and particularly in the Psalms. In the relations of man with woman, woman with man, or woman with woman, they are very careful--even when they are quite equals, and, too, among the middle class--to use, after every important word, nothing but "my Lord," or "my Lady;" as, "My Lord, as I was coming up the river, I saw, my Lord," etc. This term and pronoun are used as agreeable and even affectionate, even in the languages of much greater importance, as Hebrew, Greek, and Latin, which are the three most venerable tongues. In polite and affectionate intercourse, they are very extravagant, addressing letters to each other in terms of elaborate and delicate expressions of affection, and neat turns of thought. As a result of this, they are much given to musical practice; and although the guitar that they use, called cutyapi, is not very ingenious or rich in tone, it is by no means disagreeable, and to them is most pleasing. They play it with such vivacity and skill that they seem to make human voices issue from its four metallic cords. We also have it on good authority that by merely playing these instruments they

can, without opening their lips, communicate with one another, and make themselves perfectly understood--a thing unknown of any other nation. The Bisayans are more rustic and less civil in manners, just as their language is harsher and less polished. They have not so many terms of courtesy, as formerly they had no letters until, a very few years ago, they borrowed theirs from the Tagalos. As we have already treated of their languages, it would be advisable to make some mention of their letters.

*Relacion de las Islas Filipinas*

**This is a continuation of Chirino's discourse on the Filipinos. Specifically, he discussed the alphabet and writing system the Filipinos of his time. Significantly, the description is still one of the basis of today's studies on the baybayin.**

All these islanders are much given to reading and writing, and there is hardly a man, and much less a woman, who does not read and write in the letters used in the island of Manila--which are entirely different from those of China, Japon, and India. This will be seen from its alphabet, which is as follows:

The three vowels serve as five, and are:

A	I	O
a	e i	o u

The consonants are only twelve, and in writing are used with the vowels in the following form.

The letter alone with no point above or below it, is pronounced with the vowel-sound A:

BA KA DA GA HA LA MA NA PA SA TA YA

Ba ca da ga ha la ma na pa sa ta ya

By placing the point above, each is pronounced with the vowel-sound E or I:

BI KI DI GI HI LI MI NI PI SI TI YI

Bi qui di gui hi li mi ni pi si ti yi

Be que de gue he le me ne pe se te ye

By placing the point below, they are pronounced with the vowel-sound O or U.

BO KO DO GO HO LO MO NO PO SO TO YO

Bo co do go ho lo mo no po so to yo

Bu cu du gu hu lu mu nu pu su tu yu

Consequently, to pronounce cama, two letters without points are sufficient: KAMA ca ma. If a point is placed above the KA we have KIMA or que-ma. If a point is placed below each character KOMO the word is co-mo.

Final consonants are suppressed in all forms of expression: accordingly

cantar is written KATA ca ta; barba, BABA ba ba.

By means of these characters they easily make themselves understood and convey their ideas marvelously, he who reads supplying, with much skill and facility, the consonants which are lacking. From us they have adopted the habit of writing from left to right. Formerly they wrote from the top to the bottom, placing the first line on the left (if I remember right), and continuing the rest at the right, contrary to the custom of the Chinese and Japanese--who, although they write from top to bottom, begin from the right and continue the page to the left. They used to write on reeds and palm-leaves, using as a pen an iron point; now they write their own letters, as well as ours, with a sharpened quill, and, as we do, on paper. They have learned our language and its pronunciation, and write it even better than we do, for they are so clever that they learn anything with the greatest ease. I have had letters written by themselves in very handsome and fluent style. In Tigbauan I had in my school a very young boy, who, using as a model letters written to me in a very good handwriting, learned in three months to write even better than I; and he copied for me important documents faithfully, exactly, and without errors. Let this, however, suffice for the matter of languages and letters, and let us return to our employment for souls.

### Práctica del Ministerio

The following is an excerpt of the Augustinian Tomas Ortiz's *Practica del Ministerio*. Originally published in 1731, this particular excerpt is from the 1893 edition published by Wenceslao E. Retana in his edition of Joaquin Martinez de Zuñiga's *Estadismo de las Islas Filipinas*. The ethnographic pattern used by Ortiz in this segment is useful in understanding the dynamics of the conversion of the Filipinos to Christianity. The prehispanic religious setup could be seen from his description of the "ugales" which he equates with the "abusos" or abuses against the Catholic faith.

#### Excerpt:

Inasmuch as many natives, especially those of the provinces distant from Manila are much inclined to *nonos* or *genii*, to idolatries, maganitos, superstitions, enchantments, charms, and witchcraft, which have as great a diversity as have the witches, and therefore they call them by different names, according to the various duties which they attribute to them; it is necessary for the father ministers, not only to preach to them continually, and to argue against, censure, and decry so pestilent abuses, but they must also be very skillful, solicitous, and careful in discovering persons infected with that mortal poison, and to apply to it the necessary remedy. In the confessions, for the same reason that but seldom will they accuse themselves all possible efforts ought to be made (without overstepping the boundaries of prudence) in order to see whether anything may be obtained; and he who has the good fortune to have any witch confess to him, will bear himself toward her as the authors teach. They ought also to charge the natives with their obligation to denounce to the ordinary, etc.

There are many abuses (or as they say *ugales*) which the natives practice against our holy faith and good customs, among others of which are the following. First, the above-mentioned idolatry of the *nonos*. In regard to this it must be noted that the word *nono* does not alone signify "grandfather," but that it also is used as a term of respect to the old men and *genii*. The Indians comprise these under the word *nono*, just as the Chinese do under the word *Espiritus* [*i. e.*, "spirits"], and the Romans under the word "Gods," which other called *Lares*, *Penates*, etc. With the above-mentioned *genii* or *nonos* the Indians perform many acts of idolatry frequently, such as for example, asking permission, relief, and aid from them, and that they do the people no harm, and that they do not prove hostile to them, etc. They make such requests on many occasions, and among others are the following. When they wish to pluck any flower or fruit from the tree, they ask permission from the *nono* or *genius* to pluck it. When they pass certain fields, rivers, creeks, or streamlets, large trees, sugar-cane plantations and other places, they ask permission and good passage from the *genii* or *nonos*. When they are obliged to cut any tree, or not to observe the things or ceremonies which they imagine to be pleasing to the *genii* or *nonos*, they ask pardon of

them, and excuse themselves to those beings by saying, among many other things, that the father commanded them to do it, and that they are not willingly lacking in respect to the genii, or that they do not willingly oppose their will, etc. When they are taken with the sickness that they call *pamave*, which they attribute to the genii or nonos (although they try to conceal this by saying that the country [has not?] agreed with them) they ask them for health and offer them food. They do that both on this, and many other occasions, in the fields, sugar-cane plantations, streamlets, at the foot of any large tree, more generally some *calunpan*,<sup>2</sup> and in various other places. This sort of idolatry is very deeply rooted and of long standing among the Indians. Consequently, it is very necessary for the father ministers to be very careful and make great efforts to extirpate it, and not avoid any labor or work until it is annihilated.

Secondly, the Indians very generally believe that the souls of the dead return to their houses the third day after their death, in order to visit the people of it, or to be present at the banquet, and consequently, to be present at the ceremony of the *tibao*. They conceal and hide that by saying that they are assembling in the house of the deceased in order to recite the rosary for him. If they are told to do their praying in the church, they refuse to comply because that is not what they wish to do. Consequently, the minister will prevent the gathering at the house of the deceased after the burial, and will not allow the people to ascend into the house under any considerations, least of all on the third day. On the fourth day, in consequence of the said ceremony of the *tibao*, or because of their evil inclination, they light candles in order to wait for the soul of the deceased. They spread a mat, on which they scatter ashes, so that the tracks or footsteps of the soul may be impressed thereon; and by that means they are able to ascertain whether the soul came or not. They also set a dish of water at the door, so that when the soul comes it may wash its feet there. It does not appear that it would be much to say that those matters of the nonos or genii and the deceased were taken by the Indians from the Sangleys who are reared with various things [of belief]. It needs a strong remedy nevertheless.

The *tigbalāg* which some call a ghost and others a goblin, appears to be the genius or devil, who appears to them in the shape of a black man, or in the shape of an old man (or as they express it in the shape of a very small old man), or in the shape of a horse, or of a monster, etc. That being inspires them with so great fear that they come to make friendship with him, and surrender their rosaries to him, and receive from him superstitious things, such as hairs, herbs, stones, and other things, in order that they may obtain marvelous things, and that they may be aided by him in certain of their affairs.

The *patianac* whom some also call a goblin (but it is only their invention, dream, or imagination) must be the genius or devil who generally plays with them as also with many others, when losing the faith, they espouse his cause, become familiar with him, or become subject to him. They attribute to this being the ill success of births, and say that in order to harm them and cause their destruction, he enters or hides in some tree or in any other place near the house of the woman who is about to give birth, and there they sing like those who wander about,

etc. In order to prevent any harm from the patianac, the men take their position naked and with their privies exposed to the air; and arm themselves with shield, catan, lance, and other arms. In this condition they stand on the ridgepole of the roof, and also under the house, and in all places, they slash and cut right and left with the catan and make various gestures and set movements for the same purpose. Others, in order to prevent said harm, generally move the woman who is about to give birth to another house, for they say that her house contains a patianac.

Among other things they also attribute to the patianac the death of children, as well as to the *usang*. They refer to them in the following manner. They assert that the bird called *tictic* is the pander of the sorcerer called *usang*. Flying ahead of that being, the bird shows it the houses where infants are to be born. That being takes its position on the roof of the neighboring house and thence extends its tongue in the form of a thread, which it inserts through the anus of the child and by that means sucks out its entrails and kills it. Sometimes they say that it appears in the form of a dog, sometimes of a cat, sometimes of the cockroach which crawls under the mat, and there accomplishes the abovesaid. In order to avoid that harm, they do certain of the above things. To the patianac travelers also attribute their straying from or losing their road. In order to keep the right path, they undress and expose their privies to the air, and by that observance they say that they make sure of the right road; for then the patianac is afraid of them and cannot lead them astray.

The *bongsol* they sometimes assert to be various *durojones* which are caused by the sorcerer *ganay*, and which run all through the body of the bewitched, who generally remains some moments as if dead or in a faint, and at other times as though mad or raving from the sight of the *ganay* who appears to them in various shapes. In order to cure this sickness or enchantment, they summon another sorcerer, and he after the incantations or efforts, which will be told later, generally leaves the patient as he was before. Sometimes they say that that sickness appears to be natural or a stomach ache caused by the obstructions or *durojones* which grow in the stomach or in the patient's side or by shivers which move from one place to another, and from which the women of this country generally suffer. But when they are unable to cure the pain with the promptness that they desire, they generally say, especially the physicians, that the said sickness is *bongsol*, that is enchantment, and that it can be cured only by the one who is of the faculty, that is by one who is a sorcerer. They then bring a sorcerer, who performs the things that pertain to his faculty, and summons the first sorcerer who they say caused that sorcery. If the sickness is not lessened, the sorcerer finishes his duty by saying that the said first witch is very far away, and could not hear him; and consequently, it has happened that he has not been able to cure the said sickness. In such wise do they leave the sick person with his pains.

The ceremony or superstition of *bilao* is ordered for the discovery thereby of any thief. It is reduced to placing in a bilao, sieve, or screen, some scissors fastened at the point in the shape of the cross of St. Andrew, and in them they hang their rosary. Then they repeat the name of each one of those who are present and who are assembled for this. If, for example, when the name

Pedro is mentioned, the bilao shakes, they say that Pedro is the thief. They also are accustomed to light candles to St. Anthony of Padua for the purpose of discovering the thief of anything [that is stolen]. For this they kneel down to pray (and perhaps to utter and perform indecent things) and wait until the flame leans toward any of those about, for instance, toward Juan, and then they declare that Juan is the thief. It is very usual for the Indians to carry about them various things in order that they might obtain marvelous effects: for example, written formulas, prayers, vitiated or interspersed with words arranged for their evil intent, herbs, roots, bark, hairs, skin, bones, stones, etc., so that they may not be killed, or apprehended by justice, or to obtain wealth, women, or other things.<sup>4</sup> They are also very much inclined to believe in omens and in unlucky days, in regard to which they are wont to keep various books of manuscripts which must be burned for them.

The natives are accustomed to circumcise the boys; and although they perform the circumcision by slitting the skin of the penis lengthwise, instead of around, still it appears that that may be accounted for by the fact that it is inferred that that ceremony was introduced into Philipinas, by the Moros from Borneo, Mindanao, or Holo, as was also the word *biñag*, which is used for “baptize,” and to mean “Christian,” and the word *simba*, which appears to mean “adoration” among them. From this use they transfer it to their temples and mosques, and the Tagálogs took it not to mean “adoration,” but “church,” and afterward used it to mean “mass,” which it never could mean. Not only do they circumcise the males but also the women, girls, or *dalagas*, [an operation] which they call *sonad*. It is reduced to cutting the organ or opening it up somewhat. However, some of them, and very reasonably, affirm that that ceremony in them in itself in both males and females is rather the offspring of lust than that of Judaism. They are also accustomed to measure or compare the weapons that they make, for ]example, measuring the catan by spans and praying at the same time the “Our Father.” If the conclusion of the measuring is reached at the same time or when they come to the word “forgive us” they say that they cannot be punished, but that they may kill people, etc. It appears that the custom has been introduced among women who have recently brought forth of not going to church until the fortieth or sixtieth day as they say of the purification of their bodies. In that not only do they fail in the precept to hear mass but they also perform a Mosaic ceremony.

The Indians are generally corrupted by many errors, and it would take a long time to mention them. Consequently, the ministers will be very careful to uproot them, for although it does not cause any great harm in some because of their ignorance and lack of intelligence, in others they do cause great harm; for example, *Angel catutubo*, which literally signifies “that my guardian angel was born with me or at the same time as I.” In order to avoid danger, one should say, *Angel taga tanor*, and the same thing in other languages.

Finally, so many are the superstitions, omens, and errors, that are found among the Indians that it would be very difficult or impossible to mention them all. The above have been mentioned so that the father ministers may examine others by them. It is to be noted that there

are sectarians and preachers of various false sects among the Indians, especially in the distant provinces, either because they had false sects formerly and have continued them, or because they took them (and this is more likely) from the Joloans, Mindanaos, Sangleys, and other heathen nations with whom they are accustomed to have intercourse.

When the moon is eclipsed, the Indians of various districts generally go out into the street or into the open fields, with bells, *panastanes*, etc. They strike them with great force and violence in order that they might thereby protect the moon which they say is being eaten or swallowed by the dragon, tiger, or crocodile. And the worst thing is that if they wish to say “the eclipse of the moon” it is very common in Philipinas to use this locution, saying “the dragon, tiger, or crocodile is swallowing the moon.” The Tagálogs also make use of it and say, *Linamon laho bovan*. It appears that the Indians learned all this from the Sangleys of China, where all the abovesaid is performed and executed to the letter. It is not right to allow them to retain these deceits of the Chinese, and not to teach them our customs and truths. All the above contents of this section is not universal in all parts. Consequently, although all ministers ought to be careful to ascertain whether they are or are not contained in their ministries, they ought not to go ahead to censure what they are not sure of, for that very thing would perhaps teach them what we are endeavoring to extirpate.

### **Conspiracy Against the Spaniards (1588)**

**The following is an excerpt of the document signed by the notary public for King Philip II stationed in the Royal Audiencia summarizing the events commonly designated as the “Tondo Conspiracy.” The document accounts the events wherein the Datus of Tondo led by Agustin de Legazpi, Martin Panga, Magat Salamat and several others conspired to fight off the Spaniards occupying their territories. The conspiracy would be the first major rebellion of the Tagalog area against the colonizers. The conspiracy was thwarted when Antonio Surabao revealed the plans to the Spaniards. This led to the execution of the leaders and the exile of many others who were involved. The Spaniards in response to the event would ease down their policies when it comes to the Principales who would then receive benefits and privileges from the administration.**

#### **Excerpt:**

In fulfilment of the command and decree of Doctor Santiago de Vera, governor and captain-general of these islands, and president of the royal Audiencia, I, Estevan de Marquina, notary-public for the king our sovereign, of the number [authorized] in the city of Manila, testify that a trial and criminal process has been conducted and is still pending before the said governor and captain-general. The parties are the royal department of justice of the one part, and certain Indian chiefs, natives of the villages of Tondo, Misilo, Bulacan, and other villages in the neighborhood of Manila, of the other part. The cause of this contention seems to be that on the twenty-sixth of October of last year, one thousand five hundred and eighty-eight, Doctor Santiago de Vera, governor and captain-general of these islands, and president of the royal Audiencia, learned that the following persons: Don Agustin de Legaspi, one of the chiefs of this land; Martin Panga, governor of the village of Tondo, and his first cousin; Magat Salamat, the son of the old lord of this land; and other chiefs, had not long ago sent a present of weapons and other articles to the king of Burney, and that they were quite intent upon holding meetings and their usual drunken feasts, swearing to keep secret whatever they discussed. He also learned that they had sold and were selling their landed property. In order to ascertain what the condition of affairs is, the governor made an inquiry and many witnesses were summoned. From this inquiry and other investigations and inquests made in the course of the trials, it appears that the said Don Agustin de Legaspi and Magat Salamat had sent a quantity of shields, arquebuses, and other weapons to Xapon and to the petty king of Burney, who has thus been enabled to put himself on a war-footing. They warned these powers to fortify themselves in their strongholds, because the Spaniards intended to go there. They added that the said Don Agustin would notify them in person of what was taking place; and that, for this purpose, he would ask permission to set out on his commercial enterprises. Likewise, we learned that the people of the kingdom of Burney were thinking of manning a fleet for the purpose of attacking the Spaniards; and that they had killed a Franciscan friar and other Spaniards while on their way to Malaca from Manila with messages and despatches for the king, our sovereign. It appears that on the fourth of November of the said year, when the inquiry had not gone further than this, Captain Pedro Sarmiento arrived in this

city from the Calamianes, which are islands near Burney; and brought the news and information that he had left behind in the said Calamianes three Indian chiefs of Tondo, namely, Magat Salamat, Don Agustin Manuguit, son of Don Phelipe Salalila, and Don Joan Banal, brother-in-law of the said Magat. Through Don Antonio Surabao, his servant and chief of his encomienda, he had learned that these men were going as ambassadors to the petty king of Burney, in order to induce him to send a fleet to attack the Spaniards, and to join the chiefs of Jolo, and Sumaelob, chief of Cuyo, who had already come to terms and offered to help them with two thousand men. They had persuaded the said Don Antonio Surabao to accompany them and carry out their plans; but the latter while on the one hand he promised to help them, in order not to arouse their suspicion, on the other hand unfolded the plan to Captain Sarmiento. He added, moreover, that Amarlangagui, chief of Baibai, who was within the jurisdiction of Manila and held the office of master-of-artillery, had told him, while in this city, that all the chiefs of this neighborhood had plotted and conspired with the Borneans to rebel against the service of the king our sovereign, and to kill the Spaniards of this city, while they were off their guard. The plan was that when the fleet of Burney reached the port of Cavite, and the Spaniards trustfully called these chiefs to their aid, they would all immediately enter the houses of the Spaniards with their men, fortify themselves in them and thus take possession of them one by one. If the Spaniards took refuge in the fortress, Indian soldiers would follow them; and, being two to one, they would surely kill the Spaniards. Maluco offered an example of this; for with but few people they had taken so large a fortress from the Portuguese. To this end the people of Burney were building seven galleys and other warships, and were getting ready ammunition and war-material. Thus, it is affirmed by the said Don Antonio Surabao himself, who says that, under the pledge of friendship and secrecy, he was made acquainted with all this, and was persuaded to join the said conspiracy. Upon this, with the governor's approval, soldiers and attendants were immediately despatched with his orders to arrest the said chiefs, and to bring them to this city as quickly as possible. From the inquiry and secret investigations which were taken up anew, it appears that last year, five hundred and eighty-seven, when Captain Don Joan Gayo and many Japanese with merchandise arrived at this city in a ship from Xapon, Don Agustin de Legaspi became very friendly to him, inviting him many times to eat and drink at his house which is on the other side of the river of this city. The agreement and stipulation which he made with Don Joan Gayo through the Japanese interpreter, Dionisio Fernandez, and in the presence of the said Magat Salamat, Don Agustin Manuguit, Don Phelipe Salalila, his father, and Don Geronimo Bassi, Don Agustin de Legaspi's brother, was, that the said captain should come to this city with soldiers from Xapon, and enter it under pretext of peace and commerce, bringing in his ship flags for the use of the Spaniards, so that the latter should think his intentions peaceful. It was also agreed that the chiefs of the neighborhood would help them to kill the Spaniards, and would supply the provisions and everything necessary. The said Don Agustin de Legaspi was to set out to meet them; and, in order that they might recognize one another, he would carry some of the weapons which the said captain had given him. After they had conquered the Spaniards, they would make him [Don Agustin] king of the land, and collect the tribute from the natives, which would be divided between Don Agustin and the Japanese. They swore this after their fashion, by anointing their necks with a broken egg. Don Agustin de Legaspi discussed and arranged the whole plan with Amaghicon, an Indian chief of Navotas, warned him to keep the secret, and gave him some of the weapons which the Japanese

had given him, in order that they might recognize one another. According to the declarations of Dionisio Fernandez, the Japanese interpreter, Don Phelipe Salalila, Don Geronimo Basi, Magat Salamat, and other witnesses who were present at the said meetings and compacts, and as it appears also from the trial and investigations, it seems that when Don Martin Panga, under the charge of adultery, Don Agustin de Legaspi, for accounts demanded of him at the time when he was governor of Tondo, Don Gabriel Tuambaçan, Don Francisco Acta, his son, and Pitongatan were taken to the prison of this court, each and every one of them swore, after their fashion, to help one another with their persons and property in all matters--be it concerning the liberty of their slaves, or in any other difficulty. Likewise, it appears that after they left the said prison, the said Don Martin Panga was exiled from the village of Tondo for a certain period, and went to live in the village of Tambobo, not far from this city. There he and Don Agustin de Legaspi invited the other leaders to come together for a secret meeting. Under pretext of visiting said Don Martin Panga, a meeting was held in the said village by Don Phelipe Salalila, Don Agustin Manuguit; Magat Salamat, chief of Tondo; Don Pedro Bolingui, chief of Pandaca; Don Geronimo Basi and Don Grabiell Tuam Basar, Don Agustin's brothers; Don Luis Amanicalao and Calao his son; the brothers Don Dionisio Capolo and Don Phelipe Salonga; Don Phelipe Amarlangagui, chief of Catangalan; Don Francisco Acta and Amaghicon; with other Indian timaguas, servants, and allies of his. For three days they met, and drank after their fashion. During this time, they resolved to act in harmony and with one mind in everything. If their slaves demanded liberty, they were to help one another against them; for already they were not regarded or obeyed as before. They possessed neither slaves nor gold, and found themselves poor and cast down, ready to go to prison any day. Their sorrow was very keen because their wives were being taken away from them, and given to others to whom, they claimed, they had been first married. For all these reasons they were very sad, and they discussed and plotted, and took oath, according to their custom, that if an enemy came to Manila to attack the Spaniards, they would unanimously and with one mind aid the enemy against the Spaniards. Thus, they would once more become masters, as they had been before, and exercise the old tyranny over the common people--who now were much favored by the Spaniards, being promoted to superior places by them. The said Don Agustin de Legaspi proposed to them the plan and compact which he had made with the said Japanese Don Joan Payo [Gayo]; and the other chiefs declared that they were ready to help him and to accede to his wishes. After this, it appears that in the month of February, one thousand five hundred and eighty-eight, when we heard of the English pirate who passed through these islands and plundered the ship "Santana," the said chiefs made preparations, thinking he would come to this city, to carry out their plan.

A few days afterward, Don Estevan Taes, chief of Bulacan, came to the village of Tondo where they were. He conferred with Don Martin Panga; and they decided that since the Englishman had not come, and the compact made at the meeting of Tambobo had not been carried out, they should call another meeting to discuss what had been planned at the former one. To this end, he offered to notify and call together all the chiefs from his village as far as Tondo, while Don Martin Panga was to summon the other chiefs as far as Cavite. To this end, the said Don Martin Panga said that he would carry a letter to the governors of Malolos and Guiguinto, and tell them to hasten to the meeting; and that, when they were assembled, he could

communicate to them the bad or the good which he kept within his breast. After Don Esteban Tael had told him to leave the matter in his hands, Don Martin Panga declared, in the presence of Pitongatan, that he and Don Agustin had planned to call together the men of La Laguna and Comitan; and that, when the people were all gathered, they would discuss the means of regaining the freedom and lordship which their fathers had enjoyed before them; and, with all the people collected at Tondo, would attack Manila, as arranged with Balaya, chief of Vangos, and with the natives of Batan. It seems that the said meeting did not take place, on account of various occupations which detained the said chiefs. Moreover, it appears that about the same time, when certain Indian chiefs of Panpanga came to Manila on business connected with their province, on passing through the village of Tondo, Don Agustin Panga summoned them; and he, together with Don Agustin de Legaspi, Sagat Malagat, and Amanicalao, talked with them, and inquired after the business that took them to Manila. The chiefs answered that they came to entreat the governor to command the cessation of the lawsuits concerning slaves in Panpanga, until they could gather in the harvest. Don Martin said that this was very good, and that they also wished to make the same entreaty and to bring their slaves to court; but that to attain this it would be best to assemble and choose a leader from among them, whom they should swear to obey in everything as a king, in order that none should act alone. The chiefs of Panpanga said that they had [no] war with the Spaniards, to cause them to plot against the latter, and that they had a good king. Thus, they did not consent to what was asked from them by the aforesaid chiefs, and proceeded to Manila in order to transact their business. In Manila they were again invited to go to Tondo, to take food with the plotters; but the Panpanga chiefs refused. On the same day a meeting was held in Tondo by Don Agustin de Legaspi and Don Martin Panga; Don Luis Balaya, chief of Bangos; Agustin Lea and Alonso Digma, his nephews; Don Phelipe Salalila and Don Agustin Manuguit, his son; Don Luis Amanicalao, and Calao, his son; Don Grabiell Tuambacar, Don Francisco Acta, Don Phelipe Salonga, and other natives who rendered service. While they were thus assembled, they all resolved and agreed, amid the usual drinking, that the above-mentioned Magat should go to the Calamianes and from that place notify the Borneans to come to Manila to attack the Spaniards; and the chiefs would wait for them here, and would take care to receive and help them. In fulfilment of this, the said chief Magat Salamat went to the Calamianes, which are near the kingdom of Burney, taking with him the chiefs Don Agustin Manuguit and Don Joan Banal. Thence he went to the island of Cuyo, where it seems that he discussed the matter with Sumaelob, chief of the said island, and persuaded him to come with the Borneans to plunder Manila. At that time, he was arrested for this trial, was brought to this city, and openly confessed that what has been said actually occurred. The said inquiries and investigations made in reference to the trial of the aforesaid persons were examined by the governor and captain-general; and he gave orders to arrest those who appeared guilty, in the various regions and provinces in which they were to be found, and on different days, letting no one of the guilty ones escape. The men were arrested and their confessions were taken down separately. At the proper time and place they were each charged with the crime which resulted against each of them; and a copy of the charge was given to them and to their attorneys on their behalf. Their cases were received on trial

in a certain order and for a certain period, so as to give them, during that period, an opportunity of clearing themselves from the charge. The time expired, and the trial was definitely closed. The governor and captain-general reviewed the trial, and on different days pronounced a final sentence against each one of them, according to their guilt. The sentence is in substance as follows: Don Agustin de Legaspi and Don Martin Panga, as leaders and chiefs, and being convicted by witnesses, were condemned to be dragged and hanged; their heads were to be cut off and exposed on the gibbet in iron cages, as an example and warning against the said crime. All their goods were to be confiscated and set apart, half for the royal treasury and half for judicial expenses. The above-mentioned appealed from the aforesaid sentence to the royal Audiencia of these islands; but after having examined the trial, the Audiencia confirmed the aforesaid sentence, and returned the case to the governor and captain-general in order that justice might be done. The death-punishment was to cut their heads off and to expose them on the gibbet in iron cages. The sites of their houses were to be plowed and sown with salt. All their property, after the judicial expenses had been defrayed, should be set aside for the royal treasury. This sentence was executed upon the abovementioned persons as here stated.

### Insurrections by Filipinos in the Seventeenth Century

**This is an excerpt of an account by various 17<sup>th</sup> century chroniclers and collected by Blair and Robertson in Volume 38 of *The Philippine Islands*, Pp. 87-240. The reading discusses two rebellions led by the Babaylan Tamblot and the old chief of Limasawa Bankaw. The account shows the struggles of our ancestors to preserve their beliefs and traditions against the onslaught of Spanish Christianization. Naturally, the Spaniards would portray their efforts as the efforts of the devil to lead the people to apostasy and rebellion. Also included is the account of Pedro Ladia's rebellion centered in Malolos, Bulacan. Being much of a religious rebellion, Ladia would also attempt to establish a kingdom based on the Tagalog area in which Malolos is a part.**

#### Excerpt:

The majority of the ministers in the island of Bohol had gone to Zebu, to celebrate the feasts of the beatification of St. Xavier; in their absence Lucifer attempted to possess himself again of those souls. The divata, or demon, appeared to some Indians in the woods—its face covered, like that of one taking the discipline—and commanded them to quit the gospel ministers and the Spanish vassalage, and take refuge in the hills; and to build him a chapel, where he would aid them and give them whatever they needed to pass their lives in happiness and abundance, without the encumbrance of paying tribute to the Spaniards or dues to the churches. Two or three Indians, who on account of their evil deeds were wandering as fugitives, became priests of this divata, in order to persuade the people to apostasy and rebellion; and, to take away the fear which they naturally feel toward the Spaniards, these priests told them that, if they would attack the Spaniards, the divata would cause the mountains to rise against their foe; that the muskets of the latter would not go off, or else the bullets would rebound on those who fired them; that if any Indian should die, the demon would resuscitate him; that the leaves of the trees would be converted into *saranga* (which is a large fish); that when they cut bejucos, these would distill wine instead of water; that from the banana-leaves they would make fine linen; and, in short, that all would be pleasure, enjoyment, and delight. With these magnificent promises, so attractive to men—and especially to the Indians, who are so inclined to idleness and sloth—four villages revolted; only Loboc (which is the chief village) and Baclayon remained firm in the faith, and in loyalty to the king.

Information of this reached Zebu, and immediately Don Juan de Alcarazo, alcalde-mayor of Zebu, went to quiet the island; he invited them to make peace, for which the rebels did not care. Their boldness increasing, they burned the four villages and their churches; they flung on the ground the rosaries and crosses, and pierced an image of the blessed Virgin eighteen times with javelins—although afterward in Zebu some tried to make amends to her with the most affectionate demonstrations of reverence, and she was placed in our church. Thereupon the chief

ordered troops from Zebu, fifty Spaniards and a thousand friendly Indians, accompanied by a father; and on New Year's Day, 1622, he began the march to the mountains, where the insurgents were. For five days they traveled through rugged hills and deep ravines, crossing marshes where the mud came to their knees, or even to their waists, and shedding their blood on the thorns and briars. On the fifth day, the insurgents killed a friendly Indian; this they celebrated with loud shouts, and it greatly increased their arrogance. On the following day, more than 1,500 rebel Indians attacked our vanguard, which consisted of sixteen Spaniards and three hundred Indians; but when our muskets were fired so many fell dead that the rebels began to retreat to a bamboo thicket. When we followed them, a heavy rain fell, which encouraged the rebels, for they said that our muskets were then useless. But Heaven favored our cause with a marvel, since, although the pans of the musket-locks were full of water, the soldiers declared that the powder never failed to catch fire, nor did the matches go out. At this the rebels fled into the mountains; and our men arrived at a village of more than a thousand houses, in the midst of which was the temple of their diva. Our troops found there much food, various jewels of silver and gold, and many bells of the sort those people use—all which was given to our Indians. The rebels were in a fortification of stone, in which they had placed many stones and clods of earth to throw at our men; but the latter, covering themselves with their shields, seized the redoubt, with the death of many of the enemy, and in a fortnight returned to Loboc. Captain Alcarazo, who was foremost in all these engagements, commanded that some of the rebels be hanged, and published a pardon to the rest; and he returned to Zebu, where the victory was celebrated. This success had very important results, for it checked the revolt of other islands and other villages—who were expecting the favorable result which the demon had promised them, so that they could shake off the mild yoke of Christ, and with it their vassalage to the Spaniards. Many of them, now undeceived, accepted the pardon; but others, who were stubborn, fortified themselves at the summit of a rugged and lofty hill, difficult of access, and closed the road [to it] with brambles and thorns. They also filled the paths with very sharp stakes driven into the soil, and placed among the branches of the trees many crossbows, in order that these, being discharged as our men passed them, might wound the soldiers; and above they provided many stones to throw at the Spaniards, hurling them from the top of the hill. Six months later the same Don Juan Alcarazo returned, to dislodge those rebels with forty Spaniards and many Indians. After suffering great hardships in making the paths accessible, nearly all his men were hurt, by the time they reached the fort, by the many stones which the enemy hurled down from the summit; but our soldiers courageously climbed the ascent, firing their muskets, and killed many of the rebels, putting the rest to flight. Thus, was dispersed that sedition, which was one of the most dangerous that had occurred in the islands—not only because the Boholanos were the most warlike and valiant of the Indians, but on account of the conspiracy spreading to many other tribes. Noble examples of fidelity in this great disturbance are not lacking.

The natives of Carigara in the island of Leyte became impatient, and revolted without waiting for the result in Bohol, incited thereto by Banca, the ruling chief of Limasava—who in the year

1565 received with friendly welcome Miguel Lopez de Legazpi and the Spaniards who came to his island, supplying them with what they needed, for which Felipe II sent him a royal decree, thanking him for the kind hospitality which he showed to those first Spaniards. He was baptised and, although a young man, showed that he was loyal to the Christians; but, conquered by the enemy [of souls], he changed sides in his old age. This man lived in the island of Leyte, and with a son of his and another man, Pagali (whom he chose as priest of his idolatry), erected a sacred place to the divata, or devil; and they induced six villages in the island to rebel. In order to remove from them their fear of the Spaniards, these men told their followers that they could change the Spaniards into stones as soon as they saw them, by repeating the word *bato*, which signifies “stone;” and that a woman or a child could change them into clay by flinging earth upon them. Father Melchor de Vera went to Zebu to give warning of this sedition and obtain aid to check it. Captain Alcarazo equipped an armada of forty vessels, in which were embarked some Spaniards and many friendly Indians, also the father rector of Zebu and Father Vera; these united with the forces (both Spanish and Indian) that the alcalde of Leyte had. They offered peace to the rebels, but the latter spurned it with contempt. Our men, divided into three bodies, attacked them; and, when that which Don Juan de Alcarazo commanded came in sight of the rebels, they fled to the hills. Our soldiers followed them, and on the way put to the sword or shot those whom they encountered; and, although the compassion of the Spaniards spared the children and women, these could not escape the fury of the Indians. Many of the rebels died, the enchantment not availing them by which they had thought to turn the Spaniards into stone or clay; the rest saved themselves by flight. The Spaniards came to a large building which the rebels had erected for their divata; they encamped in it ten days, and then burned it. Someone pierced with a lance Banca, the chief instigator of the rebellion, not knowing who he was, whom two of his slaves were carrying on their shoulders and immediately his head was placed on a stake as a public warning. He and his children came to a wretched end, as a punishment for their infidelity and apostasy; for his second son was beheaded as a traitor, and a daughter of his was taken captive. To inspire greater terror, the captain gave orders to shoot three or four rebels, and to burn one of their priests—in order that, by the light of that fire, the blindness in which the divata had kept them deluded might be removed. The Spaniards also cut off the head of an Indian who had robbed Father Vinancio [*i.e.*, Vilancio] and broken to pieces an image of the Virgin, and kicked a crucifix; and his head was set up in the same place where he had committed those horrible sacrileges. There were many who, in the midst of so furious a tempest, remained constant in their religious belief.

This fearful earthquake was general in all these Filipinas, although it was more severe in some regions than in others—for in the province of Cagayán, in [the land of] one people called Maynanes, a great mountain was cleft open; and the havoc made by it extended as far as Maluco. In the heights of Gapang, in the province of Pampanga, it was very severe, and lasted several days. Even greater damage might have been done by an uprising that was plotted by an Indian of evil disposition in the villages of Gapang, Santor, Caranglán, and Patabangán, exhorting the

natives there to rebel and restore themselves to their former liberty, by slaying the Spaniards and the religious. He assured them that in Manila there were no Spaniards left, because the earth had swallowed them, with the entire city, on the night of the earthquake that occurred on St. Andrew's day; and that the demon, with whom he had compact and intercourse, had promised him that he would aid the natives so that they might maintain themselves without paying tribute, and might enjoy much prosperity, and provided that they would slay the fathers and burn the churches. The delusion of the Indians of Gapang went so far that they seized arms, and summoned to their aid many heathen Zambals, and burned the churches of Santor and Pantabangán. When this was known in Manila, the encomendero of those villages, Admiral Rodrigo de Mesa, offered his services to pacify them, and went to Gapang with Alférez Callejas, their collectors of tribute, and some friendly Indians; but the insurgents, who now were numerous, badly wounded the encomendero, who fled on horseback, and a year later died from that wound at Manila. They slew Alférez Callejas and many of the loyal Indians who went in his company, and fortified themselves in the mountains. The prior and minister, Fray Juan Cabello, escaped by the aid of some other Indians who were not of the hostile party, came to Manila, and gave information of the progress of the rebellion. Opinions differed as to the methods which should be employed in pacifying the insurgents; and our father provincial, Fray Alonso Carbajal, decided to send the father lecturer Fray Juan de Abarca, a religious for whom the natives of that district had much affection and respect, since he had been their minister for many years. With this commission this religious set out for Pampanga, taking with him a companion, Master-of-camp Don Agustin Songsong, a valiant Pampango, with as many soldiers of that people as seemed necessary. They arrived at Gapang, and by means of father Fray Juan de Abarca's preaching and his earnest efforts—which would take too long to relate, as would the many perils of death to which he exposed himself—that sedition was finally quelled, and the insurgents returned to their former quiet. But the Indian sorcerer, the cause of this disturbance, did not make his appearance, notwithstanding all the efforts that were made to find him.

Another rebellion, which threatened a great outbreak, was checked (in the year 1643) by father Fray Cristobal Enriquez. In the district of Malolos in the province of Bulacán, an Indian named Don Pedro Ladía, a native of Borneo, went about promoting sedition; he proclaimed that to him belonged the right of being king over the provinces of Tagalos, alleging that he was a descendant of Raja Matanda, the petty king whom the Spaniards found at Manila in the year 1571. With these and other impostures, aided by wine—the chief counselor in matters of policy and war, among those natives—and with the consultations with the demon which always figure on these occasions, he kept many villages of that district disquieted. But the sagacious procedure of father Fray Cristobal Enriquez intercepted all these misfortunes which were threatening us, by furnishing a plan for the arrest of Don Pedro Ladía—who already was styling himself “king of the Tagálogs;” he was sent to Manila, where, he paid with his life for his vain presumption. And thus, this revolt, lacking even that weak foundation, was entirely quieted.

*La Democracia*

**The following document is a decree published in the Manila newspaper La Democracia which is the organ of the Partido Federal, on November 25, 1901. The account shows the roots of the agricultural problems of the Philippines which stretched out well into the 20<sup>th</sup> century until the present. This paper was provided by a certain Hugo Salazar, a member of the Partido Federal, with his own comments. It reiterates that the friars usurped not only the lands of individuals, but those of the State.**

**Excerpt:**

To the president and auditors of my royal Audiencia of the Filipinas Islands, resident in the city of Manila: Don Pedro Enriquez, an auditor of that same Audiencia, made a report, with sworn statements of his proceedings; of what he had done under the commission which was conferred on him by the government there for the pacification of the villages of Taguig, Hagonoy, Parañaque, Bacoor, Cavite el Viejo, and other places attached to them which lie near that capital, all which had revolted. [He reported that] they were pacified by merely the proclamation of a general pardon (except to the chief instigators of the revolt) which he published, and by the promise that their complaints should be heard and justice done to them; but the village of San Mateo also revolted, and he proceeded to its punishment and left it in ruins, because the people had not surrendered their arms; it was, however, already [re]peopled, with inhabitants who were more numerous and of more peaceable disposition. A similar insurrection or revolt occurred in most of the villages of the province of Bulacan, and these, like the former, by an agreement which they had formed by a public writing with the village of Silang protested, as they afterward made evident in their petitions, against the injuries which the Indians received from the managers of the estates which are owned by the religious of St. Dominic and those of St. Augustine, both calced and discalced—usurping the lands of the Indians, without leaving them the freedom of the rivers for their fishing, or allowing them to cut wood for their necessary use, or even to collect the wild fruits; nor did they allow the natives to pasture on the hills near their villages the carabaos which they used for agriculture. Accordingly [the said auditor] determined to free them from these oppressions, and decided that they should not pay various unjust taxes which the managers exacted from them. Having proved to be capable in the other task assigned him, he received a commission as subdelegate judge of the adjustment of land-titles, in consequence of which he demanded from the aforesaid religious orders the titles of ownership for the lands which they possessed; and, notwithstanding the resistance that they made to him, repeatedly refusing [to obey], he distributed to the villages the lands which the orders had usurped, and all which they held without legitimate cause he declared to be crown lands [*realengas*—as occurred with the convent of San Pablo, belonging to the calced religious of St. Augustine, assigning to it [*i.e.*, the crown] a farm for horned cattle and two caballerías of land which were supposed to belong to it, according to the testimony of the village of San Mateo. He also took other measures which seemed to him proper for the investigation of the fraudulent proceedings in the

measurement of the lands in the estate of Biñan, which is owned by the religious of St. Dominic—fraud which was committed in the year 1743 by the court clerk of that Audiencia [of Manila] with notable fraud and trickery, in which participated the two surveyors (appointed through ignorance or evil intent), to the grave injury of the village of Silang. This had caused the disturbances, revolts, and losses which had been experienced in the above-mentioned villages. The aforesaid proceedings [by the auditor] were considered and examined with the closest attention in my Council of the Indias, with the decrees that were also sent by the Audiencia there in the course of the proceedings in a second appeal interposed by the village of Silang—decrees obtained in that suit by the natives of that village against the college of Santo Tomas de Aquino, in regard to lands usurped [from them] and annexed to the estate of Biñan, which the religious own. On the subject of the disturbance among the aforesaid Indians, Governor Don Gaspar de la Torre, his successor the bishop of Nueva Segovia, and the provincials of the aforesaid religious orders set forth the allegations made in the name of the orders by father Fray Miguel Vivas as their procurator-general at this court, and by Father Pedro Altamirano, who acts in that capacity for the Society of Jesus for its provinces of the Indias (on the point that the province of San Ignacio in those islands had no share in the commotions in those villages, as was shown by various testimonies), and the explanations made by my fiscal, who was cognizant of the whole matter. It has therefore appeared expedient to me to advise you of the receipt of your letters of July 30, 1745, and July 17, 1746, and of the acts which accompany them; and to notify you that by a despatch of this date I approve, and regard as just and proper, all that was performed by the aforesaid Don Pedro Calderon Enriquez in virtue of the commission and appointment which was conferred upon him by Governor Don Gaspar de la Torre by the advice of the Audiencia there, in order that he might proceed to the pacification of the insurgent villages in the jurisdictions of Silang, Imus and San Nicolas, Cavite el Viejo, and the other districts which united on account of the controversy over the ownership of the lands which the religious—Dominicans, and both calced and discalced Augustinians—are endeavoring to keep. I also give him thanks for the judicious conduct and measures which he employed for the aforesaid pacification; and I likewise approve what he accomplished as subdelegate judge of the settlement of land-titles, in regard to the survey and boundaries of the estates which, in accordance with their legitimate titles, belong to each of those orders, in view of the more accurate and reliable information [obtained] from the interpretations of the four surveyors whom he appointed—the latter bearing in mind, to this end, the measures put into execution by the auditor Ozaeta in the year 1699, in accordance with the chart printed by the pilot Bueno, in his book entitled *Navegación especulativa y practica* [*i.e.*, “Navigation, theoretical and practical”] (which chart serves in those islands as the standard for the surveys)—assigning to the aforesaid religious that which belongs to them by their [legal] titles, which is the same that was ordained in the executory decree dispatched by the Audiencia there. I also approve what he did in adjudging to my royal crown the lands which the aforesaid religious orders had usurped, and in allotting lands to the Indians for the sum of two thousand pesos, at times and terms stipulated with them.

From the aforesaid investigations charges resulted against Don Juan Monroy, court clerk of that Audiencia, who was engaged in the survey and adjustment of boundaries made in those same lands of Biñan in the year 1743—in which, by the declaration of the two surveyors who took part in it, is evident their ignorance of such work, and of the rules and measures [to be used]. Although [*sc.*, after?] the lands had been measured and a chart of the estates had been drawn, the computations were made by the said Monroy, and the surveyors signed it, supposing that it was correct; but it was acknowledged that in that same year, later, another survey and adjustment of boundaries was made by the aforesaid court clerk and one of the said surveyors on some lands over which there were lawsuits—some, in particular, with the religious of St. Augustine—in which survey there was assigned to each cattle-farm 3,024,574 square brazas of land, this being different from the previous survey, which was computed at 8,695,652 brazas. In this was proved the fraud with which the said Monroy acted, in giving to the said religious more than half of the land which belonged to Silang. Accordingly, it has appeared to me proper to condemn him to two years' suspension from his office, and to lay upon him a fine of two thousand pesos, applied to the fund of fines paid into the royal treasury; and for this exaction there is issued, on this same date, the proper despatch to the Marqués de Regalía, a minister of the said my Council and tribunal of the Indias, and exclusive judge of rents, settlement of land-titles, and collection of fines and condemnations. By another despatch of the same date, the government of those islands is commanded to exercise hereafter the utmost vigilance in order that the Indians of the said villages may not be molested by the religious, and that the latter shall be kept in check in the unjust acts which they may in future attempt against not only those Indians but other natives of those islands. In this, the government must always bear in mind the reiterated commands given in the laws [of the empire], and the frequent royal decrees that have been issued, to the end that the Indians shall be well treated and shall not suffer oppression or extortion; and shall direct that my fiscal there shall appear as their representative and in their defense on every occasion which shall present itself in this regard. Considering how important it is that the Indians shall know of the recourse which they can have when they are oppressed or ill-treated, and in their controversies, it would be very expedient that the government give them information of this, so that they may not be ignorant thereof, and that they may use these [peaceable] means without going to the extreme, as they did on this occasion, by employing armed force. For this time, my royal charity and clemency overlooks their proceedings, considering their heedless disposition; but when they shall have been advised of what they ought to do in such cases, and in others of a different nature, if they fail to use those means they shall be chastised with the utmost severity. I have resolved to notify you of this, in order that you may be acquainted with this my royal decision, and in order that, so far as you are concerned, you may make known my decree; and I command the most prompt and effective measures, to the end that it may be fully and duly carried into effect; for such is my will. Dated at San Lorenzo, on November 7, 1751.

I the King

### **Topic 3: 19<sup>th</sup> Century Philippines**

#### **List of Reading Materials:**

- **A Visit to the Philippine Islands**
- ***State of the Philippines in 1810* in *The Former Philippines Thru Foreign Eyes***
- **Marcelo H. Del Pilar's *Aba Guinoong Baria***
- ***The Philippine Islands* in *La Solidaridad*, Vol. 2: 1890**
- **Internal Political Condition of the Philippines in Emma Blair and James Robertson (eds.), *The Philippine Islands***
- ***Our aims* in *La Solidaridad***
- **"The Causes of the Distress of the Philippines"**
- **Album De Filipinas**

### **Introduction for 19th Century Philippines**

The nineteenth century was a period of profound change for the Philippines. The abolition of the galleon trade in 1815 and the establishment of an export-oriented, cash crop economy led to important economic, political, and socio-cultural transformations that immensely affected the colony. For example, owing to the Philippines' engagement in the international market, economic opportunities were no longer limited to certain privileged sectors from the government and the church. Some groups of *indios naturales* had also benefitted from these developments, which, led to their upward socio-economic mobility. They became the "middle class," who, through their recently-acquired wealth, was able to send their children to Europe to study. Economic development in society, however, was uneven. The majority of the population, mostly belonging to the laboring classes, still lived in material deprivation, and oftentimes found it difficult to fulfil their pecuniary obligations to the state. These and other related events contributed to the formation of reformist and revolutionary organizations which played a crucial role in ending the Spanish control of the islands in 1898.

The set of materials included here presents the various facets of colonial life in the nineteenth century Philippines. These were written by various Spanish officials and administrators, Filipino propagandists, and foreign travelers and observers. Presented either in their entirety or a portion from the original texts, these source materials provide a glimpse into the conditions and changes occurring in the colony at that time. Some of them highlight what reforms, projects and programs were needed to secure progress in the Philippines. Others emphasize what could happen if these measures were implemented or when things were left as they were. Ultimately, the collection will help the readers understand and appreciate the "long" nineteenth century as an important period in the history of the country.

**Bowring, John. 1859. *A Visit to the Philippine Islands*. London: Smith, Elder & Co, 202-212.**

### **The Author and His Work**

*A Visit to the Philippine Islands* is an account written by Sir John Bowring about his brief sojourn to the Philippines in 1858, while mourning the recent loss of his wife. Bowring, who served as British Consul at Canton (1849) and, later, governor of Hong Kong (1854-1859), wrote about his official travel to the Spanish colony in 1859, and published it in the same year. His seven-week tour on the steam-powered paddle frigate *Magicienne* covered several areas which included Manila, Laguna, and Tayabas. In *A Visit to the Philippines* (comprising 27 chapters in total), he presented an engaging narration of the political, economic, and socio-cultural life the Philippines from the time the Spaniards first set foot on the islands until the early decades of the nineteenth century. It is evident that in addition to his own insightful observations, he also used English and Spanish published materials to enrich his account. The particular text below, taken from the Chapter 12 (Ecclesiastical Authority) of the book, discusses the authority of the Church over the colonized populations, the sources and basis of this authority, and how it was liberally exercised by the different religious groups and congregations in the Philippines.

### **Text**

It cannot be denied that, in the language of Tomas de Comyn,<sup>1</sup> “the missionaries were the real conquerors of the Philippines; their arms were not, indeed, those of the warrior, but they gave laws to millions, and, scattered though they were, they established by unity of purpose and of action a permanent empire over immense multitudes of men.” Up to the present hour there are probably few parishes in which the gobernadorcillo,<sup>2</sup> having received a mandate from the civil authority, fails to consult the friar, and the efficiency and activity of the Indian<sup>3</sup> functionary in giving effect to the mandate will much depend on the views the padre may take of the orders issued.

The opulence of the individual monks, and of some of the monkish fraternities in the islands, has often and naturally been a subject of reproach. The revenues received by individuals are in many localities very large, amounting in remote districts to eight or nine thousand dollars a year, and much more, it is reported, in such populous pueblos<sup>4</sup> as Binondo. Some of these communities also possess large tracts of land, whose management is superintended at periodical meetings held in the capital, when friars from the different provinces, and of the same brotherhood, are summoned to give an account of their stewardship, and to discuss the general interests of the

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<sup>1</sup> referring to Tomas de Comyn who wrote *The State of the Philippines in 1810*.

<sup>2</sup> head of a town

<sup>3</sup> or “indios naturales,” referring to the native inhabitants of the Philippines

<sup>4</sup> pueblos or towns

fraternity. The accumulations of the friars pass to the convents at their death, but they have little difficulty in disposing of them while living.

It has been said that the policy of the friars in the Philippines is to conduct the Indian to heaven by a pathway of flowers. Little molestation will he experience from his ghostly father, if he be strict in his religious observances, pay his regular contributions to Church and State, and exhibit those outward marks of respect and reverence which the representatives of the Deity claim as their lawful heritage; but there are many thorns amidst the flowers, and drawbacks, on the heavenly road; and the time may come when higher and nobler aspirations than those which now satisfy the poor untutored, or little tutored, Indian, will be his rule of conduct.

The personal courtesies, the kind reception and multifarious attentions which I received from the friars in every part of the Philippines naturally dispose me to look upon them with a friendly eye. I found among them men worthy of being loved and honoured, some of considerable intellectual vigour; but literary cultivation and scientific acquirements are rare. Occupied with their own concerns, they are little acquainted with mundane affairs. Politics, geography, history, have no charms for those who, even had they the disposition for study, would, in their seclusion and remoteness, have access to few of its appliances. Their convents are almost palatial, with extensive courts, grounds and gardens; their revenues frequently enormous. Though their mode of life is generally unostentatious and simple, many of them keep handsome carriages and have the best horses in the locality; and they are surrounded generally by a prostrate and superstitious population, upon whose hopes and fears, thoughts and feelings, they exercise an influence which would seem magical were it not by their devotees deemed divine. This influence, no doubt, is greatly due to the heroism, labours, sufferings and sacrifices of the early missionaries, and to the admirably organized hierarchy of the Roman Church, whose ramifications reach to the extremest points in which any of the forms or semblances of Christianity are to be discovered. Volumes upon volumes—the folio records of the proceedings of the different religious orders, little known to Protestant readers—fill the library shelves of these Catholic establishments, which are the receptacles of their religious history.

A source of influence possessed by the friars, and from which a great majority of civil functionaries are excluded, is the mastery of the native languages. All the introductory studies of ecclesiastical aspirants are dedicated to this object. No doubt they have great advantages from living habitually among the Indian people, with whom they keep up the most uninterrupted intercourse, and of whose concerns they have an intimate knowledge. One of the most obvious means of increasing the power of the civil departments would be in encouragement given to their functionaries for the acquirement of the native idioms. I believe Spanish is not employed in the pulpits anywhere beyond the capital. In many of the pueblos there is not a single individual Indian who understands Castilian, so that the priest is often the only link between the government and the community, and, as society is now organized, a necessary link. It must be recollected, too, that the different members of the religious brotherhoods are bound together by stronger bonds and a more potent and influential organization than any official hierarchy among civilians; and the government can expect no co-operation from the priesthood in any measures which tend to the diminution of ecclesiastical authority or jurisdiction, and yet the subjection of that authority to the State, and its limitation wherever it interferes with the public well-being, is

the great necessity and the all-important problem to be solved in the Philippines. But here, too, the *Catholic* character of the government itself presents an enormous and almost invincible difficulty. Nothing is so dear to a Spaniard in general as his religion; his orthodoxy is his pride and glory, and upon this foundation the Romish Church naturally builds up a political power and is able to intertwine its pervading influence with all the machinery of the civil government.

Tomas de Comyn. [1810] 1917. *State of the Philippines in 1810*. In *The Former Philippines Thru Foreign Eyes*, edited by Austin Craig, pp. 357- 458. New York: D. Appleton and Company.

The *State of the Philippines in 1810*<sup>5</sup> was written by Tomas de Comyn, who served, for several years, as general manager of the Royal Philippine Company, a chartered company established in 1785.<sup>6</sup> Comyn had at least three main purposes in writing this text. First, to describe the political, economic, and socio-cultural aspects of Philippine life during the first decade of the nineteenth century. Second, to examine the pressing issues at the time, such as Moro attacks, corruption in the government, and ineptitude of public officials that, for him, impeded economic progress. Finally, to call public attention to the current state of the colony so that the government could devise a plan to advance the islands' development. His work did not evoke the attention he hoped to capture. However, it is still an important historical source as it presents a general overview of the Philippine condition a few years before the abolition of the galleon and the opening of the colony to international trade.<sup>7</sup> The specific passage below deals with land ownership, as well as the various concerns related to it, and Comyn's view on how the state could remedy these issues.

**Excerpt:**

*Estates.* The proprietors of estates in the Philippines are of four classes. The most considerable is that of the religious orders, Augustinians and Dominicans, who cultivate their respective lands on joint account, or let them out at a moderate ground-rent, which the planters pay in kind; but far from living in opulence, and accumulating the immense revenues some of the religious communities enjoy in America,<sup>8</sup> they stand in need of all they earn and possess for their maintenance, and in order to be enabled to discharge the various duties and obligations annexed to the missions with which they are entrusted.

*Spanish planters.* The second class comprehends the Spanish proprietors, whose number possibly does not exceed a dozen of persons, and even they labor under such disadvantages, and have to contend with so many obstacles, under the existing order of things, that, compelled to divide their lands into rice plantations, in consequence of this being the species of culture to

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<sup>5</sup> Tomas de Comyn. [1810] 1917. *State of the Philippines in 1810*. In *The Former Philippines Thru Foreign Eyes*, edited by Austin Craig, pp. 357-458. New York: D. Appleton and Company.

<sup>6</sup> The Royal Philippine Company was granted a monopoly to import Chinese and Indian commodities into the Philippines as well as to transport goods from the colony directly to Spain.

<sup>7</sup> The galleon trade—the economic lifeblood of the Philippines for more than two centuries—was officially abolished in 1815. A few years later, in 1834, the Philippines was opened to international trade.

<sup>8</sup> Comyn was referring to the colonies of the Spanish Empire since the sixteenth century in central and southern America.

which the natives are most inclined, and to devote a considerable portion of them to the grazing of horned cattle, no one of them is in a situation to give to agriculture the variety and extent desired, or to attain any progress in a pursuit which in other colonies rapidly leads to riches.

*Filipino<sup>9</sup> farmers.* The third consists of the principal mestizos and natives, and is in fact that which constitutes the real body of farming proprietors. In the fourth and last may be included all the other natives, who generally possess a small strip of land situated round their dwellings, or at the extremities of the various towns and settlements formed by the conquerors<sup>10</sup>; besides what they may have obtained from their ancestors in the way of legal inheritance, which rights have been confirmed to them by the present sovereign of the colony.

*Aids to agriculture.* It will beyond doubt, in some measure dissipate the distrust by which the Filipino is actuated, when the new and paternal exertions of the superior government, to ameliorate his present situation, are fully known, and when that valuable portion of our distant population is assured that their rights will henceforth be respected, and those exactions and compulsory levies which formerly so much disheartened them, are totally abolished. On the other hand, a new stimulus will be given by the living example and fresh impulse communicated to the provinces by other families emigrating and settling there, nurtured in the spirit and principles of those reforms in the ideas and maxims of government by which the present era is distinguished. A practical participation in these advantages will, most assuredly, awaken a spirit of enterprise and emulation that may be extremely beneficial to agriculture, and as the wants of the natives increase in proportion as they are enabled to know and compare the comforts arising out of the presence and extension of conveniences and luxuries in their own towns, they will naturally be led to possess and adopt them.

*Plans for progress.* So salutary a change, however, can only be the work of time, and as long as the government confines itself to a system merely protecting, the effects must consequently be slow. As it is therefore necessary to put in action more powerful springs than the ordinary ones, it will be found expedient partly to relax from some of those general principles which apply to societies, differently constituted, or rather formed of other perfectly distinct elements. As relating to the subject under discussion, I fortunately discover two means, pointed out in the laws themselves, essentially just, and at the same time capable of producing in this populous colony, more than in any other, the desired results. The legislator, founding himself on the common obligation of the subject to contribute something in return for the protection he receives, and to co-operate in the increase of the power and opulence of the State, proscribes idleness as a crime, and points out labor as a duty; and although the regulations touching the natives breathe the spirit of humanity, and exhibit the wisdom with which they were originally formed, they nevertheless concur and are directed to this primary object. In them the distribution of vacant lands, as well as of the natives at fair daily wages to clear them, is universally allowed, and these it seems to me,

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<sup>9</sup> During the nineteenth century, the term "Filipino" was used to refer to Philippine-born Spanish residents in the colony. In the 1880s, the Propagandists appropriated this term for themselves.

<sup>10</sup> Comyn was referring to Spanish conquerors such as Miguel Lopez de Legazpi, who arrived in the Philippines in the sixteenth century.

are the means from an equitable and intelligent application of which the most beneficial consequences may be expected.

*Confiscating unused lands.* The first cannot be attended with any great difficulty, because all the provinces abound in waste and vacant lands, and scarcely is there a district in which some are not to be found of private property completely uncultivated and neglected, and consequently susceptible, as above stated, of being legally transferred, for this reason alone, to the possession of an active owner. Let their nature however, be what it may, in their adjudication, it is of the greatest importance to proceed with uniformity, by consecrating, in a most irrevocable manner, the solemnity of all similar grants. Public interest and reason, in the Philippine Islands, require that in all such cases deference only should be paid to demands justly interposed, and formally established within a due and fixed period; but after full and public notice has been given by the respective judicial authorities, of the titles about to be granted, the counter claims the natives may seek to put in after the lapse of the period prefixed, should be peremptorily disregarded. Although at first sight this appears a direct infringement on the imprescriptible rights of property, it must be considered that in some cases individual interests ought to be sacrificed to the general good, and that the balance used, when treating of the affairs of State, is never of that rigid kind as if applied to those of minor consideration. The fact is, that by this means many would be induced to form estates, who have hitherto been withheld by the dread of involving themselves, and spending their money in law suits; at the same time the natives, gradually accustoming themselves to this new order of things, would lay aside that disposition to strife and contention, which forms so peculiar a trait in their character, and that antipathy and odium would also disappear with which they have usually viewed the agricultural undertakings of Spaniards.

**Del Pilar, Marcelo H. 1888. *La Frailocracia Filipina*, trans. Leonor Agrava, 33-43. Manila: National Historical Institute, 2009.**

**Marcelo H. del Pilar was born in Cupang, Bulacan on 30 August 1850 to Julian H. del Pilar and Blasa Gatmaitan. He first began schooling with a private tutor, Mr. Flores, and proceeded to study at the University of Santo Tomas where he obtained his bachelor's degree and law degree.**

**Early on, he became involved in anti-friar activities. He founded the *Diariong Tagalog* on 1 June 1882. Later, he led anti-friar movements in Malolos. Because of the fear of reprisal for his anti-friar activities, Del Pilar left the Philippines in 1889. He arrived in Spain and continued writing in *La Solidaridad*. From 1890 until the end of the newspaper's publication, Del Pilar served as its editor.**

**The following work by Del Pilar, "La Frailocracia Filipina," was first published in Barcelona in 1889 and was written as a response to a pamphlet titled, "Los Frailes en Filipinas." In this work, Del Pilar criticized the power of the friars in the country and called for radical reforms in the Philippines.**

**Del Pilar, Marcelo H. 1888. Aba Guinoong Baria. In Buhay at mga Sinulat ni Plaridad, ed. Jose P. Santos, 14. Maynila: Palimbag ng DALAGA.**

Marcelo H. del Pilar was born in Cupang, Bulacan on 30 August 1850 to Julian H. del Pilar and Blasa Gatmaitan. He first began schooling with a private tutor, Mr. Flores, and proceeded to study at the University of Santo Tomas where he obtained his bachelor's degree and law degree.

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The following work by Del Pilar, "Aba Guinoong Baria," is a satire found in a collection called *Dasalan at Tocsohan*, which was said to have been co-written by Pedro Serrano Laktaw and Rafael Enriquez. The short poem, along with others like it in the collection, illustrates the avariciousness of friars in the Philippines. It drives home the point Del Pilar aimed to express: that the corruption of Philippine society can be blamed on the greed of the friars.

Excerpt :

#### **Aba Guinoong Baria**

*Aba guinoong Baria nacapupuno ca nang alcancia ang Fraile'I sumasainyo bucod ca niyang pinagpala't pina higuít sa lahat, pinagpala naman ang caban mong ma-pasoc. Santa Baria Ina nang Deretsos, ipanalangin mo caming huag anitan ngayon at cami ipapatay. Siya naua.*

#### **Ang Aba Po Santa Baria**

*Aba po Santa Bariang Hari, inagao nang Fraile, icao ang cabuhayan at catamisan. Aba bunga nang aming pauis, icao ang pinagpaguran naming pinapanaw na tauong Anac ni Eva, icao nga ang ipinagbubuntong hininga naming sa aming pagtangis dito sa bayang pinacahapishapis. Ay aba pinacahanaphanap naming para sa aming manga anac, ilingon mo sa aming ang cara- i cruz mo man lamang at saca bago matapos ang pagpanaw mo sa amin ay iparinig mo sa amin ang iyong calasing Santa Baria ina nang deretsos, malacas at maalam, matunog na guinto cami ipanalangin mong huag magpatuloy sa aming ang manga banta nang Fraile. Amen.*

**Edmund Plauchut. 1877. The Philippine Islands. In *La Solidaridad*, Vol. 2: 1890, trans. Guadalupe Fores-Ganzon, 62-75. Pasig City: Fundación Santiago.**

**On the 20th year anniversary of the execution of the three priests, Jose Burgos, Mariano Gomez, and Jacinto Zamora, the newspaper *La Solidaridad* published Edmund Plauchut's account of the execution. The first hand account by the Frenchman resident of Manila was originally published in the French journal, *Revue des Deux Mondes* in 1877. Plauchut's account has often been called "the Filipino version" of the events that transpired in 1872. The historian John N. Schumacher, however, found the account problematic, citing inconsistencies in statements and the lack of knowledge on background events in the Philippines. Schumacher also contended that it was not clear whether Plauchut was really in the Philippines during the period of 1869 to 1873. This only led Schumacher to believe that it was highly likely that the account written by Plauchut was itself inspired and aided by at least one political prisoner, Antonio Regidor, who was imprisoned after the events of 1872. Therefore, while the "Filipino version" of the events of 1872 may contain biases towards the Filipinos, it should be read in the context of early propaganda efforts. The account published in *La Solidaridad* may indeed be "dramatic" according to Schumacher, but the motives behind the writing of such an account contributes knowledge on the workings of a propaganda efforts that preceded even Rizal's generation.**

**Excerpt:**

Late in the night of the 15th of February 1872, a Spanish court martial found three secular priests, Jose Burgos, Mariano Gomez and Jacinto Zamora, guilty of treason as the instigators of a mutiny in the Kabite navy-yard a month before, and sentenced them to death. The judgement of the court martial was read to the priests in Fort Santiago early in the next morning and they were told it would be executed the following day... Upon hearing the sentence, Burgos broke into sobs, Zamora lost his mind and never recovered it, and only Gomez listened impassively, an old man accustomed to the thought of death.

When dawn broke on the 17th of February there were almost forty thousand of Filipinos (who came from as far as Bulakan, Pampanga, Kabite and Laguna) surrounding the four platforms where the three priests and the man whose testimony had convicted them, a former artilleryman called Saldua, would die.

The three priests followed Saldua: Burgos 'weeping like a child', Zamora with vacant eyes, and Gomez head held high, blessing the Filipinos who knelt at his feet, heads bared and praying. He was next to die. When his confessor, a Recollect friar, exhorted him loudly to accept his fate, he replied: "Father, I know that not a leaf falls to the ground but by the will of God. Since He wills that I should die here, His holy will be done."

Zamora went up the scaffold without a word and delivered his body to the executioner; his mind had already left it.

Burgos was the last, a refinement of cruelty that compelled him to watch the death of his companions. He seated himself on the iron rest and then sprang up crying: "But what crime have I committed? Is it possible that I should die like this. My God, is there no justice on earth?"

A dozen friars surrounded him and pressed him down again upon the seat of the garrote, pleading with him to die a Christian death. He obeyed but, feeling his arms tied round the fatal post, protested once again: "But I am innocent!"

"So was Jesus Christ," said one of the friars." At this Burgos resigned himself. The executioner knelt at his feet and asked his forgiveness. "I forgive you, my son. Do your duty." And it was done.

Sinibaldo de Mas, *Internal Political Condition of the Philippines* (1842). In Emma Blair and James Robertson (eds.), *The Philippine Islands, 1493-1898* (Cleveland: The Arthur H. Clark, Co., 1903-1907), vol. 52, pp. 29-90.

*The Internal Conditions of the Philippines* was a controversial report written by Sinibaldo de Mas, a Spanish official in the Philippines, and diplomat in Asia in the mid-nineteenth century. This secret report was part of the third volume of Mas' three-volume work on the Philippines. The first two volumes were on the historical background of the colony, the various challenges it was facing at the time, and its need for a more effective and efficient colonial administration. First published confidentially in Madrid in 1842, and then publicly the following year with a very few copies released, *The Internal Conditions* discussed Spain's three intentions with regard to the Philippines: perpetual possession, utter neglect, and emancipation. Mas focused on the first and third intentions, although he advocated the latter (emancipation) as he "cannot see what benefits [Spain could gain] from the colonies." The text below is part of Mas' discussion on the three principles that would allow Spain to control the Philippines in perpetuity. The focus here is the second principle.

#### Excerpt:

In order to conserve the colony, it is necessary, in my opinion, to work with reference to the spirit of the following three principles, which I shall endeavor successively to explain: 1<sup>st</sup>: It is advisable to reduce the Spanish-Filipino population<sup>11</sup> to the least possible number. 2<sup>nd</sup>: The people of color<sup>12</sup> must voluntarily give respect and obedience to the whites.<sup>13</sup> 3<sup>rd</sup>: The general administration demands a complete reform.

...

2nd. People of color must voluntarily respect and obey the whites. In order to attain this object, it is necessary to maintain the former race in an intellectual and moral condition which will make of their numerical majority a political force less than that which resides in the second, just as a pile of straw in the balance weighs less than a gold nugget. The farmer or the goatherd does not read social contracts, or know more than what takes place in his own village. This is not the class of people who have overthrown absolutism<sup>14</sup> in *España*, but that class who are educated in the colleges, and who know the price of guarantees, and fight for them. We must not depart from this point of view, if we are to discuss the matter sincerely. The making of liberals<sup>15</sup> must be necessarily avoided, for in a colony the words liberal and insurgent are synonymous. The

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<sup>11</sup> *Insulares* or Philippine-born Spaniards in the Philippines.

<sup>12</sup> Mas was referring to the native inhabitants of the colony

<sup>13</sup> These were the "white" Spaniards in the colony.

<sup>14</sup> The absolute power of a monarch

<sup>15</sup> Educated individuals who advocated the recognition of the rights of the people

consequence of the idea will be to admit the principle that each step forward is a treading backward. It is necessary to circumscribe the education to primary schools where reading, writing, and arithmetic will be taught, continuing as at present with one school in each village, and leaving their direction to the *curas*.<sup>16</sup> The colleges for males now existing in Manila must be closed. In English India,<sup>17</sup> whose educational institutions and free government are of so much weight with some, there is nothing similar to this, and an Englishman who wishes to become a lawyer, a notary, a physician, or a military or civil official, has to go to England for study and graduation—I say Englishman, for the natives do not even enter into the question.

In the service of arms, they<sup>18</sup> must not rise beyond privates or at the most corporals. It is much better to make a sergeant or officer from a Spanish farmer, even though he cannot read and write, than from the more capable native. On the contrary, the more dexterous and deserving is the latter, so much greater will be the mistake committed. Here the one who plays for gain loses. It is less dangerous and more tolerable to bestow the rank of officer on a very stupid, vicious, and cowardly fellow.

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<sup>16</sup> Priests, belonging to the religious orders, who administered the parishes

<sup>17</sup> During that time, India was a crown colony of the British

<sup>18</sup> Referring to the native inhabitants of the Philippines

**The Staff. 1889. Our aims. In *La Solidaridad*, vol. 1: 1889, trans. Guadalupe Fores-Ganzon, 3, 5. Pasig City: Fundación Santiago.**

**From 1889-1895, the newspaper *La Solidaridad* served as the mouthpiece of propagandists seeking reforms for the Philippines. In its 7-year publication history, the newspaper published various works on politics, economics, literature, and society, all with the aim of introducing to a wider audience an awareness of the Spanish colony known as the Philippines and the plight of its citizens under Spanish colonial rule.**

**In its first issue on 15 February 1889, the first article pronounced the aims of the newspaper. As can be read from this source, the propagandists underscored the importance of defending progress and fighting all forces that countered its development. This idea would serve as the basis for all succeeding efforts made by the propagandists on behalf of the Filipinos.**

**Excerpt:**

Our aspirations are modest, very modest. Our program, aside from being simple, is clear: to combat reaction, to stop all retrogressive steps, to extol and adopt liberal ideas, to defend progress; in a word, to be a propagandist, above all, of democratic ideas in order to make these supreme in all nations here and across the seas.

The aims, therefore, of *La Solidaridad* are described as to collect, to gather, libertarian ideas which are manifested daily in the field of politics, science, art, literature, commerce, agriculture and industry.

We shall also discuss all problems relating to the general interest of the nation and seek solutions to those problems in high-level and democratic manner.

With regard to the Philippines, since she needs the most help, not being represented in the Cortes, we shall pay particular attention to the defense of her democratic rights, the accomplishment of which is our patriotic duty.

That nation of eight million souls should not, must not be the exclusive preserve of theocracy and traditionalism.

### “The Causes of the Distress of the Philippines”

Graciano Lopez Jaena, one of the leading figures of the Propaganda Movement, wrote “The Causes of the Distress of the Philippines” which was published in *España en Filipinas* in 1887. Jaena was born in Jaro Iloilo on December 18, 1856. In 1880 he left for Spain to pursue medicine but did not finish his studies as he became too involved in journalism and politics. Lopez Jaena was particularly known for impassioned speeches and articles that dealt with the problems in the Philippines. He was also known for his anti-clerical attitude as seen in some of his writings criticizing the role of the friars in the management of the affairs in the Philippines. He became *La Solidaridad*’s first editor in 1889.

Lopez Jaena’s “The Causes of the Distress of the Philippines” is an assessment of the problems in the Philippines. It identified the faults and shortcomings of the Spanish colonial administration particularly in education, economy, and colonial bureaucracy. The document elaborated how ineffectual the colonial government is in its duties in the colony. It also criticizes the instructions in many schools which focus more on religious education than on necessary knowledge that would help in the progress of the Philippines. Lopez Jaena also made some suggestions among which is the establishment of more free ports that would benefit the colonial economy.

The document cited here is an English translation of Lopez Jaena’s original article compiled in *Graciano Lopez Jaena: Speeches, Articles, and Letters* by the National Historical Institute (NHI).

***Excerpt:***

*After those mentioned in the preceding article, the most notable cause of the backwardness of the Philippines is the anomalous education given to the youth in schools. They learn to read correctly and to write gracefully, but they do not learn useful things because they are not taught any. They are taught how to pray but never to work.*

*In all public schools Spanish grammar is conspicuous by its absence, because certain people place obstacles to teaching the Indio Spanish, the elements of physics, chemistry, geography, and agriculture, knowledge of which is certainly useful to the future of the individual and the progress of the nation; but, if all these subjects are conspicuous by their absence, on the other hand, never absent are the rosary, trisagion, the thousand and one novenas of the saints, the Virgin and the martyrs with which the tender minds of the children are nourished spiritually and viciously.*

*On the kind of instruction given in the Royal and Pontifical University, the seminaries and colleges we say nothing because it would be an inexhaustible subject.*

*The continuous change of personnel in the government is another cause of the havoc and disasters in the Philippines and in the colonies in general. Such a swift change is only comparable to the locusts which, after devastating the fields, are replaced in swift and vertiginous succession. If to this is added the incompetence of the majority of the government personnel, it becomes evident that from progression to progression, the country in a short time reaches the apogee of her ruin.*

*The fatal omission of natives from the government positions of high or average importance is its corollary: the lack of any improvement in the Philippines, the towns remaining stagnant and backward. Since some of those who give orders, who govern and administer are inept and insecure in their posts, it matters little to them whether the country improves and advances or not.*

*We are not unaware that there exist royal decrees on the filling of the government positions with natives, but the truth is these are not followed and the law and everything else about this matter are a dead letter.*

*Another cause of the ruinous condition of the Archipelago is the Mint in Manila which turns out gold and silver coins that enrich China and the British colonies rather than the Philippines. The Chinese and the British export our gold and silver, the first to their country and the other to her colonies, paying "hard premium" in Mexican silver, common in the Islands, so that it has become very difficult to obtain in Manila four-peso gold coin.*

*The abolition of the existing differential duties, freedom of commerce, freedom of association, freedom of the press through which the Filipino may study or learn about the progress of all the branches of industry, commerce and agriculture for their own benefit and for that of their country, as well as how to convert China and Japan into markets for our products through the negotiation of commercial treaties with them, are the supreme remedies to reactivate and restore to life the already comatose Philippine commerce.*

*With regard to the Chinese, inasmuch as they have already joined the convert of nations, the powers ought to compel them to mint their own coins and adopt their own monetary system, for it is not fair that they should take advantage of the specie of every country. With their present commercial methods, it is impossible to transact business and exchange with them.*

*Likewise, it is urgent to establish free ports for the benefit of the natives of the country, inasmuch as nature has created these ports for the use of the people who live in them. To go against nature is to violate natural law; it is to infringe on the very work of God. Human justice, policy, and government should act in conformity with, never against the laws of nature.*

### **Álbum de Filipinas, ca. 1870, Biblioteca Nacional de España**

The album is a collection of late-nineteenth-century photographs in the Philippines housed at the National Library of Spain (Biblioteca Nacional de España), Madrid, Spain. It consists of 17 portraits and 43 landscape photographs that offer a rich source of pictorial information on the socio-cultural, economic, and urban history of the last decades of Spanish rule in Manila and its nearby areas.<sup>15</sup>

The source provides a visual reconstruction and representation of the many facets of the Philippine colonial life. The different socio-economic and ethnic classes of colonial Philippines were illustrated through several portraits of the Spanish population, Spanish and Chinese mestizos, natives, other European inhabitants of Manila, as well as the Negritos in the province of Pampanga. Women history, social history, and sartorial studies could be gleaned from these visual sources. Also, the album provides supplementary pictorial sources on the Philippines' economic history in the late nineteenth century through some photos of the bustling port of Manila, the commercial activities along the Pasig river, the tobacco factory, etc. Moreover, it excellently depicts the urban built environment of the colonial capital and the dwellings found at the Pasig River's right and left bank. Manila's colonial modernity can be interrogated through the innovative structures and spaces introduced in Manila during the late nineteenth-century. The catalogue shows the modernization project of the city's port; rehabilitation of the Pasig River and surrounding estuaries; improvement of the inhabitants' mobility and communication through new bridges and paved and widened roads; and the city transformation with the introduction of *paseos* and plazas for the city's embellishment. Finally, the album can aid in discussing the Philippines' history of disasters through photos depicting some of the destruction in the capital caused by the 1863 earthquake and the reconstruction efforts on some of the primary colonial edifices and churches in Manila.

#### **TOPIC 4: 1896 Philippine Revolution**

##### **List of Reading Materials:**

- **Acta de la Proclamación**
- **Artemio Ricarte's Declaration**
- **Bonifacio's Letter to Nakpil**
- **Bonifacio's Letter to Jacinto**
- **Decalogue of the Katipunan**
- **Decree Establishing the Revolutionary Katipunan**
- **Kartilya ng Katipunan**
- **Pag-ibig sa Tinubuang Lupa**
- **"Ang Dapat Mabatid"**
- **Gregoria de Jesus**

### **Introduction for the 1896 Philippine Revolution**

As the Philippines enter the last decade of the 19th century, the tension between the Filipinos and the Spaniards that have been long ignored is slowly taking hold of public consciousness. This was largely in part because of the efforts of Filipino propagandists in Europe. However, while the Propaganda Movement slowly loses momentum with its failure to produce tangible reforms in the colony there was a growing number of the Filipinos who were drawn towards the idea of independence. On the day of Jose Rizal's exile to Dapitan on July 7, 1892, a revolutionary organization was formally established – the Kataastaasan Kagalanggalang Katipunan ng mga Anak ng Bayan. And in 1896, the Katipunan, under the guidance of Andres Bonifacio, spearheaded the revolution against Spain with the goal of gaining independence.

The selected documents trace the history of the 1896 Philippine Revolution from the establishment of the Katipunan up to the creation of a revolutionary government under Emilio Aguinaldo in June 1898. Most of the materials account for the crucial parts of the Revolution by exploring the official documents of the Katipunan, the personal correspondences of Andres Bonifacio, and the autobiography of Gregoria de Jesus. It also includes the Acta de la Proclamación de Independencia del Pueblo Filipino and the Decree of June 23, 1898 which both reflects the continuing struggle for independence and recognition by the Filipino revolutionists.

**“Acta de la Proclamación de Independencia del Pueblo Filipino” (Declaration of Philippine Independence) written by Ambrosio Rianzares Bautista**

Source: Gregorio F. Zaide, ed., *Documentary Sources of Philippine History*, vol. 9 (Metro Manila: National Bookstore, Inc., 1990), pp. 235-241.

Ambrosio Rianzares Bautista, born in Biñan, Laguna in 1830, was a lawyer and an adviser to General Emilio Aguinaldo. He accomplished his basic education in Laguna before transferring to Manila in order to study law at the University of Santo Tomas. According to the National Historical Commission of the Philippines (NHCP), Bautista was a distant relative of Dr. Jose Rizal who often called him “Tio Bosityong.” Before the outbreak of the 1896 Philippine Revolution, he was a known supporter of the Propaganda Movement’s campaign for reforms. Under the context of the war, Bautista assumed the roles of political adviser and war auditor for Aguinaldo’s revolutionary government.

The “Acta de la Proclamación de Independencia del Pueblo Filipino” or simply the Act of the Declaration of Philippine Independence was a document penned by Bautista in his capacity as advisor to Aguinaldo. The independence document was read by him before a crowd who attended the ceremony on 12 June 1898 in Kawit, Cavite. Most interestingly, it was Bautista and not Aguinaldo who waved the Philippine flag, according to the NHCP. The document was signed by 98 individuals including an American colonel named L.M. Johnson who served as witness to the event. The Act of the Declaration of Philippine Independence cited in this file is an English translation most probably provided by the historian, Gregorio F. Zaide.

*In the town of Cavite Viejo, in this province of Cavite, on the twelfth day of June eighteen hundred and ninety-eight, before me, Don Ambrosio Rianzares Bautista, Auditor of War and Special Commissioner appointed to proclaim and solemnize this act by the Dictatorial Government of these Philippine Islands, for the purposes and by virtue of the circular addressed by the Eminent Dictator of the same Don Emilio Aguinaldo y Famy, the undersigned being assembled, among whom figure commanders of his army and the representatives of others who have not been able to attend and notable residents of various towns of the same, taking into consideration that their inhabitants being already weary of bearing the ominous yoke of Spanish domination, on account of the arbitrary arrests and harsh treatment practised by the Civil Guard to the extent of causing death with the connivance and even with the expressed orders of their commanders, who sometimes went to the extreme of ordering the shooting of prisoners under the pretext that they were attempting to escape, in violation of the provisions of the Regulations of their Corps, which abuses were unpunished on account of the unjust deportations, especially those decreed by General Blanco, of eminent personages and of high social position, at the*

*instigation of the Archbishop and the friars interested in keeping them out of the way for their own and avaricious purposes, deportations which were quickly brought about by a method of procedure more execrable than that of the Inquisition and which every civilized nation rejects on account of a decision being rendered without a hearing of the persons accused, the people determined to start an insurrectionary movement in August, eighteen hundred and ninety-six, for the purpose of recovering the independence and sovereignty of which Spain deprived them through the Adelantado Miguel Lopez de Legazpi, who continuing the course followed by his predecessor Fernando de Magallanes, who arrived upon the shores of Cebu and occupied that Island by virtue of the treaty of friendship which he celebrated with its King Tupas, although he was killed on the battle which took place on said shores, to which he was provoked by King Kalipulako de Maktan, who was suspicious of his bad intention; he landed on the Island of Bohol, entering also into the celebrated blood compact of friendship with its King Sikatuna, for the purpose, after taking Cebu by force of arms, because the successor of Tupas did not permit him to occupy it, of coming to Manila, the capital, as he did, likewise winning the friendship of King Soliman and Lakandula and afterwards taking possession of it and thus the entire Archipelago for Spain, by virtue of an order of King Philip II; that in view of these historical data, because in international law the prescription established by the laws legalizing even the fraudulent acquisition of the property of individuals is not recognized, there can be no doubt as the legality of such a movement as the one that was quieted but not entirely quenched by the pacification proposed by Pedro A. Paterno with Don Emilio Aguinaldo as President of the Republican government established in Biak na bato, and accepted by the Governor General, Don Fernando Primo de Rivera, under conditions which were established, some in writing and others verbally, among them a general amnesty for all deported and sentenced; that by reason of nonfulfillment of some of these conditions after the destruction of the Spanish squadron by the North American force and the bombardment of Cavite, Don Emilio Aguinaldo returned to start a new revolution, and hardly had he given the word to commence, on the thirty-first of the last month, when several towns anticipated movement, and on the twenty-eight between Imus and Cavite Viejo there was an engagement and captured a Spanish force one hundred and seventy-eight, commanded by a major of marine infantry. This movement spread like an electric spark through the other towns not only in this province, but also in Bataan, Pampanga, Batangas, Bulacan, Laguna, and Moron, some of them with seaports. So complete is the triumph of our arms, truly marvelous and unparalleled in the history of colonial revolutions, that in the first province there remain to be surrendered only the detachments of Naic and Indang; in the second there are none at all, in the third, resistance by the Spanish forces is localized in the town of San Fernando, where the greater part are concentrated, the remainder being in Macabebe, Sexmoan and Guagua; in the fourth only in the city of Lipa; in the fifth, in the capital and Calumpit; and in the remaining two, only in their respective capitals. The city of Manila will soon be completely besieged by our forces, and also the posts in the provinces of Nueva Ecija, Tarlac, Pangasinan, La Union, Zambales, and several others in the Visayan islands, where insurrection has broken out in several of their towns, having started in some almost at the moment of completing that pacification, and in others even before that, wherefore the independence of our territory and the recovery of our sovereignty are assured. And summoning as a witness of the rectitude of our intentions, the Supreme Judge of the Universe, and under the protection of the mighty and*

*humane North American Nation, we proclaim and solemnly declare, in the name and by the authority of the inhabitants of all these Philippine Islands, that they are and have the right to be free and independent; that they are released from all obedience to the crown of Spain; that every political ties between the two is and must be completely severed and annulled; and that, like all free and independent states, they have complete authority to make war, conclude peace, establish treaties of commerce, enter into alliances, regulate commerce, and execute other acts and things that Independent States have the right to do. Reposing firm confidence in the protection of Divine Providence, we mutually pledge for the support of this declaration, our lives, our fortunes and our most sacred possession, which is our honor. We acknowledge, approve and confirm, together with the orders that have been issued therefrom, the Dictatorship established by Don Emilio Aguinaldo, whom we honor as the Supreme Chief of this nation, which this day commences to have a life of its own, in the belief that he is the instrument selected by God, in spite of his humble origin, to effect the redemption of this unfortunate people, as foretold by Doctor Jose Rizal in the magnificent verses which he composed when he was preparing to be shot, liberating them from the yoke of Spanish domination in punishment of the impunity with which their Government allowed to the commission of abuses by its subordinates; and for the unjust executions of said Rizal and others who were sacrificed to please the greedy body of friars in their insatiable desire to seek revenge upon and exterminate all those who are opposed to their Machiavellian purposes, which tramples upon the penal code prescribed for these islands; and for the sake of those persons who, though merely suspected, were convicted by the commanders of detachments at the instigation of the friars without form or semblances of a trial and without the spiritual consolation afforded by our sacred religion; and likewise for the execution for the same motives of the eminent native Filipino priests Doctor Jose Burgos, Mariano Gomez, and Jacinto Zamora, whose innocent blood was shed through the intrigues of those so-called religious orders which pretended that a military insurrection had broken out on the night of January 21st, 1872, in the Fort of San Felipe in the town of Cavite, accusing said martyrs of starting it, so as to prevent the execution of the decree-sentence issued by the Council of State in the appeal in administrative litigation interposed by the Secular Clergy against the Royal Orders wherein it was directed that the parishes under them in the jurisdiction of this Archbishopric should be turned over to the Recoletos in exchange for those controlled by the Recoletos in Mindanao, which were transferred by the Jesuits. These revoked completely, and the return of those parishes was ordered. The papers were filed in the Colonial Department, to which they were sent some the last months of the preceding year, for the preparation of the respective Royal Provision. That was what caused the tree of Liberty to bud in this land of ours, the iniquitous measures employed to suppress it only causing it to grow more and more, until, the last drop having been drained from the cup of our afflictions, the former insurrection broke out at Caloocan, extended to Santa Mesa, and continued its course to the adjoining places in this province, where the unequalled heroism of its inhabitants met with failure in the battles with General Blanco, and continued to struggle against the great hosts of General Polavieja for the period of three months, without any of the war material that we now possess, but commencing with arms peculiar to the country, such as the bolo, sharpened bamboo, and arrow. Moreover, we confer upon our renowned Dictator, Don Emilio Aguinaldo, all the powers necessary for the due administration of his Government, including the prerogatives of pardon and amnesty. And finally,*

*it was unanimously resolved that this Nation, independent from this day, must use the same flag used heretofore, whose design and colors are described in the accompanying drawing, with design representing in natural colors the three arms referred to. The white triangle represents the distinctive emblem of the famous Katipunan Society, which by means of its compact of blood urged on the masses of the people to insurrection; the three stars represent the principal Islands of this Archipelago, Luzon, Mindanao, and Panay, in which this insurrectionary movement broke out; the sun represents the gigantic strides that have been made by the sons of this land on the road of progress and civilization, its eight rays symbolizing the eight provinces of Manila, Cavite, Bulacan, Pampanga, Nueva Ecija, Bataan, Laguna and Batangas, which were declared in a state of war almost as soon as the first insurrectionary movement was initiated; and the colors blue, red and white commemorate those of the flag of the United States of North America, in manifestation of our profound gratitude towards that Great Nation for the disinterested protection she is extending to us and will continue to extend to us. And grasping said flag, I displayed it to the assemblage, and all swore solemnly to recognize it and defend it to the last drop of our blood. In witness whereof, I commit the proceedings in writing in this act, which is signed with me by all those concurring in this act, as well as by the only foreigner a North American subject, Mr. L.M. Johnson, Colonel of Artillery, who attended the meeting, to all of which I certify.*

*(Signed) AMBROSIO RIANZARES BAUTISTA*

### **The declaration of Artemio Ricarte (dated 24 March 1897) concerning the Tejeros Convention**

Source: Jim Richardson, *The Light of Liberty: Documents and Studies on the Katipunan, 1892-1897* (Quezon City: Ateneo de Manila University Press, 2013), pp. 342-346.

Artemio Ricarte, known by his *nom de guerre* “Vibora,” was one of the high-ranking generals of the Katipunan during the course of the 1896 Philippine Revolution. Ricarte was born in Batac, Ilocos Norte in 1866 where he began his formal schooling. Eventually, he transferred to Manila for his tertiary education at Collegio de San Juan de Letran. Before the outbreak of the revolution, he was initiated into the secret society and eventually rose through the ranks as treasurer for Balangay ng mga Anak Bayan Mapagtiis (a Katipunan chapter in San Francisco de Malabon, Cavite where he settled). When the revolution commenced, Ricarte became a commander in one of the earliest military encounters against the Spanish forces in Cavite – the Battle of San Francisco de Malabon. During the Tejeros Convention on 22 March 1897, he was elected by his peers as the Captain-General of the revolutionary government.

The declaration of Ricarte is an important document that provides a glimpse into the politics of the revolution as evidenced in the events of the Tejeros Convention. Here, Ricarte writes his reluctance to participate in an oath-taking ceremony at Tanza the day after the controversial convention. He thinks that he was obligated to attend the ceremony due to the presence of high-ranking Magdiwang officials from various towns in Cavite. In *The Revolt of the Masses: The Story of Bonifacio and the Katipunan* (1956), Teodoro A. Agoncillo (pp. 221-222) cites Ricarte’s revealing views about the drama in Tejeros: “This premature oath-taking will cause serious trouble and misunderstanding among the revolutionists, for I myself witnessed all that transpired in Tejeros.” The declaration of Ricarte in this file has an English translation provided the historian, Jim Richardson.

*Ako si Artemio Ricarte “Vibora” may katampatang taong, taga bayan ng Batak, lalauigan ng Hukuman ng Ilocos Norte, kapatid sa K.K.K. ng mga A.N.B., at tumatahan dito sa Mapagtiis o Malabon sakop ng S.B. Magdiuang o Noveleta, ay nagsasaysay ng boong katotohanan at hanggang sa labi ng hukay ay aking harapan.*

*Na sa oras na ikaanim ng hapon kahapon alinsunod sa isang liham sarinlan na kalakip nito, ay sumapit ako sa Convento ng bayan ng Tanza o Panguagui, at nadatnan ko ang Kgg. na Dakilang G. Emiliano Riego de Dios, Ministro de Fomento, at Kgg. na Dakilang G. Mariano Trias, Ministro de Gracia y Justicia ng S.B. Magdiuang, pati G. Santiago Rillo, Vicente Riego de Dios,*

*at iba't iba pang Guinoo sa bayan bayang nasasakupan nitong nasabing S.B.; at gayon din na nadatnan ko ang ilang Matataas na G. Pinuno sa S.B. Magdalo, at sa pagdating ko, ay namasdang kong nakahanda ang isang Crucifijo sa guitna ng Antesala ng nasabing Convento; at ang mga G. Pinunong nabangguit na, ay kapagkaraka'y nagsabi ng kadahilanan ng pagkahiling nila na ako'y humarap doon, at ualang ibang dahil, kundi ang pagtanggap sa pamamagitan ng isang panunumpa sa harapan ng Crucifijo at sa masid ng kalahatan o ilang bayan, ng katungkulang pagka Pangulong Digma ng Katagalugan, ayon sa kinalabasan ng pagkapulong ng arao na ika 22 nitong lumalakad na buan; sa bagay na ito, ay ipinakita ko muli sa kalahatang naroroon, ang malaking kaayaoan kong tumanggap ng naturang katungkulan sa mga kadahilanang sumusunod:*

*Una- Aking pinasasalamatan ang paglabas ko sa paghalal na ito, na maging Pangulong Hukbo ng buong Katagalugan; datapua kinikilala kong may karumihan o kalabuan ang pagkaparaan ng pagkahalal sa akin; sapagkat napaguari ko na hindi nasunod ang tunay na kalooban ng mga taong bayan at;*

*Ikalaua – Iginagalang ko ang naturang katungkulan, at natatalastas ko ang kaniyang kalakhan at kapangyarihan; at gayon din na natatakot ako ang buong aking nakakayanan sa lahat ng bagay, na lubhang kulang na kulang at maliit na maliit sa dahilang ito, natalos at napagkilala ko ang di ko karapatan; sa lahat ng ito, at hindi maaamin ng konsiyensiya ko ang pagtanggap ng nasabing katungkulan: Gayon ang unang isinagot ko sa mga G. at mga taong bayang naroroon na sari saring pinagbuhatan, na aking nakaharap sa Convento at nagpatalastas sa akin ng pagsumpa sa pagtanggap sa gabing yaon ng nasabing katungkulan.*

*Ako'y nagsabi rin na kung sa gabing ito'y maghahandog ng panunumpa sa pagtanggap na nasabi ng katungkulan, ay hindi ako makakaayon, dahil*

*Una -- Sa uala sa Kapulungan ang mga karamihang pinunong humarap sa paghahalal, lalung lalo na ang President ng pagkapulong sa nasabing oras na ika 22 nitong lumalakad na buan;*

*Ikalaua -- Sa pagkatanto ko na kung ito'y gagauin, siya ang pagmumulan ng malaking kaguluhan at hindi ipagkakaisa ng mga bayan bayan, anupa't ipinahalata ko sa kalahatan ang totoong hindi pag ayon, hanggang sa ako'y humingi sa kaginoohan at sa taong bayan, ng dalauang bagay:*

*Patayin ako sa oras ng gabing yaon, sa kadahilanang nasasabi sa itaas na ito o bigyan ako ng tatlong oras na pahintulot o isang oras kaya at ng mapag isip ko ang mga bagay bagay na nararapat sa pagtanggap ng nasabing katungkulan; itong ikalauang bagay na hiniling ko, ay*

*ginagaua kong paraan lamang, upang makaalis ako sa Kapulungang yaon. Ang lahat na aking hiniling, ay ualang nangyari, sapagka't ualang umayon ni kahit isa man lamang; sa madaling salita, sa himok at pag amu amo'y kalahatan sa pamamagitan ng Kgg. na Dakilang G. Emilio Aguinaldo, Pangulong Digma ng S.B. Magdalo, na sa oras ng ikaualo ng gabi, ay naghandog ng panunumpa, ang Kgg. na Dakilang G. Mariano Trias, Ministro de Gracia y Justicia ng S.B. Magdiuang bagaman, aking mauulit, na hindi maaamin ng aking kalooban, sa oras na ikaisa ng hatinggabing yaon, ay naghandog din ako ng panunumpa ng pagtanggap ng katungkulang pagka Pangulong Hukbo ng buong Katagalugan.*

*Ito ang buong katotohanan na kailanma'y hindi ko matatalikdan kaya't sa arao na ito ika 24 ng buan ng Marzo ng taong isang libo, ualong daan, siam na put pito, ay linagdaan ko ng tunay kong pangalan, apellido at pamagat na tinataglay.*

*G. Artemio Ricarte*

*Vibora*

[ENGLISH TRANSLATION]

*I, Artemio Ricarte "Vibora", of legal age, of the town of Batak in the provincial jurisdiction of Ilocos Norte, a brother of the K.K.K. ng mga A.N.B. and residing here at Mapagtiis or Malabon, under the jurisdiction of the S.B. Magdiwang or Noveleta, declare the following to be the whole truth that I shall maintain to the grave.*

*That at six o'clock yesterday afternoon, in conformity with the attached letter [see below], I went to the convento of the town of Tanza or Panguagui and there I found the Honorable Don Emiliano Riego de Dios, Minister of Development, and the Honorable Don Mariano Trias, Minister of Grace and Justice of the S.B. Magdiwang, together with Srs. Santiago Rillo, Vicente Riego de Dios, and other gentlemen from the towns under the jurisdiction of the said S.B., and likewise I found various high chiefs of S.B. Magdalo. Upon my arrival I noticed that a crucifix had been prepared in the center of the hall of the said convento; and the aforementioned chiefs thereupon informed me of the reason why they had requested my presence there, which was none other than that I should take an oath of office, before the crucifix and watched by people from all or some of the towns, as President of War of Katagalugan, in conformity with the outcome of the convention held on the 22nd of the current month. In this regard I again stated to all those present there my great reluctance to accept said office for the following reasons:-*

*First - That I appreciated having been elected President of War of all Katagalugan in this election, but that I recognized there had been dirty or shady practices in the manner of my election, because I understood that it had not been in conformity with the true will of the people.*

*Second - That I respected the said office and realized its importance and authority; and that I was fearful in all respects about my abilities. I considered myself very deficient and inadequate, and recognized that I did not have the necessary competence, and that on account of all this I could not in good conscience accept the said office. This was my first reply to the gentlemen and other people present there, from various places, whom I met at the convento, and who advised me that I must take the oath of office that very night.*

*I also stated that if the oath of said office was to be administered that very same night I could not agree, because:*

*First - The majority of the chiefs present at the election, and especially the President of the convention held at the said time, the 22nd of the present month, were absent from the Assembly.*

*Second - I knew that if this was done, it would cause much disturbance and discord in the towns; in short, I gave them all to understand that I strongly disagreed, to the extent that I requested of the gentlemen and the townspeople two things:*

*That they kill me that same night, for the reasons above cited, or that they give me three hours, or at least one hour, to think over what I must necessarily do in order to accept said office; this second request was but a mere pretext, in order to enable me to absent myself from that Assembly. I obtained nothing of what I requested, because not even one of them gave me his assent. To be brief, at the request and supplication of all, His Excellency Don Emilio Aguinaldo, President of War of S.B. Magdalo, took the oath at about eight o'clock in the evening, together with His Excellency Mariano Trias, Minister of Grace and Justice of S.B. Magdiwang, and though, I again repeat, I could not in good conscience accept it, I also took the oath as President of War of all Katagalugan, at about one o'clock that night.*

*This is the whole truth which I shall never be able to retract, hence, on this day the 24th of the month of March, of the year one thousand, eight hundred and ninety-seven, I sign my real name, surname and the alias I bear.*

*Don Artemio Ricarte*

*Vibora*

**“Andres Bonifacio’s Letter to Julio Nakpil, February 13, 1897”**

Source: Richardson, Jim. “Andres Bonifacio, Letter to Julio Nakpil, February 13, 1897.” Last modified 2018. <http://www.kasaysayan-kkk.info/cavite-politics-in-a-time-of-revolution/andres-bonifacio-letter-to-julio-nakpil-february-13-1897>

Bonifacio’s letter to Julio Nakpil provides a glimpse to the internal affairs of the Katipunan. Two interesting matter arose from the document. The first one is one the subject of an imprisoned Augustinian friar by the name of Antonio Piernavieja who was being held captive. And the second subject is on the copy of the “Himno Nacional” which Nakpil sent to Bonifacio.

The matter regarding Piernavieja, details how he was being treated in Bonifacio’s camp. Richardson noted that there seems to be an ongoing negotiation for Piernavieja’s released should a reasonable sum be paid. Regarding the matter of the “Himno Nacional,” Richardson noted that Nakpil composed this upon the request of Bonifacio when they were still encamped in Balara in the late months of 1896.

*Andres Bonifacio’s Letter to Julio Nakpil, February 13, 1897*

*[Tagalog text]*

*Sa Kap... na M. Julio Nakpil Guiliw, Pangulo ng M. na Sangunian sa bayan ng Pasig.*

*Guiliw kong kapatid: tinanggap ko po rito ang iniyong kalatas gawa ng ika 30 ng Enerong nagdaan, at sa pagkatanto ng doo’y iniyong saad, ay ang tugon ko’y ang sumusunod.*

*Ako po ay tumanggap ng sulat niniyo na dalawang veces na at aking sinagot naman, nguni’t ang di malaman ay kun tinanggap niniyo, бага man aqing ipinaaalaala na ang sagot ng huli ay saloob na ng buang ito.*

*Kalakip ng kalatas niniyo na sinasagot ko, na dumating sa akin ng ika [blank] ng lumalakad, ay tinanggap ko ang Himno Nacional at susundin ang tanging hiling sainiyo ukol dito.*

*Ang Fraileng si Antonio Piernavieja ay mabute at kalakip na ipinadadala ko sa iniyo upang gawin ang nararapat, ang sulat ng nasabing Fraile sa kaniyang anak na ibinabalita ang kaniyang kalagayan at tuloy sinasabi na siya ang may nasa na maabuloy sa atin. Ayon dito sa abuloy na ito at sa sabi niniyo na ang anak na iyan ay ayos sa atin at makaabuloy ng halagang \$1000; sa akala ko ay makahihingi tayo ng \$5000 – limang libong piso, sapagka sa balita ko ay*

*may kualtang marame na hindi niya lubos ipagdadamdang ang halagang ito; kaya ka yo ang bahalang tumapon. Masasahe niniyo tuloy sa anak niya ang kaniyang amo ay hindi mapapatay na at dili naman pahihirapan, sapagka ipinagutos ko na taga ingat ng bilangguan na huag na siyang papagtrabahuhin.*

*Ako ay lubos nagagalak sa balita inyo tungkol sa kay Grl. Francisco de los Santos, at kun kayo ay susulat sa kaniya ay masabi niniyo ang aking sa kaniya ay pagpupuri.*

*Mangyare po lamang na kun ano man ang mangyare sa sulat ni Piernavieja sa kanyang anak, ay malaman ko agad.*

*Ako po at ilang mga taga rian ay may panukala na humagay sa bayang Bakood at ng malapit dian sa atin at ang isapa ay ng doon magawa ang mga paggagayak ng mga kakailanganin sa paguwi namin dian na ito ay di malalaon, sapagka talastas ko na malaking lubha ang kailangan na tayo ay magkapipisan dian.*

*Ingatan kayong lahat dian ng Maykapal; at tangapin ang yakap na ipinahahatid namin.*

*Malabon, ika 13 ng Febrero ng 1897.*

*Ang K. Pangulo*

*And.: Bonifacio*

*Maypagasa*

*[English translation]*

*To Brother Mr Julio Nakpil, Guiliw, President of the High Council in the town of Pasig.*

*My brother Guiliw: I have received here your letter written on 30th January last, and, having understood what you say in it, my reply is as follows.*

*I received your [earlier?] letter twice already, and have also replied, but what I don't know is whether you received it, although I have reminded you to reply to it within the present month.*

*Together with your letter to which I am now replying, which reached me on the [blank] of the present month, I received the National Hymn and I will comply with the special request that has been made to you in this regard.*

*The friar Antonio Piernavieja is well, and together with this I am sending you, so that you can do what is necessary, the letter of the said friar to his son giving news of his current situation and going on to say that he has the desire to give us a contribution. In relation to this donation, and to what you said about the son settling with us to contribute the amount of \$1,000: in my opinion we could ask for \$5,000 – five thousand pesos, because my information is that they have lots of money and this amount would not totally overwhelm them; so it is up to you to agree. Then you can go ahead and tell the son that his father will not be killed, nor even suffer hardship, because I have instructed the guards of the prison that he should not be made to work.*

*I am overjoyed by your news about Grl. Francisco de los Santos, and if you are going to write to him could you tell him that I applaud him.*

*Whatever happens in relation to the letter of Piernavieja to his son, please can I know as soon as possible.*

*Myself and some people from there have a plan to position ourselves in the town of Bakood so that we are nearer to there, and one other thing is that it will not take long there for the necessary preparations to be made for our return home, because I appreciate very gravely the need for us to group together there.*

*May the Creator take care of you all there; and accept the embrace that we send.*

*Malabon, February 13, 1897*

*The Supreme President*

*And.: Bonifacio*

*Maypagasa*

**“Andres Bonifacio’s Letter to Emilio Jacinto, April 16, 1897”**

Source: Richardson, Jim. *The Light of Liberty: Documents and Studies on the Katipunan, 1892-1897*. Quezon City: Ateneo de Manila University Press, 2013.

Though the revolutionary forces in Cavite succeeded in capturing towns in the province during the first months of the revolution, the rivalry between the Magdalo and Magdiwang faction helped turn the tide in favor of the Spaniards. While Bonifacio hoped that his presence in the province would help remedy the animosity between the two groups such was not the case. A meeting at the estate-house in Tejeros that attempted to create a new government to unify the effort under one banner failed. Bonifacio stormed-out of the convention after an altercation with Daniel Tirona after the latter protested Bonifacio’s election as the Director of Interior.

Andres Bonifacio’s letter to Emilio Jacinto on April 16, 1897 was his first correspondence that recounts what happened during the controversial meeting at Tejeros. It contextualizes the situation in Cavite as the Spanish colonial army captures towns which were previously under the control of the revolutionaries. The letter also details Bonifacio’s sentiment about revolutionary movement in general and the Tejeros convention in particular. In this letter, Bonifacio also expressed his dismay as there have been members of the movement who were traitors to the cause. The letter also made mention of Bonifacio’s plan to spread the revolution outside Manila particularly in Nueva Ecija and Bulacan.

*Andres Bonifacio’s Letter to Emilio Jacinto, April 16, 1897*

*[Tagalog Text]*

ANDRES BONIFACIO

MAYPAGASA

P. ng K. Kapulungan

*Naik ika 16 ng Abril 1897*

*M. Emilio Jacinto Pingkian*

*Kgg. na Pangulong hukbo*

*Buhat sa mga kaguluhan dito sa pagka pasok ng kalaban sa mga bayan ng Silang, P. Dasmarinas, Bakood, Ymus, Kawit, Noveleta, Malabon, Tansa at Salinas, ay hindi ako bigyang panahun na makasulat sa inyo na sagutin ko ang inyong mga sulat sa akin, gayon mag pinilit kong makasulat diyan at maipadala sa ating Kapatid na si M. Nlltcllñllc Gxqbnrn [Antonino Guevara] na may malaking bagay na sa inyo'y ipagsasabi.*

*Ang inyong ipinadala dito ay aking tinangap na dalawang tarrong polvora, isang bayong na capsulang walang laman at tatlong pung piso. Sa sulat ay nasasabing limang pu, datapua't ito lamang ang idinating sa akin sa pagka't di umano'y kinuha uli ng Kap. na Nakpil ang dalawang pung piso.*

*Ang sunod sunod na pagka agaw ng kalaban sa mga bayan ng nasabi sa unahan nito, ay buhat sa kakulangan nang pagkakaisa at pananatili ng dating kaugalian na pag iiringan ng mga pinuno na magpahangan ngayo'y nananatili pa, kahit inaabot na ang mahigpit na kalagayang tinatawid ng bayan.*

*Dito'y may tinangap na sulat si Capitang Emilio, na padala ng isang Jesuita na nagnangalang Pio Pi at isang Kastila na si Rafael Comenge ng hindi pa na aagaw ang Ymus, doo'y hinihikayat ang mga pinuno ng Revolucion nabigyan na ng hanga itong paglalaban at di umano'y bibigyan tayo ng laganap na kapatawaran. Ang nasabing Capitan Emilio ay mag ginawang Condiciones na ibig na hingin sa kaaway na gaya ng paalisin ang mga fraile, diputados a Cortes at iba pang mga bagaybagay, at itoy ipinahatid sa kay M. Mariano Alvarez at hinihingi ang kanyang pag ayon, itoy isinanguni sa akin at ng hindi namin sang ayunan ay ang ginawa ng taga Ymus, ay sinulatan ng lihim ni Cap. Emilio ang mga Pangulo sa Bayang sakop ng Magdiwang.*

*Ang Presidente na si M. Mariano sa mapagtalastas ito ay tumawag ng pulong at singuni ang kalooban ng lahat, doo'y pinagkaisahang ipatuloy ang pakikilaban sa Kastila at aagaw ng ano pamang pakikipagyari. Sa pulong na ito, ay pinagkaisahan na ibangon ang Gobierno ng revolucion; datapuat ang kinalabasan ay gulo, sapagka't natuklasan ng lahat ang daya ng taga Magdalo, kayat nawalang kabuluhan ang pulong na yaon.*

*Sa mga kaguluhan dito at pagkatalo, ay ang mga tao rito ay nasira ang mga loob, at si Tirona, Kelles, Jose del Rosario na Mtro de guerra, Tte general at director de guerra ay nang si pagprisinta na sa Kastila kasama ng makapal na pinuno at taong bayan na taga Tansa, ito'y taong Magdalong lahat.*

*Sa mga kataksilang ito na namasdan ng mga kawal ni Capitang Emilio, ang lahat halos (ng mga K) ay naglulumuhod sa akin, na silay ilayas ko na at dalhin diyan sa atin; datapua't hindi ko payagan ito sa pagkat ako'y naaawa sa makapal na taong bayan na walang kasalanan ay siyang aabutin ng katakot takot na pagkaligalig at kamatayan.*

*Ang mga taga Batangan ay napaiilalim sa kapangyarihan ng K.S. at kumikilala sa ating kapangyarihan at sa makalawa ay sisimulan nila ang pagsalakay sa walong bayan. Sa pagsalakay na ito ay humingi sa akin ng saklolo at pinadalhan ko naman ng dalawang pung barilan at dalawang pung sandatahan at ng umaakay na General ay ang Kapatid na si M. Artemio Ricarte.*

*Ang bayan ng batangan ay nagtayo na ng isang Gobierno Provincial at ang general nila ay nag ngangalang M. Miguel Malvar, taong matalino at marahil ay mabuti kaysa mga dating kilala nating generales dito sa Tangway.*

*Kung palarang makuha ang bayan ng Lipa na isa ito walong bayan papasukin, ay doon nila ako inaayayahan lumagay at ng maitawid di umano sa Camarines ang panghihimagsik, kayat sa bagay na ito ibig kong maalaman kung ako'y lalong kailangan diyan ay diyan ako paparian at kung hindi ay dito ako mangangasiwa na.*

*Kinakailangang totoo ang tayo'y magkaroon ng continuacion sa pag galaw at ng lumaganap na mabuti ang panghihimagsik sa Sangkapuluan, kayat ibig kong mabatid na kung kayo'y nakasapit na sa dakong Bulakan at Nueva Ecija, at kung hindi pa ay magiiwan ako dito ng makapangasiwa at patungo tayo doon; sa pagkat kung hindi tayo kikilos, diya'y batid ninyo, na naririan si Vnvqrtc Llnťñbñdnd [Mamerto Natividad], ay itoy di malayong gawin sa dakong iyan ang ginawa niya ditong paninira sa atin.*

*Ang armas ay hindi pa dumarating mag pahangang ngayon at ito'y isa pa na nagiging dahil[an] ng aking ikinatitigil dito.*

*Ang inyong ina ay na sasa Marigundong na kasama ng kanyang kamaganak doon at wala namang ano pamang sakuna ng pinagdadaanan.*

*Tanggapin ninyo ang aking mahigpit na yakap.*

*Ang K. Plo.*

*And.: Bonifacio*

*Maypagasa*

*[English translation]*

ANDRES BONIFACIO

MAYPAGASA

*President of the Supreme Congress*

*Naik, April 16, 1897*

*Sr. Emilio Jacinto Pingkian*

*Most Respected Chief of the Army:-*

*Due to the turmoil here and the entry of the enemy into the towns of Silang, P. Dasmaringas, Bacoor, Imus, Kawit, Noveleta, Malabon, Tansa and Salinas, I have not had time to write to you in answer to your letters to me. So I shall try hard to write a letter there now, and the bearer will be our brother Don Antonino Guevara, who has most important things to tell you.*

*I received what you sent me here: two cans of gunpowder, a sackful of empty cartridge shells, and thirty pesos. In the letter it says fifty, but that is all that reached me, because again Brother Nakpil is said to have taken the twenty pesos.*

*The successive capture of the aforementioned towns by the enemy is due to the unity and resolution that formerly prevailed having now been lost and spurned by the leaders. They maintain that attitude even though the situation befalling the people is dire.*

*Here Capitan Emilio has received a letter, sent by a Jesuit called Pio Pi and a Spaniard, Rafael Comenge; this was when Imus had not yet been captured. The letter urged the leaders of the Revolution to give up this cause for which we are fighting, and said we would be given an absolute pardon. The said Capitan Emilio set out conditions he wanted to seek from the enemy, like expulsion of the friars, deputies in the Cortes, and other things, and relayed this to Don Mariano Alvarez, requesting his assent. He consulted me, and we did not assent. What the Imus people then did was that Capitan Emilio wrote in secret to the presidents of the towns under the Magdiwang.*

*President Don Mariano learned of this, and called a meeting and sounded out everyone's feelings. There it was resolved to continue the fight against the Spaniards and to reject any type of reconciliation. At this meeting it was agreed to establish the Government of the revolution, but the outcome was chaos, because everybody discovered the deceit of the Magdalo people, so that meeting lost any significance.*

*Due to the turmoil here and the defeats, the resolve of people here was broken, and Tirona , Cailles , and José del Rosario , who were Minister of War, Lieutenant-General, and Director of War, surrendered to the Spaniards, and were followed by many leaders and citizens from Tansa; these are all Magdalo people.*

*Having witnessed this treachery on the part of Capitan Emilio's soldiers, nearly all (the brethren) came to me on their knees asking me to let them get away, and to take them there to our place. But I could not consent to this, because I pity the great number of innocent citizens who would face the most dreadful troubles and slaughter.*

*The Batangas people are under the authority of the Supreme Council, and recognize our authority. The day after tomorrow they will commence attacks on eight towns. For this offensive they requested my assistance, and so I sent them twenty riflemen and twenty bolomen, and the General in command is Brother Don Artemio Ricarte.*

*The people of Batangas have already established a Provincial Government. Their general is called Don Miguel Malvar , a very intelligent man, and better, perhaps, than the generals we have so far come to know here in Tangway.*

*If they have the fortune to take the town of Lipa, which is one of the eight towns to be invaded, they will invite me to base myself there, in order to be able, as they say, to carry the revolution into Camarines. For this reason I wish to know whether I am more needed there, in which case I shall go there; and if not, I shall direct matters here.*

*It is essential for us to agree on how the resistance should best be continued and the revolution extended throughout the Archipelago. I therefore wish to know whether you have gone yet to Bulacan and Nueva Ecija. If not, I shall leave the directorate here and we shall go there, because if we do not make a move, you know that Mamerto Natividad is there, and before long he will be doing in that place what he did here: slander us.*

*The arms have not yet arrived up until now, and this is yet another reason that is detaining me here.*

*Your mother is at Maragondon together with her relative there, and no misfortune whatever has befallen her.*

*Receive my affectionate embrace.*

*The Supreme President,*

*And... Bonifacio*

*Maypagasa.*

**Andres Bonifacio, "Katungkulang gagawin ng mga Z. Ll. B." (The "Decalogue"), c. 1896**

In 1896, various preparations were made by Andres Bonifacio and the Katipunan for a possible outbreak of the revolution. One of the Supremo's priority was to recruit more members to the underground society. In his aim to propagate the teachings of the Katipunan, Bonifacio wrote the *Decalogue* or *Katungkulang Gagawin ng mga Z. Ll. B.* In this document, the "Father of the Philippine Revolution" outlines the duties of the Katipuneros which include the veneration of God, a high regard for fraternity and patriotism within the society, and a recognition for the need to claim freedom for the country. Since Bonifacio was also a Mason, his *Decalogue* is reminiscent of some of the essential ideals of Freemasonry like reverence to the Creator, as already mentioned. Another Masonic aspect of the document is how it gives value to loyalty amongst brethren, even at the expense of one's life. But what separates Freemasonry from the Katipunan is the latter's aim to liberate the nation from the yoke of colonial oppression. In retrospect, the notion of militancy as a context for Bonifacio's *Decalogue* distinguishes it from its Masonic influence. Bonifacio's *Decalogue* is similar to Emilio Jacinto's *Kartilya* which also contains the teachings of the secret society. In recognition of Jacinto's superior writing style, Bonifacio chose to adopt Jacinto's *Kartilya* as the official document on the teachings of the Katipunan.

Digitized copies of the *Decalogue* are available online on different websites such as the Presidential Museum and Library's digital collections and Jim Richardson's website on the Katipunan ([Kasaysayan-kkk.info](http://Kasaysayan-kkk.info)).

KKK

Katungkulang gagawin ng mga

Z.Ll.B

1. Sumampalataya sa MayKapal ng taimtim sa puso.
2. Gunamgunamin sa sarili tuina, na ang matapat na pag sampalataya sa Kanya ay ang pag ibig sa lupang tinubuan, sa pagkat ito ang tunay na pag ibig sa kapwa.
3. Ykintal sa puso ang pag asa na malabis na kapurihan at kapalaran na kung ikamamatay ng tawoy mag bubuhat sa pagliligtas sa kaalipinan ng bayan.
4. Sa kalamigan ng loob, katiagaan, katuiran at pag asa sa ano mang gagawin nag bubuhat ang ikagaganap ng mabuting ninanais.
5. Paingat ingatang gaya ng puri ang mga bilin at balak ng K.: K.: K.:.
6. Sa isang na sa sapanganib sa pag tupat ng kanyang tungkol, idadamay ng lahat, ang buhay at yaman upang maligtas yaon.

7. Hangarin na ang kalagayan ng isatisa, maging fuaran ng kanyang kapwa sa mabuting pagpapasunod at pag tupad ng kanyang tungkol.
8. Bahaginan ng makakaya ang alin mang nagdaralita.
9. Ang kasipagan sa pag hahanap-buhay ay siyang tunay na pag ibig at pag mamahal sa sarili sa asawa, anak at kapatid o kabayan.
10. Lubos na pag sampalataya sa parusang ilinalang sa balang sowail at magtaksil, gayon din sa pala na kakamtan ukol sa mabuting gawa. Sampalatayanan din naman na ang mga layong tinutungo ng K. K. K. ay kaloob ng Maykapal, sa makatwid ang hangad ng bayan ay hangad din Nya.

### **Decree of June 23, 1898, establishing the Revolutionary Government**

One of the most significant turning points in the history of the 1896 Philippine Revolution was the Declaration of Independence on 12 June 1898. The establishment of a Dictatorial Government followed the unfurling of the Philippine flag and the proclamation of the Philippine independence six days later. However, Aguinaldo's trusted adviser Apolinario Mabini advised the president that the dictatorial government must be replaced by a revolutionary government. On 23 June 1898, Aguinaldo heeded to the advice of Mabini and he issued a decree establishing the Revolutionary Government. The establishment of the revolutionary government effectively changed the title go Aguinaldo from dictator to President of the Revolutionary Government and Commander-in-chief of its army. The decree contains three chapters. The first chapter contains the provisions on the structure and composition of the revolutionary government. The second chapter contains various provisions on the Revolutionary Congress. The third chapter contains provisions on Military Procedure. The Revolutionary Congress was tasked to draft a constitution for the Republic. On 01 August 1898, the provincial delegates ratified the declaration of Philippine independence to provide legitimacy to the creation of the Revolutionary Congress.

A copy of June 23, 1898 Decree of Emilio Aguinaldo is available at the Presidential Museum and Library's digital archives collection.

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#### **3A. Decree of June 23, 1898, establishing the Revolutionary Government\*. (*English translation*)**

Don Emilio Aguinaldo y Famy, President of the Revolutionary Government of the Philippines and Commander-in-Chief of its Army.

This Government in its desire to prove to the Filipino people that one of its aims is to combat with firm resolution the inveterate vices of the Spanish administration, replacing its irresponsible and pompous ostentation of doing things with a much more modest, simple and expeditious manner of discharging public functions; I hereby decree the following:

Chapter I

#### **Of the Revolutionary Government**

Article 1. The Dictatorial Government shall henceforth be called Revolutionary Government, the object of which is to fight for the Independence of the Philippines until all free nations, including Spain, expressly recognize her, and to prepare the country to become a true Republic.

The Dictator shall henceforth be called President of the Revolutionary Government.

Art. 2. Four Department Secretaryships are hereby created. One of Foreign Relations, Marine and Commerce; another of War and Public Works; another of Police and Internal Peace and Order, Justice, Education and Hygiene; and another of Finance, Agriculture and Industry.

The number of the Department Secretaryships may be increased if it be found that they are inadequate to cope with the multiple and complicated problems of public service.

Art. 3. Each Department Secretaryship shall help the President in the proper discharge of the affairs pertaining to each.

Each Department shall be headed by a Secretary who shall not be responsible for the Decrees issued by the President; however, he shall sign them, with the President, in order to give evidence of their authenticity.

However, if the Decree is issued at the proposal of a Department Secretary, he shall be responsible jointly with the President.

Art. 4. The Department of Foreign Relations shall have 3 Bureaus: one of Diplomacy; another, of Marine; and another, of Commerce.

The first Bureau shall study and direct all those matters pertaining to diplomatic negotiations with foreign powers as well as the correspondence of this Government with them; the second, shall study all mat-

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- Translated from Tagalog by the author.

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tars relating to the creation and organization of our Marine of War and to the necessity of making war expeditions; the third, shall concern itself with internal and external commerce and the execution of commercial treaties with other countries.

Art. 5. The Secretaryship of War shall have 2 Bureaus: one, of War, and another, of Public Works.

The first Bureau shall have 4 Divisions: one, of Campaigns; another of Military Justice; another, of Military Administration; and another, of Military Sanitation.

The Division of Campaigns shall be concerned with the recruitment and screening of those who serve in the Revolutionary Militias; in directing campaigns, drafting of war plans, works of fortifications, and circulation of notices of movements of battles; in the study of military tactics for the Army and the organization of land, artillery, and cavalry forces; and lastly, in the discharge of other matters relating to military campaigns and operations.

The Division of Military Justice shall concern itself with matters relating to military tribunals and trials; in the appointment of jurors and assessors and in the discharge of functions which are juridico-military in nature.

The Division of Military Administration shall take charge of food supplies and other necessities of the Army; and the Division of Military Sanitation shall take charge of matters relating to hygiene and well-being of the militias.

Art. 6. The other Department Secretaryships may have such number of Bureaus, and the Bureaus of such Divisions and Sections as may be necessary, taking into account the nature and importance of the functions embraced.

Art. 7. The Department Secretary shall inspect and supervise the work of his Department and execute the same with the President of the Republic. Each Bureau shall have a Director, and each Division, an official in charge with such number of employees needed.

Art. 8. The President shall choose his Secretaries at his discretion, and in consultation with the latter, appoint all the personnel of the department.

However, in the appointment of employees, favoritism should be eliminated, because the good name of the country and the triumph of the Revolution require the services of truly capable persons.

Art. 9. The Department Secretaries may attend sessions of the Revolutionary Congress whenever they have legislative proposals to submit in the name of the President, or are required to answer some questions from the Representatives; but when their proposals in Congress or

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the object of their appearance therein are to be voted upon, the Secretary concerned must leave, and shall not take part in the voting.

Art. 10. The President of the Government is the personification of the Filipino people, and under this concept, he may not be held liable for his acts during the discharge of his office.

This exemption from liability shall last until the victory of the Revolution is fully attained, unless by reason of extraordinary circumstances he is obliged to present to the Congress his resignation, in which case another suitable person shall be elected in his place.

## Chapter II

### **Of the Revolutionary Congress**

Art. 11. The Revolutionary Congress is an Assembly of Representatives from all the provinces of the Philippine Archipelago, elected in the manner provided for in the Decree of June 18 of the current year.

In the provinces which could not elect Representatives due to the fact that the greater portion of the inhabitants thereof have not yet been liberated from the Spanish rule, the Government may

provisionally appoint such number of persons considered most capable by reason of their education and social position, provided they have been born and resided for a long time therein.

Art. 12. The Representatives shall assemble in the town where the Revolutionary Government resides and in such building as this Government may designate, and proceed to do the preliminary work, designating by plurality vote a Commission composed of 5 persons to take charge of giving accreditation of the chosen Representatives, and another Commission of 3 persons who shall examine the documents presented by the aforementioned 5 Commission members.

Art. 13. On the day following, the said Representatives shall re-assemble and the two Commissions shall read their respective reports on the authenticity of the documents examined, resolving by absolute majority vote, those credentials of doubtful authenticity.

Thereafter, by absolute majority vote also, a President, one Vice President, and two Secretaries shall be elected from among the elected Representatives, notifying the Government of the results of the election.

Art. 14. The place of session of the Congress is sacred and inviolable and no armed forces may penetrate into it, unless the President of the same itself so petitions in order to restore order caused by persons who do not know how to honor it and its august functions.

Art. 15. The powers of the Congress are: To work for the general welfare of the Filipino people and to implement the laws of the Revolution; discuss and vote upon said laws; discuss and approve all treaties

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and loans; examine and approve the accounts of general expenses presented annually by the Secretary of Finance as well as all extraordinary contributions and others that may be subsequently imposed.

Art. 16. The Congress shall also be heard in all grave matters which admit of delay or deliberation; but the President of the Government may himself resolve those matters which are urgent in character, without prejudice to informing the Congress of the measures taken by means of a message.

Art. 17. Any Representative may present to Congress any bill; so also, any Department Secretary by order of the President of the Government.

Art. 18. The sessions of Congress shall be public and only in cases which require secrecy shall they be held in secret.

Art. 19. In its deliberations and internal affairs, Congress shall be governed by its own Rules which it may draft. The President shall preside over its deliberations but shall not vote except in case of a tie.

Art. 20. The President of the Government shall not impede nor prevent the holding of sessions by Congress.

Art. 21. Congress shall designate a permanent Commission of Justice presided by the Vice President aided by one of the Department Secretaries and with these and seven others elected by plurality vote, from among the Representatives, shall compose the said Commission.

This Commission shall decide on appeal all criminal cases decided by the provincial councils; and shall have exclusive and original jurisdiction to decide cases filed against Department Secretaries and provincial and municipal officials.

Art. 22. Congress shall keep a Book of Honor wherein shall be noted the names of those who have rendered great service to the country and regarded as such by the said body. Any Filipino, civilian or military, may petition Congress the notation therein of his relevant services supported by documents since the start of the Revolution. For extraordinary services which may arise in the future, the Government at its initiative may propose such notation, justified by the relevant documents.

Art. 23. The Congress shall also, upon the proposal of the Government, grant compensation in cash to families which had become victims of their valor and patriotism in accomplishing acts of heroism.

Art. 24. The grants of Congress shall not be obligatory until the President of the Government orders their compliance and fulfillment. When the said President believes that any congressional grant is uncalled for, he shall oppose its execution, and if the Congress should insist, the President may exercise his veto power for which he alone shall be responsible.

## **“Kartilya” written by Emilio Jacinto**

Source: Jim Richardson, *The Light of Liberty: Documents and Studies on the Katipunan, 1892-1897* (Quezon City: Ateneo de Manila University Press, 2013), pp. 131-137.

Emilio Jacinto, known as the “Brains of the Katipunan,” wrote the “Kartilya” or the “Teachings of the Katipunan” which is considered as one of the essential documents of the secret society. Jacinto was born in Tondo, Manila in 1875 and attended formal schooling at the Collegio de San Juan de Letran before studying law at the University of Santo Tomas. He unfortunately did not finish his law degree after deciding to join the Katipunan when he was 19 years old. Jacinto became one of the highest-ranking officers of the society who assumed the important role of being an advisor to Andres Bonifacio, among other important functions. He is also known as “Pingkian” (his *nom de guerre*) and “Dimasilaw” (his pseudonym).

According to the historian Jim Richardson, the “Kartilya” served as the guiding principles and primary teachings of the Katipunan. The contents of the document explain the primary aspirations of the society and, in turn, the values that were expected from its members. Among the important teachings that the “Kartilya” elaborated were the importance of defending the oppressed, upholding good morals and character, observing equality despite being different in race and socio-economic descent, and respecting women. The “Kartilya” cited in this file has an English translation which Richardson obtained by selecting and combining the translation provided by Teodoro A. Agoncillo and Epifanio de los Santos.

*KATIPUNAN*

*NANG MANGA*

*A. N. B.*

*SA MAY NASANG MAKISANIB*

*SA KATIPUNANG ITO*

*Sa pagkakailangan, na ang lahat na nagiibig pumasuk sa katipunang ito, ay magkaroon ng lubos na pananalig at kaisipan sa mga layong tinutungo at mga kaaralang pinaiiral, minarapat na ipakilala sa kanila ang mga bagay na ito, at ng bukas makalawa’y huag silang magsisi at tuparing maluag sa kalooban ang kanilang mga tutungkulin.*

*Ang kabagayang pinaguusig ng katipunang ito ay lubos na dakila at mahalaga; papagisahin ang loob at kaisipan ng lahat ng tagalog (\*) sa pamagitan ng isang mahigpit na panunumpa, upang*

*sa pagkakaisang ito'y magkalakas na iwasak ang masinsing tabing na nakabubulag sa kaisipan at matuklasan ang tunay na landas ng Katuiran at Kaliwanagan.*

*(\*) Sa salitang tagalog katutura'y ang lahat nang tumubo sa Sangkapuluang ito; sa makatuid, bisaya man, iloko man, kapangpangan man, etc., ay tagalog din.*

*Dito'y isa sa mga kaunaunahang utos, ang tunay na pag-ibig sa bayang tinubuan at lubos na pagdadamayan ng isa't isa.*

*Maralita, mayaman, mangmang, marunong, lahat dito'y magkakapantay at tunay na magkakapatid.*

*Kapagkarakang mapusok dito ang sino man, tataligdan pilit ang buhalhal na kaugalian, at paiilalim sa kapangyarihan ng mga banal na utos ng katipunan.*

*Ang gawang lahat, na laban sa kamahalan at kalinisan, dito'y kinasusuklaman; kaya't sa bagay na ito ipinaiilalim sa masigasig na pakikibalita ang kabuhayan ng sino mang nagiiibig makisanib sa katipunang ito.*

*Kung ang hangad ng papasuk dito'y ang tumalastas lamang o mga kalihiman nito, o ang ikaginhawa ng sariling katawan, o ang kilalanin ang mga naririto't ng maipagbili sa isang dakot na salapi, huag magpatuloy, sapagkat dito'y bantain lamang ay talastas na ng makapal na nakikiramdang sa kaniya, at karakarakang nilalapatan ng mabisang gamut, na laan sa mga sukaban.*

*Dito'y gawa ang hinahanap at gawa ang tinitignan; kaya't hindi dapat pumasuk ang di makagagawa, kahit magaling magsalita.*

*Ipinauunawa din, ang mga katungkulang ginaganap ng lahat ng napaaanak sa katipunang ito ay lubhang mabibigat lalung lalu na, kung gugunitain na di magyayaring maiiwasan at walang kusang pagkukulang na di aabutin ng kakilakilabot na kaparusahan.*

*Kung ang hangad ng papasuk dito, ang siya'y abuluyan o ang ginhawa't malayaw na katahimikan ng katawan, huag magpatuloy, sapagkat mabigat na mga katungkulan ang matatagpuan, gaya ng pagtatangkilik sa mga naaapi at madaluhong na paguusig sa lahat ng kasamaan; sa bagay na ito ay aabuting ang maligalig na pamumuhay.*

*Di kaila sa kangino paman ang mga nagbalang kapahamakan sa mga tagalog na nakaiisip nitong mga banal na kabagayan (at hindi man), at mga pahirap na ibinibigay na nagharing kalupitan, kalikuan at kasamaan.*

*Talastas din naman ng lahat ang pagkakailangan ng salapi, na sa ngayo'y isa sa mga unang lakas na maaasahang magbibigay buhay sa lahat; sa bagay na ito, kinakailangan ang lubos na pagtupad sa mga pagbabayaran; piso sa pagpasok at sa buan buan ay sikapat. Ang salaping ito'y ipinagbibigay alam ng nagiingat sa tuing kapanahunan, bukod pa sa mapagsisiyasat ng sinoman kailan ma't ibigin. Di makikilos ang salaping ito, kundi pagkayarin ng karamihan.*

*Ang lahat ng ipinagsaysay at dapat gunitain at mahinahong pagbulaybulayin, sapagkat di magaganap at di matitiis ng walang tunay na pagibig sa tinubuang lupa, at tunay na adhikang ipagtangkilik ang Kagalingan.*

*At ng lalong mapagtimbang ng sariling isip at kabaitan, basahin ang sumusunod na*

#### *MGA ARAL NANG*

#### *KATIPUNAN NG MGA A.N.B*

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*Ang kabuhayang hindi ginugol sa isang malaki at banal na kadahilanan ay kahoy na walang lilim, kundi damong makamandag.*

*Ang gawang magaling na nagbubuhay sa pagpipita sa sarili, at hindi sa talagang nasang gumawa ng kagalingan, ay di kabaitan.*

*Ang tunay na kabanalan ay ang pagkakawang gawa, ang pagibig sa kapua at ang isukat ang bawat kilos, gawa't pangungusap sa talagang Katuiran.*

*Maitim man at maputi ang kulay ng balat, lahat ng tao'y magkakapantay; mangyayaring ang isa'y higtan sa dunong, sa yaman, sa ganda...; ngunit di mahihigtan sa pagkatao.*

*Ang may mataas na kalooban inuuna ang puri sa pagpipita sa sarili; ang may hamak na kalooban inuuna ang pagpipita sa sarili sa puri.*

*Sa taong may hiya, salita'y panunumpa.*

*Huag mong sasayangin ang panahun; ang yamang nawala'y magyayaring magbalik; nguni't panahong nagdaan na'y di na muli pang magdadaan.*

*Ipagtanggol mo ang inaapi, at kabakahin ang umaapi.*

*Ang taong matalino'y ang may pagiingat sa bawat sasabihin, at matutong ipaglihim ang dapat ipaglihim.*

*Sa daang matinik ng kabuhayan, lalaki ay siyang patnugot ng asawa't mga anak; kung ang umaakay ay tungo sa sama, ang patutunguhan ng iaakay ay kasamaan din.*

*Ang babai ay huag mong tignang isang bagay na libangan lamang, kundi isang katuang at karamay sa mga kahirapan nitong kabuhayan; gamitan mo ng buong pagpipitagan ang kaniyang kahinaan, at alalahanin ang inang pinagbuhata't nagiwis sa iyong kasangulan.*

*Ang di mo ibig na gawin sa asawa mo, anak at kapatid, ay huag mong gagawin sa asawa, anak, at kapatid ng iba.*

*Ang kamahalan ng tao'y wala sa pagkahari, wala sa tangus ng ilong at puti ng mukha, wala sa pagkaparing KAHILILI NG DIOS, wala sa mataas na kalagayan sa balat ng lupa; wagas at tunay na mahal na tao, kahit laking gubat at walang nababatid kundi ang sariling wika, yaong may magandang asal, may isang pangungusap, may dangal at puri; yaong di napaaapi't di nakikiapi; yaong marunong magdamdam at marunong lumingap sa bayang tinubuan.*

*Paglaganap ng mga aral na ito at maningning na sumikat ang araw ng mahal na Kalayaan dito sa kaabaabang Sangkalupuan, at sabugan ng matamis niyang liwanag ang nangagkaisang magkalahi't magkakapatid ng ligaya ng walang katapusan, ang mga ginugol na buhay, pagud, at mga tiniis na kahirapa'y labis nang natumbasan.*

*Kung lahat ng ito'y mataruk na ng nagiiibig pumasuk at inaakala niyang matutupad ang mga tutungkulin, maitatala ang kaniyang ninanasa sa kasunod nito.*

[ENGLISH TRANSLATION]

*ASSOCIATION  
OF THE  
SONS OF THE PEOPLE  
TO THOSE WHO WANT TO JOIN THIS ASSOCIATION.*

*In order that all who want to enter this Association may have a full understanding and knowledge of its guiding principles and main teachings, it is necessary to make these things known to them so that they will not, tomorrow or the next day, repent, and so that they may perform their duties wholeheartedly.*

*This Association pursues a most worthy and momentous object: to unite the hearts and minds of all the Tagalogs (\*) by means of an inviolable oath, in order that this union may be strong enough to tear aside the thick veil that obscures thought, and to find the true path of Reason and Enlightenment.*

*(\*The word Tagalog means all those born in this Archipelago; even a person who is a Visayan, Ilocano, or Kapampangan, etc. is therefore a Tagalog too.)*

*One of the foremost rules here is true love of the native land and genuine compassion for one another.*

*Poor, rich, ignorant, wise – here, all are equal and true brethren.*

*As soon as anybody enters here, he shall perforce renounce disorderly habits and shall submit to the authority of the sacred commands of the Katipunan.*

*All acts contrary to noble and clean living are repugnant here, and hence the life of anyone who wants to affiliate with this Association will be submitted to a searching investigation.*

*If the applicant merely wishes to know the secrets of the Association, or to seek personal gratification, or to know who is here in order to sell them for a handful of silver; he cannot proceed, for here the many who are watching him will already know his intentions, and will immediately have recourse to an effective remedy, such as befits traitors.*

*Here, only actions are demanded and esteemed; hence anybody who is not willing to act should not enter, no matter how good a speaker he might be.*

*It is also announced that the duties to be performed by the members of this association are exceedingly hard, especially if one remembers that there can be no dereliction or wilful evasion of duty without the exaction of a terrible punishment.*

*If an applicant merely desires financial support relief or wants to lead a life of bodily comfort and ease, he had better not proceed, for he will encounter weighty tasks, like the protection of the oppressed and the relentless fight against all that is evil. In this way, his fate will be a vexatious life.*

*Nobody is unaware of the misfortune that threatens the Filipinos who contemplate these things that are sacred (and even those that are not) and the sufferings they are made to endure by the reign of cruelty, injustice and evil.*

*Everybody also knows the need for money, which today is one of the main things upon which we depend to bring sustenance to all. In this regard, the punctual payment of dues is required: one peso upon entry and then twelve and a half centimos each month. The custodian of the funds will periodically render an account to the members, and each member has a right to examine the accounts, should he so wish. The funds cannot be expended without the consent of the majority.*

*All this must be thought over and deliberated upon calmly, as it cannot be accomplished or endured by anyone who has no love for his native land and no genuine desire to promote Progress.*

*And for the upliftment of your mind and virtue, read the following*

*TEACHINGS OF THE  
KATIPUNAN OF THE SONS OF THE PEOPLE*

*A life that is not dedicated to a great and sacred cause is like a tree without a shade, or a poisonous weed.*

*A good deed lacks virtue if it springs from a desire for personal profit and not from a sincere desire to do good.*

*True charity resides in acts of compassion, in love for one's fellow men, and in making true Reason the measure of every move, deed and word.*

*Be their skin dark or pale, all men are equal. One can be superior to another in knowledge, wealth and beauty... but not in being.*

*A person with a noble character values honor above self-interest, while a person with an ignoble character values self-interest above honor.*

*An honorable man's word is his bond.*

*Don't waste time; lost wealth may be recovered, but time lost is lost forever.*

*Defend the oppressed and fight the oppressor.*

*An intelligent man is he who takes care in everything he says and keeps quiet about what must be kept secret.*

*Along the thorny path of life, the man leads the way and his wife and children follow. If the leader goes the way of perdition, then so do those who are led.*

*Do not regard a woman as a mere plaything, but as a helpmate and partner in the hardships of this existence. Have due regard to her weakness, and remember the mother who brought you into this world and nurtured you in your infancy.*

*What you would not want done to your wife, daughter and sister, do not do to the wife, daughter and sister of another.*

*A man's worth does not come from him being a king, or in the height of his nose and the whiteness of his face, or in him being a priest, a REPRESENTATIVE OF GOD, or in his exalted position on the face of this earth. Pure and truly noble is he who, though born in the forest and able to speak only his own tongue, behaves decently, is true to his word, has dignity and honor,*

*who is not an oppressor and does not abet oppressors, who knows how to cherish and look after the land of his birth.*

*When these doctrines have spread and the brilliant sun of beloved liberty shines on these poor Islands, and sheds its sweet light upon a united race, a people in everlasting happiness, then the lives lost, the struggle and the suffering will have been more than recompensed.*

**Andres Bonifacio. “Pag-ibig sa tinubuang bayan.” (c1896)**

Sina Andres Bonifacio at Emilio Jacinto ang mga pangunahing tagapaghayag ng simulain at adhikain ng Katipunan. Nababasa sa mga akda nina Bonifacio at Jacinto ang kamalayang pambansa na hinihimok ang mga Pilipino na magkaisa at lumaban para sa kasarinlan at kalayaan. Ilan sa mga kilalang akda ni Bonifacio ang “Hibik ng Filipinas sa Ynang España,” “Ang dapat mabatid ng mga tagalog,” “Katungkulang gagawin ng mga Z.L.B.,” at “Pag-ibig sa tinubuang bayan.” Ang Pag-ibig sa tinubuang bayan” ay nailathala sa Kalayaan ang pahayagan ng lihim na samahang Katipunan. Nailathala noong Marso 1896 ang una at nag-iisang edisyon ng Kalayaan. Sa kasamaang palad, wala pang kopya ng mga pahina ng pahayagan ang natagpuan hanggang sa kasalukuyan. Ang nilalaman ng pahayagan ay mahihinuha mula sa iba’t ibang hiwalay na batis tulad ng mga borador ng artikulo bago ito malimbag.

Ang tulang “Pag-ibig sa tinubuang bayan” ay muling nilathala ni Jose P. Santos, Pilipinong historyador at anak ng isa ring kilalang historyador na si Epifanio de los Santos, noong 1935. Maaaring hinango ito mula sa isang sulat-kamay na borador ng tula at hindi mula sa pahina ng Kalayaan. Kamakailan, isa pang bersyon ng borador ng tula ang natagpuan sa Archivo General Militar de Madrid. Sa isang pag-aaral ni Jim Richardson, pinagkumpara ang dalawang teksto nito upang unawain ang pagkakaiba nito at kilalanin ang tunay na nagsulat nito. Mula sa analisis ng nilalaman, mga salita at ortograpiya ang dalawang bersyon (bersyong Santos at bersyong Madrid), kakaunti lamang ang pagkakaiba sa dalawang borador. Nagpapatunay ito na si Andres Bonifacio nga ang nagsulat ng nabanggit na tula (Richardson 2013, 193-194).

Matutunghayan sa kabuuang 28 saknong na tula ang adhikain at kaisipan na isinusulong ng Katipunan para sa malaya at nagsasariling bansa. Binigyan halaga sa diwa ng metapora ng mag-anak (Inang-Bayan, Anak ng Bayan) ang pagkakaisa ng kapuluan. Malinaw din sa tula ang mga konseptong taal sa kapuluan tulad ng katwiran (katuiran), kaginhawahan (kaguinhawahan) kapatiran at pagkapantay-pantay.

Sa una at huling saknong mababasa ang sumusunod na titik:

(1) Alin pag ibig pa ang hihigit kaya  
sa pagka dalisay at pagkadakila  
gaya ng pag ibig sa tinubuang lupa?  
alin pag ibig pa? wala na nga, wala

(2)

Ipahandog handog ang boong pag-ibig

hanggang sa mga dugo'y ubusing itiguis  
kung ang pagtatangol buhay ay [maliit]  
itoy kapalaran at tunay na langit.

**Andres Bonifacio. “Ang Dapat Mabatid ng mga Tagalog.” (1896).**

Isa sa mga akda ni Andres Bonifacio, “Ang Dapat Mabatid ng mga Tagalog” ay nailathala sa pinakauna at nag-iisang isyu ng pahayagang *Kalayaan*, ang opisyal na pahayagan ng Katipunan, noong Marso 1896. Ginamit ni Andres Bonifacio ang sagisag-pangalan na Agapito Bagumbayan nang inilathala ang akdang ito sa *Kalayaan*. Hanggang sa kasalukuyan, hindi pa nakikita at natutuklasan ang kumpletong kopya ng lahat ng pahina ng *Kalayaan*. Nailimbag sa mga hiwalay na akda ang nilalaman ng pahayagan sa mga natuklasang borador at salin ng mga ito. Sa kaso ng “Ang Dapat Mabatid” muling nailathala ito sa wikang Espanyol sa isinagawang salin ni Juan Caro y Mora para sa *Archivo del bibliófilo filipino* ni Wenceslao Retana noong 1897. Isa ring salin nito sa Espanyol ang isinagawa ni Epifanio de los Santos para sa *Revista Filipina* noong 1917. Samantala noong 1935, inilimbag ni Jose P. Santos ang teksto nito sa orihinal na wikang Tagalog bilang bahagi ng kanyang akdang *Andres Bonifacio at ang Himagsikan*. Ipinapalagay na ginamit ni Jose P. Santos ang isang sulat-kamay na borador ng sanaysay na nasa pangangalaga ng kanyang ama na si Epifanio de los Santos. Kilala si Epifanio de los Santos bilang pangunahing tagapangalaga at kolektor ng maraming manuskrito ng Katipunan.

Bagaman may mga pagkakaiba ang mga bersyong nabanggit, naniniwala ang maraming iskolar na ang tekstong Tagalog ni Jose P. Santos na “Ang Dapat Mabatid” ay tunay at hindi huwad na nilikha lamang upang palabasin na akda ito ni Bonifacio.

Kung babasahin “Ang Dapat Mabatid” ito ay may habang higit sa 700-salita at matutunghayan sa sanaysay na ito ang panawagan ni Bonifacio na pukawin ang damdamin at isip ng mga kababayang Pilipino upang lumahok sa Katipunan at humiwalay sa Espanya. Nababasa sa sanaysay na ito ang mga natatanging kaisipan na isinusulong ng Katipunan para sa lahat ng mga Pilipino.

Sa simula ng sanaysay, ipinamalas ni Bonifacio ang malalim na pag-uugat sa kasaysayan ng kilusang Katipunan nang ilahad niya ang kaibahan ng kalagayan ng kapuluan bago dumating ang mga Espanyol at sa panahon ng pananatili ng mga banyaga sa Pilipinas sa loob ng tatlong daang taon. Mababasa sa sipi ang malinaw na paglalahad ni Bonifacio:

Ytong Katagalugan na pinamamahalaan ng unang panahon ng ating tunay na mga kababayan ... lubos na kasaganaan, at kaguinhawahan. Kasundo niya ang mga kapit bayan at lalung lalo na ang mga taga Japon sila’y kabilihan at kapalitan ng mga kalakal malabis ang pag yabong ng lahat ng pinagkakakitaan.

Sa siping ito makikita ang salitang “Katagalugan” na pangalang ginamit para sa kapuluan at hindi Filipinas, at ang lahat ng mga mamamayan nito ay siya namang tatawaging mga Tagalog. Mahalagang pansinin ang paggamit din ng mga salitang “kasaganaan” at “kaguinhawahan” upang ilarawan ang kalagayan ng mga Pilipino bago dumating ang mga Espanyol. Sinundan ni Bonifacio ang kanyang paglalahad ng maliwanag na nakaraan ng isang madilim na paglalarawan sa panahon ng pananakop. Ang panahon ng pananatili ng mga Espanyol ay nagdulot ng paglaho ng “kaguinhawahan” (kaginhawahan). Ayon kay Bonifacio, taliwas ito sa pangako ni Legaspi kay Sikatuna sa kasunduang pinagtibay ng sandugo. Basahin ang sumusunod na salita ni Bonifacio:

Ngayon wala ng maituturing na kapanatagan sa ating pamayanan, ngayon lagui na guinagambala ang ating katahimikan ng umaalingawngaw na daing at pananbitan buntong hininga at hinagpis ...

Tahasang isiniwalat ni Bonifacio ang katotohanan sa pinagmulan ng kahirapan ng mga Pilipino. Inilarawan sa sanaysay ang paglupig ng mga Espanyol, ang paghihirap at paghihinagpis na dulot ng “tanikala” ng mga banyagang umalipin at sumakop sa mga Pilipino. Dahil dito hinimok ni Bonifacio na buksan ng mga Pilipino ang kanilang ng mga mata at isipan. Ayon kay Bonifacio ang “kaguinhawahan” ay “hindi darating at hindi mangyayari” mula sa mga Espanyol. Aniya:

Ytinuturo ng katuiran, na huag nating sayangin ang panahon sa pagasa sa ipinangakong kaguinhawahan na hindi darating at hindi mangyayari. Ytinuturo ng katuiran ang tayo’y umasa sa ating sarili at huag antain sa iba ang ating kabuhayan

Ang salitang katuiran (katwiran, mula sa salitang-ugat tuwid) ay isa pang mahalagang konseptong ginamit din ni Bonifacio sa “Ang Dapat Mabatid.” Matapos isiwalat ang kasalukuyang kalagayan ng Pilipinas, isa namang panawagan ang kanyang ibinigay sa lahat magkaisa sa pagsulong ng adhikain ng Katipunan. Sa pagtatapos ng sanaysay, matapang ang panawagan ni Bonifacio sa mga Pilipino sa pamamagitan ng sumusunod na salita:

“Kaya! oh mga kababayan! ating idilat ang bulag na kaisipan at kusang igugol sa kagalingan ang ating lakas sa tunay at lubos na pag asa na mag tagumpay sa nilalayong kaguinhawahan ng bayang tinubuan.”

**Jesus, Gregoria de. *Mga tala ng aking buhay at mga ulat ng Katipunan*. May paunang salita ni Jose P. Santos. Maynila: Limbagang Fajardo, 1932.**

Katangi-tanging primaryang batis ukol sa Himagsikang Pilipino ang *Mga tala ng aking buhay at mga ulat ng Katipunan* ni Gregoria de Jesus. Si Gregoria de Jesus, bala ni Andres Bonifacio, ay tinaguriang Lakambini ng Katipunan at naging tagapagtatag at pangalawang tagapangulo ng sangay ng kababaihan ng Katipunan. Sinulat noong 5 Nobyembre 1928 sa kahilingan ni Jose P. Santos, ang akdang “Mga tala ng aking buhay” ay nalimbag sa wikang Ingles noong 1930 sa publikasyong *Philippine Magazine*, sa salin ni Leandro H. Fernandez, isang Pilipinong historyador, at sa isa pang salin sa Ingles ni Jose P. Bantug sa *The Philippine Herald*. Inilathala rin ang salin nito sa wikang Espanyol sa *The Philippine Free Press* at sa *La Opinion*.

Bilang asawa ni Andres Bonifacio at aktibong kasapi sa Katipunan kasama ang mga kapatid na babae, magulang at asawa ng iba pang Katipunero, ang *Mga tala ng aking buhay* ay paglalahad ng pananaw ng kababaihan sa Katipunan at Himagsikang 1896. Matutunghayan sa sariling talambuhay ni Gregoria de Jesus ang ilang yugto sa kanyang buhay tulad ng kanyang kapanganakan noong 9 Mayo 1875 sa Caloocan, mga magulang, pag-aaral, kabataan at pagusbong pag-iibigan sa edad na labingwalong taong gulang kay Andres Bonifacio. Inilahad din ni Oryang, palayaw ni Gregoria de Jesus, sa “Mga tala ng aking buhay” ang pagpapakasal niya kay Andres sa simbahan at sa isa pang hiwalay na seremonya alinsunod sa Katipunan sa tahanan ni Restituto Javier na sinaksihan ng mga kasapi ng Katipunan.

Bilang Lakambini ng Katipunan, nakisangkot at lumahok sa mga gawain ng Katipunan si Oryang. Matutunghayan sa maikling talambuhay na ito ang mga panganib na sinuong niya sa pag-iingat sa mga dokumento at gamit ng Katipunan at kinailangang magpalipat-lipat ng tirahan upang magtago at umiwas sa pagsubaybay ng awtoridad. Sa mga panahong yaon, isinilang ni Oryang ang sanggol na lalaki ngunit binawian din ng buhay makalipas ng ilang buwan.

Mababanggit din ni Oryang ang kanyang mga karanasan sa panahon ng himagsikan mula sa unang sigaw ng himagsikan hanggang sa kanyang pangalawang pagpapakasal kay Julio Nakpil noong 1898. Nabanggit sa bahaging ito ang ilang personalidad sa himagsikan tulad nina Emilio Aguinaldo, Emilio Jacinto, Macario Sakay at Esperidiona Bonifacio, kapatid ni Andres. Matutunghayan din ang salaysay ng paghihirap ng mga Pilipino sa lumalaban para sa kalayaan at kasarilan. Tulad ng ibang kasapi ng himagsikan, kinailangan din ni Oryang na pag-aaralang gumamit ng mga sandata para lumahok sa mga labanan.

Ilang pangungusap lamang ang inilahad sa “Mga tala sa aking buhay” ukol sa mga naganap sa Cavite: tulad ng “magulong halalan” sa Tejeros dahil sa “katampalasang ginawa ng mga kabig na pinumumunan ni Aguinaldo” (pah 17) hanggang sa pagpatay kay Andres Bonifacio. May hiwalay na salaysay ukol dito si Oryang na sinulat niya sa isang liham para kay Emilio Jacinto (Richardson).

Sa huli binanggit ni Oryang ang kalakaran ng Katipunan ukol sa uri ng pagpaparusa sa mga taong sumuway sa pinag-uutos ng Katipunan. Binigay na halimbawa ang pambabae at pagsusugal. Sa mga kasalanang ito, pinapangaralan ang mga kasapi at tinitiwag sa Katipunan

hanggang hindi nagbabago (sa kaso ng pagsusugal). At para sa kabataan ng panahong iyon, nag-iwan si Oryang mga sampung tagubilin. Isa sa mga tagubiling ito ang sumusunod na titik: “8) Matakot sa kasaysayan pagka’t walang lihim na di nahahayag.”

## *Mga Tala ng Aking Buhay*

*Alay kay G. José P. Santos  
na siyang humiling na sulatin  
ko ang aking kabuhayan.*

GREGORIA DE JESUS  
*Balo ni Andres Bonifacio.*

Ako’y si Gregoria de Jesus, taong tunay dito sa bayang Kalookan, lalawigan ng Rizal. Isinilang ako ng araw ng Martes, ika 9 ng Mayo ng taong 1875, sa pook na pinagbaunan ng libolibong sandatang ginamit sa himagsikan at pinagdausan din naman ng kasunduan ng mga punong naghimagsik bago lumabas ng bayan, lugar na tinatawag na Daang Baltazar noong araw at ngayo’y P. Zamora, blg. 13. Ang ama ko’y si Nicolas de Jesus, taong tunay din sa bayang ito na ang hanap buhay ay Maestro de Obra ng Catero Carpintero at isa sa naghawak ng ilang tungkulin noong panahon ng kastila, naging teniente segundo, teniente mayor at gobernadorsilyo. Ang ina ko ay si Baltazara Alvarez Francisco na taga bayang Nobeleta, lalawigan ng Kabite, pamangkin ni heneral Mariano Alvarez ng Magdiwang sa Kabite na siyang unang gumalaw ng himagsikan sa nasabing lalawigan.

Ako’y nag-aral sa Paaralang Bayan at natapos ko ang mga unang baytang ng karunungan na katimbang ng Intermedia kung itutulad sa panahong ito. Naaalala ko pa na minsan akong nagwagi sa eksaming ibinigay ng Gobernador Heneral at ng Kura sa bayan na ipinagkaroon ko ng gantingpalang medalyang pilak na may lasong azul bilang pagkilala sa kaunti kong nalalaman. Palibhasa’y tatlo ka-

Noong m̄ga panahong yaon ay lubhang mapanḡanib ang aming kalagayan at palibhasa'y ang m̄ga anak n̄g bayan ay inip na sa kanyang pagkagapos ay bumalikwas at nagkaisa na tulad sa isang tao lamang ang lahat kaya't biglang lumaganap ang K. K. K. at gabi gabi ay puno halos ang aming tahanan n̄g m̄ga taong duminig sa tinig n̄g inang bayan at dito'y kabilang ang tatlong mag-aama na Enrique Pacheco, Cipriano Pacheco, Alfonso Pacheco, Tomas Remigio, Francisco Carreon na pawang kaanib sa Kataastaasang Sanggunian n̄g katipunan at m̄ga tao rin namang kasama sa unang sigaw n̄g Katipunan, ay halos ang lahat ay madalas na inuumaga sa pagganap n̄g tinatawag na "juramento" o panunumpa. Minsan o makalawa isang buwan ay nagkakaroon n̄g "junta" ang m̄ga punong tagapagpaganap, dahil dito'y lalong nagkaroon n̄g maraming gawain ang limbagang pinamamahalaan n̄g Kalihim na Emilio Jacinto kaya't kinailanḡan na niya ang pamamahala sa boong maghapon at noon ay ang dinadamit ko halos ay ang m̄ga kasulatan na lubhang mapanḡanib inḡatan n̄g panahong yaon at labis nang banggitin pa dito kung saan ako ihahantong n̄g kapalaran kung madakip sa aking pagiinḡat at gayon din naman sa m̄ga taong nakatala sa kasulatang yaon na pawang anak n̄g Pilipinas na umiibig sa kalayaan, sapagka't may m̄ga pangyayaring sa pamamagitan lamang n̄g suplong ay maraming buhay ang napuputi. Madalas na kung may dumarating na pahatid sabi na sasalakayin n̄g m̄ga Veterana ang tahanan ay kahit anong oras ay agad kung ipunin ang m̄ga papeles, armas at timbre at sa isang iglap ay patatawag ako n̄g kiles na hindi ko makuha ang kumain halos sapagkat kadalasang mangyari ito'y katanghalian at a las 8 n̄g gabi at inaabot ako n̄g hatinggabi sa lansaᅇan sakay n̄g kiles, nalilibot ang baybayin n̄g Tundo at m̄ga lansaᅇan ng Binundok upang mailigtas ko lamang ang mapanḡanib na lagay n̄g taong bayan. N̄guni't ang dinaramdam ko lamang na madalas na ako'y napatutulong sa ilang kapatid na inaasahan kong magmamalaskit ay hindi naman tumutulong sapagkat kapag naalaman ang

samang parang tunay na magkakapatid na isang tiyan lamang ang pinagbuhatan. Ako'y may anak na walo sa nasabing pangalawang asawa: dalawa ang patay, Juan at Lucia, ang anim ay buhay, Juan F. Nakpil, Julia Nakpil, Francisca Nakpil, Josefina Nakpil, Mercedes Nakpil, Caridad Nakpil. Ang lahat ng iya'y halos si Dr. Aris-ton Bautista ang nagpaaral at nagpatapos sa anak kung lalaki. Ako'y inaring parang tunay na anak at kapatid hanggang siya'y tawagin sa sinapupunan ni Bathala.

Tungkol sa sigalot ni Bonifacio at ni Aguinaldo na nagmula sa idinaos na magulong halalan sa Teheros, pati ng pag-uusig at mga katampalasanang ginawa ng mga kabig na pinamumunuan ni Aguinaldo sa aming magaanak na niwakasan sa pagpatay kay Andres Bonifacio ay hindi ko na isinaysay dito at iya'y mababasa sa kasulatang ipinadala ko kay Emilio Jacinto na ibinabalita sa akin ng Gral. Cipriano Pacheco na ngayon ay na sa kay G. José P. Santos, (\*\*\*) at upang maipagpatuloy pa ang aking buong nalalaman sa nasabing katipunan ay minarapat kong pagtiyagaan at ng maunawaan ng lahat na ako ang unang nagtraducir o nagsalin ng aktang "alfabeto" na ipinadala sa akin sa Pasig ni Emilio Jacinto, kasama ang kanyang kapisasong buto sa hita noong siya'y tamaan ng bala sa pakikilaban sa Nagkarlang, sakop ng Lalaguna ng panahong yaon. Ako naman ay nasa bayang Pasig, lalawigan ngayon ng Rizal. Kaya doon ko rin ginawa o isinalin ang nasabing "alfabeto" o akta ng katipunan.

Gaya rin naman ng unang Limbagan, revolver, sandata, balaraw, timbre at lahat ng kagamitan ay bili ng mataas na sanggunian, nguni't ang ibang handog nina GG. Francisco Castillo at Valeriano, mga taong may malaking damdamin, marunong mag-adiya sa bayang tinubuan, may mahabang hangarin. Kaya't kapagkarakang malaman ang

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(\*\*) Mababasang buo sa "*Ang Sigalot ni Bonifacio at ni Aguinaldo*" ni José P. Santos. Ang akdang ito ay nilagyan ng Paunang Salita ni Hen. Artemio Ricarte at kasunod nitong lilimbagin.

nilalayon n̄ katipunan ay bumili agad n̄ malaking limbagan upang sa madaling panahon ay makayari agad n̄ maraming Kartilya, periodiko at m̄a palatuntunan, kaya noong huli'y pinagtulungtulungan nina Emilio Jacinto, Aguedo del Rosario, Alejandro Santiago, Cipriano at Marciano na taga Pulo, Bulakan, at ang tagapamahagi at tagalakad ay sina Macario Sakay, at iba pang panguluhan. Ang palagay n̄ ibang siya'y masamang taong naging tulisan ay ewan n̄ huli, sapagka't nakita ko naman na may malaking ginawang tulong sa Katipunan. Si Macario Sakay ay tunay na makabayan at di ko akalain na ang maging hantungan ay ang bibitayan.

Ilang mahalagang bagay na aking napagdanasan sa panahon n̄ himagsikan ay itong sumusunod: Nang ako'y kasama n̄ m̄a kawal n̄ naghihimagsik sa parang n̄ digmaan ay wala akong pangimang sumuong sa anomang kahirapan at sa kamatayan man, sapagka't wala akong nais n̄ panahong yaon kundi ang mawagayway ang bandila n̄ kasarlan n̄ Pilipinas, at palibhasa'y kasama ako at sumaksi sa maraming laban, kaya't kabilang din akong isa sa m̄a kawal at upang maging ganap na kawal, ako'y nagsanay n̄ pagsakay sa kabayo at nag-aral na mamaril at humawak n̄ ilang uri n̄ sandata na nagamit ko rin naman sa maraming pagkakataon. Napagdanasan ko rin naman ang matulog sa lupa n̄ walang kinakain sa boong maghapon, uminom sa m̄a labok n̄ maruming tubig o kaya'y katas n̄ isang uri n̄ baging sa bundok na tutoong mapakla na nagiging masarap din dahil sa matinding uhaw. Anopa't sa gulang kong tinataglay noon kung pagbabalikan kung alalahanin n̄gayon, alko sa sarili'y nagtatataka kung papano ko natawid ang kabuhayang yaon at kung bakit ako buhay pa sa gitna n̄ mahigpit na pag-uusig sa akin n̄ panahong yaon.

Ang natatandaan kong kaparusahan sa hindi sumusunod n̄ m̄a ipinaguutos n̄ katipunan, gaya n̄ mangtabae, ay ipatatawag kapagkarakang maunawaan sa halip

na siya'y bigyan n̄ kaparusahan ay agad siyang babasahan n̄ dapat pagpitaganan ang isang babae, gaya na rin n̄ pagpipitagan sa sarili na ang sinasabing pangaral ay ganito: "Kung hindi mo gustong lapastanganin ang iyong Ina, asawa at kapatid ay nararapat na pakain̄atan mo na gawin mo sa iba ito pagka't sa ganyang kaapihan ay maari mong ipalit ang tatlo mang buhay. Kaya't isa-isip tuwina na ang masama sa iyo ay hindi dapat gawin kailan man sa iba at sa paraang iyan ay isa kayong marangal na maibibilang na anak n̄ bayan".

Tungkol sa suliraning pagsusugal ay ang marapatan n̄ tagausig balan̄gay at mapatotohanang nagkasala, siya'y lalapatan n̄ hatol na siya'y ihihiwalay hangga't di nagbabago n̄ kaniyang kaugalian. Lahat naman n̄ m̄ga nag-sitanggap n̄ aral at saka ang m̄ga maparusahan ay pa-wang nangagsipagbago naman n̄ ugali.

Sa kahilingan ni G. José P. Santos na siyang pinag-nahandugan ko n̄ kasaysayang ito n̄ aking buhay ay itinala ko sa ibaba ang sampung tagubilin o aral sa m̄ga kabataang kinabibilangan niya na siyang pangwakas nito:

1.—Igalang at mahalín ang magulang pagka't ito ang pangalawang Dios sa lupa.

2.—Alalahanin tuwina ang m̄ga banal na aral n̄ m̄ga bayani na nasawi dahil sa pag-ibig sa bayan.

3.—Huwag magaksaya n̄ panahon n̄ di pamarisan.

4.—Pagsikapang magkaroon n̄ anomang karunungan na tumutugon sa kanyang hilig upang pakinabangan n̄ bayan.

5.—Ang kabaitan ay alalahaning isang malaking kayamanan.

6.—Igalang ang m̄ga gurong nagpapamulat n̄ isip pagka't kung utang sa magulang ang pagiging tao ay utang naman sa nagturo ang pagpapakatao.

7.—Iligtas ang api sa pang'anib.

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

9.—Kapag napagingatan ang kasamaan ay door manggagaling ang malaking karanġalan.

10.—Sikapin ang ikapagkakaisa nġ lahat at ikauunlad nġ bayan upang huwag magkaroon nġ sagaba ang kasarinlan.

Tinapos ko rito ang maikling tala nġ aking buhay na sinulat ko sa mġa sandali nġ aking ganap na katahimikan nag-iisang binubulay at pinagaralan at sinuri ang mġa nakaraan kaya't lahat nġ nakatala rito ay siyang mġa waga na katotohanan.

GREGORIA DE JESUS

Kalookan, Rizal  
5 nġ Nobyembre nġ 1928

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**TOPIC 5: Philippine-American War****List of Reading Materials:**

- **Account of Private William Grayson**
- **Address Adopted by Anti-Imperialist League**
- **Aguinaldo's Declaration of War**
- **Aguinaldo's Declaration of Surrender**
- **Benevolent Assimilation Proclamation**
- **Cartas Sobre La Revolucion**
- **Diary of Lt. Ernest Motsch**
- **Letter of Henry Thompson to his parents**
- **Correspondences relating to War with Spain**
- **Liberty Poems**

### **Introduction to the Philippine-American War**

On 04 February 1899, two days prior to the US Congress' ratification of the 1898 Treaty of Paris war broke-out between the forces of the first Philippine Republic headed by President Emilio F. Aguinaldo and the American Forces in the country. The war was regarded as a continuation of the ongoing 1896 Philippine Revolution, while the United States simply regarded the conflict as an insurrection. The war led to the deaths of Filipino combatants and the fall of the first Philippine Republic. The war officially ended in July 1902.

This section contains primary and secondary sources that will help the students enrich their understanding and learning of the significant events that transpired during the Filipino-American War. Primary sources such as the account of Private Willian Grayson, Aguinaldo's Declaration of War, and the Address Adopted by Anti-Imperialist League provide a glimpse into the early parts of the war. On the other hand, secondary sources on the Filipino-American War in this section provides a historiographical understanding of the event.

### Account of Private William Grayson <sup>19</sup>

The Treaty of Paris of 1898 ended the Spanish-American War and decided on the fate of Spain's remaining colonies including the Philippines. For this, it was also of great importance to the Filipinos who had been fighting for their independence since 1896. Unfortunately, its contents were finalized without consulting with Aguinaldo's government, thereby amplifying suspicions regarding the true motives of the Americans in the Philippines. This eventually led to the outbreak of the Philippine-American War on February 4, 1899 – an event previously called the “San Juan Bridge Incident.” Further investigations later revealed that the first shot of the war occurred in Silencio cor. Sociego Streets in Santa Mesa, Manila.<sup>20</sup>

One of the primary sources regarding this event was from Private William Walter Grayson, an American volunteer soldier of the First Nebraska Volunteer Infantry. From his own recollection of the encounter, it becomes clear that it was Grayson himself who fired the first shot which killed two Filipino soldiers. According to Teodoro Agoncillo, General Arthur MacArthur issued his order to advance against the Filipinos the day after this incident without even properly investigating the cause of the firing, thereby beginning the Philippine-American War.<sup>21</sup>

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Private William Grayson, in an interview, said of this important incident:

“About eight o'clock, (Private Orville) Miller and I were cautiously pacing our district. We came to a fence and were trying to see what the Filipinos were up to. Suddenly, near at hand, on our left, there was a low but unmistakable Filipino outpost signal whistle. It was immediately answered by a similar whistle about twenty-five yards to the right. Then a red lantern flashed its signal from blockhouse No. 7. We had never seen such a sign used before.

In a moment something rose slowly up not twenty-five feet in front of us. It was a Filipino. I yelled ‘halt’ made it pretty loud, for I was accustomed to challenging the officer of the guard in

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<sup>19</sup> Edwin Wildman, *Aguinaldo: A Narrative of Filipino Ambitions* (Boston, Massachusetts: Lothrop Publishing Company, 1901), p. 195-196, accessed 25 October 2020, <http://name.umdl.umich.edu/ahz9331.0001.001>.

<sup>20</sup> National Historical Institute, “Board Resolution 07, S. 2003: Authorizing the Transfer of the Historical Marker for the Site of the First Shot of the Philippine-American War from San Juan Bridge to Silencio corner Sociego St., Sta. Mesa, Manila,” accessed 25 October 2020, <https://drive.google.com/file/d/0B9c6mrxI4zoYRjU5VUVzRk1jaWs/view>.

<sup>21</sup> Teodoro Agoncillo, *History of the Filipino People*, 8<sup>th</sup> edition (Quezon City: C&E Publishing, Inc., 2012), p. 226.

approved military style. I challenged him with another loud 'halt.' Then he shouted 'halto' to me. Well, I thought the best thing to do was to shoot him. He dropped. If I didn't kill him, I guess he died of fright. Then two Filipinos sprang out of the gateway about fifteen feet from us. I called 'halt' and Miller fired and dropped one. I saw that another was left. Well, I think I got my second Filipino that time.

We retreated to where our six other fellows were, and I said: 'Line up, fellows; the " niggers" are in here all through these yards.' We then retreated to the pipe line and got behind the water main and stayed there all night. It was some minutes after our second shots before the Filipinos began firing."

*Address Adopted by the Anti-Imperialist League, February 10, 1899*<sup>22</sup>

In December 1898, US President William McKinley first openly declared his decision to annex the Philippines in his *Benevolent Assimilation Proclamation* which was shortly followed by the ratification of the Treaty of Paris on February 6, 1898. And while this plan to take over the Philippines received significant support from many Americans, a number of prominent citizens of the country, many of whom were politicians and intellectuals, still fearlessly expressed their opposition to the measure. In June 1898, these dissenters, which included former president Grover Cleveland, former senator George S. Boutwell, Stanford University's founding president David Starr Jordan, writer Mark Twain, and steel magnate and philanthropist Andrew Carnegie, formed the Anti-Imperialist League.

As a response to Filipino-American hostilities, this Boston-based league released a statement on February 10, 1898 which criticized the expansionist ideals of the US government as largely inconsistent with the founding principles of their country. It also warned that any further move to be committed by the Americans pertinent to the Philippines might endanger the security not only of the US but as well as of the entire world. The statement likewise beseeched the US government to acknowledge Aguinaldo as the rightful president of the Philippines and its congress as a legitimate representation of the people similar to the Continental Congress of the 13 British Colonies which later became the United States. In the end, the members of the league demanded the US government to withdraw its military forces from the Philippines and to instead recognize its independence.

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10 February 1899

The full ratification of the Treaty with Spain will cause a technical change in the relations of the United States to the Philippine Islands, but will afford no- reason for any change of the purposes of the Anti-Imperialists in regard to the future of the islands, nor will it in the least affect the clear duty of this Republic.

We are now engaged in warfare with the inhabitants of those islands. It is unprofitable to discuss the question as to which party began hostilities. No other result could have been expected, when the lines of two opposing military forces were held so close and in such tense condition that little was needed to cause an explosion.

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<sup>22</sup> Anti-Imperialist League, *Address Adopted by the Anti-Imperialist League, February 10, 1899* (Boston, Massachusetts: Anti-Imperialist League, 1899), accessed 25 October 2020, <https://archive.org/details/addressadoptedby00anti>.

Certain facts, however, are beyond dispute: that Aguinaldo was brought to the islands by our own warship, that his aid was accepted and desired in our military operations against the Spaniards, and that hopes of independence were encouraged by our consuls and other officers. It is equally indisputable that a parliament of the islands, organized by representatives elected by 186 towns and provinces, chose Aguinaldo President and framed a constitution, which was promulgated, defining the powers and duties of the separate departments of the government with remarkable clearness and ability; that the government so formed beyond a doubt represented fairly the people of the islands and probably with quite as much fairness as the Continental Congress in Philadelphia, in 1775, represented the people of the thirteen States.

It is also undeniable that on January 5 President McKinley issued a proclamation through General Otis, declaring that on the 10<sup>th</sup> of the previous month the Philippine Islands had been ceded to this country by Spain by the signature of the Treaty of Paris, and further ordered him to extend the military government of the United States 'to the whole of the ceded territory,' and to demand the surrender of Iloilo, which was then held by the Filipinos in an orderly manner by capture from the Spaniards.

It cannot be claimed in law that this assumption of power was warranted in advance of the ratification of the Treaty by both parties, and there can be no doubt that the arbitrary claim greatly aggravated the people of the islands, whose hope of independence seemed thus rudely destroyed.

No declaratory resolution as to the future of the islands was assented to by the Administration before the ratification of the Treaty by the Senate, and none has been made since.

Any right that we assert to ownership of the Philippines must rest, therefore, either upon conquest or upon purchase from their Spanish oppressors, or upon both, and in any case it is, as we believe, inconsistent with the principles of this Republic, and fraught with danger to its peace and to the peace of the world.

The first result we already witness, a war of subjugation, which must embitter the people we seek to rule, and which, however successful, must bring disaster and death to our soldiers, and unmeasured cost to our people.

Profoundly impressed with the seriousness of the situation, it is the purpose of the Anti-Imperialists to continue the circulation of literature, to assist in the formation of leagues, and by public meetings, and every proper means known to a free people, to agitate for the revival in the

land of the spirit of Washington and Lincoln, to protest against a spirit of militarism and force, to oppose the colonial idea and a permanently large standing army, and to assert the vital truths of the Declaration of Independence embodied in the Constitution and indissolubly connected with the welfare of this Republic.

They urge, therefore, all lovers of freedom, without regard to party associations, to cooperate with them to the following ends:

*First.* That our government shall take immediate steps towards a suspension of hostilities in the Philippines and a conference with the Philippine leaders, with a view to preventing further bloodshed upon the basis of a recognition of their freedom and independence as soon as proper guarantees can be had of order and protection to property.

*Second.* That the Congress of the United States shall tender an official assurance to the inhabitants of the Philippine Islands that they will encourage and assist in the organization of such a government in the islands as the people thereof shall prefer, and that upon its organization in stable manner the United States, in accordance with its traditional and prescriptive policy in such cases, will recognize the independence of the Philippines and its equality among nations, and gradually withdraw all military and naval forces.

### **President Emilio Aguinaldo's Declaration of War on the United States (Malolos, Bulacan on February 4, 1899)**

Following the conflict that erupted between the Philippine and American forces on 04 February 1899, at around nine o'clock p.m. President Emilio Aguinaldo received a communication from the Caloocan station regarding the event. He issued a declaration to the Filipino people saying that he had taken necessary actions to preserve the friendly ties between the Filipinos and the American forces, however, he said that the national integrity must be preserved as well. In this declaration, he also recognized that the American forces who were acting as friends and liberators unjustly attacked the Filipino forces. Aguinaldo issued three commands in his declaration: first, he ordered that all peace and friendly relations between the Filipino and American forces be severed and the latter be treated as enemies; second, the captured Americans will be treated as prisoners of war; and lastly, the declaration must be copy furnished to all the consuls in Manila and the Congress.

A copy of Aguinaldo's declaration is available in John Taylor's Philippine Insurgent Records. Taylor was a member of the United States Army in the Philippines. He was given appointed to be in charge of all the records seized by the American forces during the Philippine-American War. A compilation of these records came to known later on as the Philippine Insurgent Records.

#### **Excerpt:**

Nine o'clock p.m., this date, I received from Caloocan station a message communicated to me that the American forces, without prior notification or any just motive, attacked our camp at San Juan del Monte and our forces garrisoning the block-houses around the outskirts of Manila, causing the losses among our soldiers, who in view of this unexpected aggression and of the decided attack of the aggressors, were obliged to defend themselves until the firing became general all along the line. No one can deplore more than I this rupture of friendly relations. I have a clear conscience that I have endeavored to avoid it at all costs, using all my efforts to preserve friendship with the army of occupation, even at the cost of not a few humiliations and many sacrificed rights. But it is my unavoidable duty to maintain the integrity of the national honor and that of the army so unjustly attacked by those who, posing as our friends and liberators, attempted to dominate us in place of the Spaniards, as is shown by the grievances enumerated in my manifesto of January 8th last; such as the continued outrages and violent exactions committed against the people of Manila, the useless conferences, and all my frustrated efforts in favor of peace and concord.

Summoned by this unexpected provocation, urged by the duties imposed upon me by honor and patriotism and for the defense of the nation entrusted to me, calling on God as a witness of my good faith and the uprightness of my intentions, I order and command:

1. Peace and friendly relations between the Philippine forces and the American forces of occupation are broken, and the latter will be treated as enemies, within the limits prescribed by the laws of war.
2. American soldiers who may be captured by the Philippine forces will be treated as prisoners of war.
3. This proclamation shall be communicated to the accredited consuls of Manila, and to Congress, in order that it may accord the suspension of the constitutional guaranties and the resulting declaration of war.

Given at Malolos, February 4, 1899.

**EMILIO AGUINALDO**

General-in-Chief

### **Emilio Aguinaldo's Proclamation of Surrender to the United States, April 19, 1901** <sup>23</sup>

With the arrival of American reinforcements in March 1899, the United States' campaign against the Filipinos quickly gained momentum in many parts of the Philippines. Elwell Otis, the US Military Governor-General, order an intensive drive to the north with the aim of pursuing Emilio Aguinaldo who originally established his government in Malolos, Bulacan. On November 12, Tarlac, the last revolutionary capital, was captured by the Americans which signaled the collapse of organized Filipino resistance.<sup>24</sup> And with the fall of his top officials such as Mabini, Luna, and del Pilar, Aguinaldo was forced to flee to the mountains to avoid capture. Eventually, with the surrender of his personal messenger Cecilio Seguismundo and with the help of the Macabebes of Pampanga, Aguinaldo was arrested by Colonel Frederick Funston in Palanan, Isabela on March 23, 1901.

Aguinaldo was brought to Manila where he released a proclamation stating his official surrender to the United States on April 19. This was released by the office of Arthur MacArthur who succeeded Otis as the Governor-General. According to proclamation, Aguinaldo had to concede after he had chosen to heed the people's call for peace. It could be remembered that several members of Aguinaldo's own government eventually sided with the Americans and began to advocate for the annexation. At the end, he claimed that his official surrender was nevertheless a service for the Philippines.

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Manila, P.I., April 19, 1901

The following address to the Filipino people is published for the information of all concerned. In order to signalize such important step in the pacification of the country, one thousand prisoners of war will, upon taking the oath of allegiance, be released and sent to their homes, for which purpose the Provost Marshal General will give the necessary orders.

ARTHUR MACARTHUR

Major General, US Army and US Military Governor in the Philippines

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<sup>23</sup> Emilio F. Aguinaldo, "Address to the Filipino People: April 19, 1901," accessed 25 October 2020, <http://name.umdl.umich.edu/adt4867.0001.001>.

<sup>24</sup> Frank H. Golay, *Face of the Empire: United States-Philippine Relations, 1898-1946* (Quezon City: Ateneo de Manila University Press, 1997), p. 53.

## TO THE FILIPINO PEOPLE:

I believe I am not in error in presuming that the unhappy fate to which my adverse fortune has led me is not a surprise to those who have been familiar with the progress of the war. The lessons taught with a full meaning and which have recently come to my knowledge suggest with irresistible force that a complete termination of hostilities and lasting peace are not only desirable, but absolutely essential to the welfare of the Philippine Islands.

The Filipinos have never been dismayed at their weakness, nor have they faltered in following the path pointed out by their fortitude and courage. The time has come, however, in which they find their advance along this path to be impeded by an irresistible force, which, while it restrains them, yet enlightens their minds and opens to them another course, presenting them the cause of peace. This cause has been joyfully embraced by the majority of my fellow-countrymen, who have already united around the glorious sovereign banner of the United States. In this banner they repose their trust, and believe that under its protection the Filipino people will attain all those promised liberties which they are beginning to enjoy.

The country has declared unmistakably in favor of peace. So be it. There has been enough blood, enough tears, and enough desolation. This wish cannot be ignored by the men still in arms if they are animated by a desire to serve our noble people, which has thus clearly manifested its will. So do I respect this will, now that it is known to me.

After mature deliberation, I resolutely proclaim to the world that I cannot refuse to heed the voice of a people longing for peace, nor the lamentations of thousands of families yearning to see their dear ones enjoying the liberty and the promised generosity of the great American Nation.

By acknowledging and accepting the sovereignty of the United States throughout the Philippine Archipelago, as I now do, and without any reservation whatsoever, I believe that I am serving thee, my beloved country. May happiness be thine!

**EMILIO AGUINALDO**

**Benevolent Assimilation Proclamation by US Willam McKinley, December 21, 1898. Retrieved from Blount, James. *American Occupation of the Philippines, 1898-1912*. (New York & London: G.P. Putnam's Sons, 1913)**

The Benevolent Assimilation Proclamation issued by President William McKinley on December 21, 1898, is among the primary sources collated by James Blount, an American volunteer and district judge, during his sojourn in the Philippine archipelago in the early years of American occupation in the Philippine Archipelago by the turn of the 20<sup>th</sup> century. The compilation of the historical documents entitled *American Occupation of the Philippines, 1898-1912* is considered to be the culmination of Blount's anti-imperialist advocacy. Aside from offering a first-hand account of the Philippine American War and the early years of US colonization in the Philippines, the book attempts to offer a balance account of the period from the perspective of prominent figures in the Philippine-American War (such as George Dewey, Wesley Merritt, Elwell Otis and Emilio Aguinaldo, to name a few), alongside Blount's own interpretation to the turn of events that had taken place. As to the chief implementer of the Benevolent Assimilation, William McKinley was the 25<sup>th</sup> President of the United States of America who ran under the banner of the Republican Party whose main policy then involved the expansion of the power and influence of United States across the globe. The proclamation constitutes the official foreign policy of the Executive Arm of the US government in accordance to their aim in espousing their "Manifest Destiny" ideology and assuming the "white man's burden" role as their ways and means to justify their imperialist motives. Blount provided the historical background that led to the issuance of the proclamation and offered a scathing take which labels the proclamation as the "Pandora box of Philippine woes".

THE BENEVOLENT ASSIMILATION PROCLAMAION

EXECUTIVE MANSION, WASHINGTON,  
December 21, 1898.

The destruction of the Spanish fleet in the harbor of Manila by the United States naval squadron commanded by the United States naval squadron commanded by Rear-Admiral Dewey, followed by the reduction of the city and the surrender of the Spanish forces, practically effected the conquest of the Philippine Islands and the suspension of Spanish sovereignty therein. With the signature of the treaty of peace between the United States and Spain by their respective plenipotentiaries at Paris on the 10th instant, and as a result of the victories of American arms, the future control, disposition, and government of the Philippine Islands are ceded to the United States. In the fulfillment of the rights of sovereignty thus acquired and the responsible obligations of government thus assumed, the actual occupation and administration of the entire group of the Philippine Islands becomes immediately necessary, and the military government heretofore maintained by the United States in the city, harbor, and bay of Manila is to be extended with all possible dispatch to the whole of the ceded territory. In performing this duty to the military commander of the United States is enjoined to make known to the inhabitants of the

Philippine Islands that in succeeding to the sovereignty of Spain, in severing the former political relations, and in establishing a new political power, the authority of the United States is to be exerted for the securing of the persons and property of the people of the islands and for the confirmation of all their private rights and relations. It will be the duty of the commander of the forces of occupation to announce and proclaim in the most public manner that we come not as invaders or conquerors, but as friends, to protect the natives in their homes, in their employments, and in their personal and religious rights. All persons who, either by active aid or by honest submission, co-operate with the Government of the United States to give effect to these beneficent purposes will receive the reward of its support and protection. All others will be brought within the lawful rule we have assumed, with firmness if need be, but without severity, so far as possible. Within the absolute domain of military authority, which necessarily is and must remain supreme in the ceded territory until the legislation of the United States shall otherwise provide, the municipal laws of the territory in respect to private rights and property and the repression of crime are to be considered as continuing in force, and to be administered by the ordinary tribunals, so far as practicable. The operations of civil and municipal government are to be performed by officers as may accept the supremacy of the United States by taking the oath of allegiance, or by officers chosen, as far as practicable, from the inhabitants of the islands. While the control of all the public property and the revenues of the state passes with the cession, and while the use and management of all public means of transportation are necessarily reserved to the authority of the United States, private property, whether belonging to the individuals or corporations, is to be respected except for cause duly established. The taxes and duties heretofore payable by the inhabitants to the late government become payable to the authorities of the United States unless it be seen fit to substitute for them other reasonable rates or modes of contribution to the expenses of government, whether general or local. If private property be taken for military use, it shall be paid for when possible in cash, at a fair valuation, and when payment in cash is not practicable, receipts are to be given. All ports and places in the Philippine islands in the actual possession of the land and naval forces of the United States will be opened to the commerce of all friendly nations. All goods and wares not prohibited for military reasons by due announcement of the military authority will be admitted upon payment of such duties and other charges as shall be in force at the time of their importation. Finally, it should be the earnest wish and paramount aim of the military administration to win the confidence, respect, and affection of the inhabitants of the Philippines by assuring them in every possible way that full measure of individual rights and liberties which is the heritage of free peoples, and by proving to them that the mission of the United States is one of Benevolent Assimilation substituting the mild sway of justice and right for arbitrary rule. In the fulfillment of this high mission, supporting the temperate administration of affairs for the greatest good of the governed, there must be sedulously maintained the strong arm of authority, to repress disturbance and to overcome all obstacles to the bestowal of the blessings of good and stable government upon the people of the Philippine Islands under the free flag of the United States.

WILLIAM MCKINLEY

### Mariano Ponce's Cartas Sobre la Revolucion

*Cartas Sobre la Revolucion, 1897-1900* is a compilation of letters and correspondences of Mariano Ponce to various revolutionaries – Filipinos and foreigners alike, from whom the former had interacted and asked support for the First Philippine Republic during the turbulent turn of the 20<sup>th</sup> century. Born in Baliuag Bulacan on March 23, 1863, Mariano Ponce is famous for being part of the “triumvirate” of the Filipino propagandista movement, alongside with Marcelo Del Pilar and Jose Rizal. In February 12, 1889, Ponce, together with Del Pilar and Graciano Lopez Jaena established *La Solidaridad* wrote various articles using the pen names of *Nanking*, *Kalipulako* and *Tikbalang*. Upon the establishment of the Hongkong Junta led by Emilio Aguinaldo, Ponce was appointed as the official representative of the Philippine revolutionary government to Japan for him to study the policy of Imperial Japan towards her relations to other nations, and subsequently, to ask for military and financial support. In his letter to G. Apacible dated in January 2, 1899, Ponce mentioned the negotiations being initiated for the acquisition of ammunitions from Japan and some diplomatic arrangements, among the others. Ponce's letter to Apacible in 1899, together with the other correspondences compiled, provide an outline of the conducts of the Philippine revolutionary government as far as diplomacy and international relations were concerned, thus, tracing its early relations to Asian nations, notably Japan and the reformist movement in China led by Dr. Sun Yat-sen. One could also discern from Ponce's letters the emerging Asian solidarity in response to the Western intrusion in the region for the past centuries. *Cartas Sobre la Revolucion, 1897-1900* is digitally housed in the *The United States and its Territories, 1870 – 1925: The Age of Imperialism* collection of the University of Michigan Library. Translation of the letters from Spanish to Filipino was undertaken by Professor Ma. Luisa Camagay and Professor Wyan del Peña for its publication through the *Surian ng Wikang Filipino*.

#### 115. LIHAM KAY APACIBLE

Mga negosasyon para sa mga armas. – Panibagong pagkaantala. – Ang mga kinatawang Filipino. – Palaging nagmamatyag ang mga Amerikano. – Paghahanap ng mga sundalo o opisyal sa hukbong reserbado ng Hapon.

*637 Miyokoji Yama, Kitagata, Korakigun,*

*Yokohama, 2 Enero 1899.*

Sr. Don G. APACIBLE,

*Hongkong.*

MAHAL KONG KAIBIGAN: Natanggap ko na ang iyong mga liham na may petsang ika-5, 9, 22, at 23 ng nakaraang Disyembre. Binasa kong mabuti ang lahat ng ito. Natanggap ko ang unang sulat mula sa mga komisyonadong sinalubong ko sa Kobe tulad ng nabalitaan ninyo sa pamamagitan ng aking *postcard*. Natanggap ko kasama ng huling sulat ang *letra de cambio* na may numero 176 na maipapalit sa Yokohama Specie Bank Ltd. Sa halagang 65.48 yen, bilang pagbabalik sa mga ginastos ko sa papel. Salamat dito. ayon sa inyong bilin, ilalagay ko bilang gastos ng representasyon dito ang mga kinuha ni Sr. G. Agoncillo. Padadalhan ko kayo ng listahan ng mga gastos dito sa susunod na liham. Wala akong panahon sa ngayon.

Tumuloy na sa San Francisco sina Sr. Luna, Sr. Lozada, at Sr. Marti noong ika-27 ng nakaraang buwan. Sinunod nila Heneral Riego at Sr. M. Rivera ang payo ng mga Hapones at naiwan sila rito. Nakatira sila sa bahay ninyo at ni Sr. Rivero. Bago umalis ang tatlong nabanggit, nakausap naming noong ika-23 ang isang taong may napakataas na posisyon sa kasalukuyang pamahalaan. Sinabi sa amin ng ginoong ito na hindi tatanggapin ng Hapon na masakop tayo ng ibang bansang makapangyarihan. Sinabi niyang natutuwa ang Hapon na gumaganda ang takbo ng ating Gobyerno at inaasam nito ang pagtatatag ng ating Republika. Hindi na siya makapagdagdag dito dahil isa siyang opisyal ng pamahalaan. Ngunit dahil itinataguyod niya ang kapayapaan, pinagpayuhan niya ang mga komisyonado na ituloy ang kanilang biyahe para sa propaganda sa Amerika at Europa, lalung-lalo na sa Inglatera at Alemanya. Walang dudang pakikinggan ng Amerika ang payo ng dalawang bansang ito. Tulad ng sinabi ko na sa inyo, higit na matutulugan tayo ng mga militar ngunit hindi tayo dapat magtaka na nagmula sa isang diplomatiko ang mga pangungusap na iyon. Hinggil naman sa kasalukuyang ginagawang negosasyon para sa mga armas, nagkaroon ng panibagong pagkaantala, ngayong pang hawak na namin ang 50 mil yen na ipinadala ninyo. Imposible kaming makakilos dahil walang tao rito mula noong Pasko. Bukod dito, palaging nagmamatyag ang mga Amerikano sa pagdating ng mga komisyonado. Ito ang pumipigil sa mga Hapon na bumuo ng isang mapanganib na desisyon. Sinasabing dapat nilang makuhang pagkatiwalaan muli ng mga Amerikano tulad ng dati bago sila kumilos. Lubos naming ikinalulungkot ito. upang madaliin ang takbo ng mga pangyayari, ipinaiwan namin dito si Heneral Riego. Hinihintay naming ngayon ang ika-8 sa pagbalik ng mga nagsipagbakasyon at muli naming lalakaran ang bagay na ito. kapag natapos na ang mga nakabimbing negosasyon at narito na ang hahalili sa akin, uuwi na ako dahil ito rin ang kagustuhan ng ating Presidente. Naghahanap kami ng mga sundalong retirado o nasa hukbong reserbado na gustong sumama. Dapat maganda ang kanilang ugali, marunong ng Ingles o Pranses, at hindi mahirap pakisamahan. Hindi ito pagsasantabi ng mga opisyal na maaring ibigay sa ating pamahalaan. Sinabi sa akin ng Direktor ng Giyera sa isang liham na may 50 ang kailagan doon. Mahihirapan ang pamahalaan na bigyan tayo ng ganoon karaming mga opisyal. Binabati ko kayo ng Manigong Bagong Taon at muli nagsasabing isa ninyong magili na kaibigan at kasama si

M. PONCE.

## **Diary Entry of Lt. Aime Ernest Motsch (also known as Lieutenant X) on the Siege of Manila during the War in the Philippines in 1898**

The Siege of Manila Diary Entry of Lieutenant Aime Ernest Motsch is part of his diary entries about the War in the Philippines in the 1898 which were translated from French to English by Marietta Enriquez-de la Haye Jousselin. 21 years old at that time, Lt. Motsch (who was also known by his pseudonym of “Lieutenant X”), was the officer in charge of the only French battleship docked in the Manila Bay, the *Bruix*, alongside with the other European empires who were “observing” the suspenseful turn of events of the wars amongst the Spaniards, Americans and Filipinos. His diary dating from April 28 to August 31, 1898, fleshed out the specifics of the battles, its aftermath and the general sentiments of the political actors involved in the war theater that was the Spanish-American War. Aside from the diary entries providing firsthand account and thus, can be used to corroborate other primary sources pertaining to the Siege of Manila, for instance, perhaps the strength of Lt. X account as a historical document draws from its “spontaneity” and “unofficial nature” as what Jousselin noted “ [the entries] reveal the man behind the military officer, watching the battle in progress, and freely expressing his reactions and opinions.” However, one should also take a grain of salt when reading and using Lt. X entries as there are evidences of lower treatment towards the natives can be gleaned (ie: use of the term “insurgent” instead of “revolution” in labelling the Filipino faction in the war).

### SIEGE OF MANILA

Sunday, 29 May

The blockade of Manila is now a month old.

The weather will worsen. The Americans have not planted their strategy against the city. They are waiting for the ground troops to arrive from San Francisco. Meanwhile, the insurgents have taken up arms, each day coming closer to Manila, where the Spaniards have allowed themselves to be hemmed in. There will be enough time for action when the Americans disembark.

In the bay, we see the English who seem to be well positioned beside Admiral Dewey’s squadron, the Germans giving the impression that they have a strategy, the Japanese who come and go, and the French who wait, observing, fully aware that their presence will not influence the coming events.

Each fleet is preoccupied with protecting its nationals. On Thursday morning the French delegates came on board, led by the consul and a French engineer who works at the *Compagnie Generale des Tabacs*. We discussed the arrangements: the engineer can provide us with a company ship for transporting the maximum number of men, along with their valuable possessions and provisions, when the attack is confirmed. We think that this will happen anytime now. The ship will therefore come alongside and be protected by our cannons. There is room for a large number of persons. France is protecting the Greeks, the Rumanians, the Valaques, and all her former Levantine clientele – without continuing the Turks. Many women of easy virtue are

from the Levant. They pretend to be Moldo- Valaques, but whether they are or not, they also need our protection. The fear of bombing poses a great number of social problems.

Essentially, the insurgents are at the moment the masters of the situation. It is their word which prevails on land. They are feared by the Spaniards and have given their support to the Americans. Can the Spaniards' travail be taken seriously? Everything they do could be merely to give the impression that they alone have prepared defensive measures.

Monday, May 30

This morning, at 6 o'clock, I went on shore with a comrade. We visited the markets of Binondo and San Miguel. There is an enormous crowd of Tagals and Chinese. Baskets full of fish and delicious fruits are everywhere. The smell of the Chinese overpowers even that of the sea. There is an abundance of lively colors and movements. The looks directed at us are either sympathetic or indifferent, but not at all hostile. The streets are swarming with people discussing among themselves, keeping pace with the tempo on the streets without stopping for a single moment to reflect on the present catastrophe before them.

-And yet, someone said to us an hour later, the fighting began this morning, very early, at Las Piñas, at the very threshold of Manila. The insurgents are putting less and less distance between themselves and the Spaniards with each passing moment. Before long, the two will be at each other's throats.

-What exactly do the insurgents want?

-The other day there was an important meeting between the Philippine chiefs and the high officials in Manila, in which Aguinaldo was supposed to have been the spokesman for his side. He simply stated that his men were well armed, a fact the Spaniards are quite aware of since they themselves had armed the Tagals a month ago. They seemed pleased with themselves that the insurgents of a year ago are now on their side against the Americans. In spite of everything, Aguinaldo is alleged to have offered his assistance, provided that three conditions be followed: 1) the expulsion of all religious orders; 2) the transfer of all ecclesiastical goods, furniture, and buildings for the civil use of the Filipinos; 3) absolute autonomy. This is what is being rumored around, but there is no truth to it. Aguinaldo is in Cavite, brought there from Hongkong by the Americans. In the city, the foreigners are getting worried. This is an absurd situation which cannot go on any longer. Tomorrow the ships which have been chartered will leave the river. The trunks are fast and secure and the final pieces of baggage are being put on board.

-And what is the news from Europe?

-The opinions one hears in the city are that the European powers will provide help. We are confident of Germany. I have received a report from a Hongkong correspondent that a naval battle can be expected. Details of the expected American defeat are not yet known, and Europe is preparing to intervene at the earliest opportunity.

**Letter of Henry Thompson to his parents dated 8 February 1899, published in *Inside the Fighting First: Papers of a Nebraska Private in the Philippine War*, edited by Thomas Solevad Nielsen, (Nebraska: Lur Publications, Danish Immigrant Archive, Dana College, 2001), 98-99.**

Thomas Nielsen's "Inside the Fighting First: Papers of a Nebraska Private in the Philippine War" contains Private Henry O. Thompson's letters and diary entries during the course of the Philippine-American War. After Thompson's death, his family donated the materials to the Danish Immigrant Archive at Dana College, Nebraska. Thomas Nielsen, editor from the archive, worked on the materials and submitted the edited version to Lur Publications. Private Thompson left his farming life to volunteer for the Pacific Battle as part of the Co K, 1st Regiment Nebraska Volunteers. Henry Thompson's letters were unedited, resulting in the presence of errors. Although there were grammatical errors, the unedited version reflected more the voice of the writer. Nielsen attributed the grammatical and spelling errors to Private Thompson's shift from Danish to the English language. Private Thompson was born to Danish immigrant parents. In one of the letters addressed to his parents, Private Thompson narrated their company encounter with the Filipinos on 4 February 1899. The letter corroborated Private William Grayson's account. Most of the historical accounts had used the testimony of Private Grayson to present the start of the Philippine-American War. While the official report of the government blamed the Filipinos, the letter of Private Thompson and the testimony of Private Grayson attested that their group fired the first shot.

Dear Parents,

I will write a few lines to you to let you know that I am well after the fight we had last Saturday night, and all Sunday and Monday afternoon. I tell you we had a hot time fighting those black insurgents. But, we made them run just like jackrabbits. Then shot them as fast as we could. Our guns were so hot that we burned our fingers on them. Today we have the insurgents clear back to the mountains. How many we have killed of them I don't know, but they say from 5 to 10 thousand of them. Out of Co M we had 1 man killed. His name is Guy Livingstone of Pallesmouth, Nebraska. We had 3 wounded, but not bad. Our company made a charge Sunday morning just as it was getting light, on bamboo thicket which was full of insurgents. Next day they found 80 insurgents killed there. I can tell you that Cornie Egan of St. Edwards got killed Sunday morning. Now I will tell you what time the fight started. On outpost Number 2 and Post 2, there is where the first shot was fired by a Nebraskan boy of Co. D. He shot and killed an insurgent lieutenant who was coming up the road with some other insurgents. They wouldn't halt when the guard called to them to, so he had to shoot them. Then you ought to have heard the bugles blow the call to arms. And the insurgents started to shoot as fast as they could all around us. It was then 9 o'clock Saturday evening. Kept the fight up for about 2 hours. Then it stopped, but to begin again at 3 o'clock Sunday morning and kept it going all day until 3 o'clock in the afternoon. When we had made the insurgent's retreat, it was 11 o'clock. We had to drive them out of a blockhouse and of the bridge. We done by 11 o'clock. Then it went along all right. The insurgents retreated as fast they could back about 2 miles. There we stopped for a rest in the

buildings that they just left. Then we got a little piece of bread to eat. We had not anything to eat since Saturday night. We were tired and sleepy. Some of us lay down to sleep right on the ground with our heads on our haversacks, which had a few bullets in them yet. The Tennessee's one battalion of them came after us and they started after the insurgents then. And 6 insurgents jumped out of teh road and held up their hands, and a white flag. But the Tennessee's just shot them before they could say a word. We got a lot of prisoners. All day Monday our company had to bury the dead insurgents around block house no. 7 we buried over 20 of them – 3 or 4 in each grave. I guess you have read all about the war in the papers before you get this letter so you know how many we have killed. I have not got much time to write now. I have been up all the time since Saturday morning until Tuesday night was the first night that I slept all night without getting up and going around on guard. I look so dirty and tired that if you could see me you wouldn't know me. All the boys look alike. We ain't had time to wash for 2 days and 3 nights in which time we was in fight. Well I will tell you about it when I come home. Well I got a chance to shoot at a Filipino., if I didn't get a shot at a Spaniard. One thing I don't know that is how many I shot and killed. Well that is all. I am well. Good bye.

My best regards to all of you,

Henry

***Correspondences relating to the War with Spain and Conditions Growing out of the same, Including the Insurrection in the Philippine Islands and the China Relief Expedition Between the Adjutant-General of the Army and Military Commanders in the United States, Cuba, Porto Rico, China, and the Philippine Islands, from April 15, 1898 to July 30, 1902. Washington: Government Printing Office, 1902, page 894.***

This is a compilation of official documents pertaining to the military affairs of the United States during the Spanish-American, Philippine-American Wars and military operations in China. It includes exchanges of correspondences between the Adjutant-General of the Army (Major General Henry C. Corbin) and the Military Commanders in Cuba, Porto Rico, China and the Philippines during the course of the said wars. It also included some of the related responses and instructions from the Secretary of War and the President of the United States. The Americans belittled the Philippine incident as an insurrection, hence the title of the compilation. However, the Filipinos considered it as a war. The Anti-Imperialists would call it a war of criminal aggression. Some of the military documents included in this compilation are incident reports during the Philippine-American War, such as the encounter between the American and Filipino forces on the night of 4 February 1899. The reports of Philippine Military Governor Elwell Otis to the Adjutant-General as well as that of Secretary Elihu Root to the President were both brief. It is apparent in the letter of Governor Elwell Otis dated 5 February 1899 that he blamed the Filipinos as instigators of the war. Hence, since his report was what the United States Army Adjutant-General received, this report in turn became the basis of Secretary of War Elihu Root's report to President William McKinley. These two reports, however, are contradictory to the account of Private William Grayson and the letter of Private Henry Thompson.

General Otis' incident report to the Adjutant-General in Washington dated 5 February 1899, saying that the insurgents attacked the Americans.

Insurgents in large force opened attack on our outer lines at 8:45 last evening. Renewed attack several times during night. At 4 o'clock this morning entire line engaged. All attacked repulsed. At daybreak advanced against insurgents and have driven them beyond the lines they formerly occupied, capturing several villages and their defense works. Insurgents loss in dead and wounded large. Our own casualties thus far estimated at 175, very fatal few. We are still driving enemy and think we shall punish them severely. Troops enthusiastic and acting fearlessly. Navy did splendid execution on flanks of enemy. City held in check and absolute quiet prevails. Believe that insurgent army attacked contrary wishes of their government. Insurgents have secured good many Mauser rifles, a few field pieces, and quick firing guns, with ammunition, during last month.

The official report that reached the President of the United States, written by Secretary of War Elihu Root stated that

On the night of February 4<sup>th</sup>, two days before the U.S. Senate approved the treaty, an army of Tagalogs, a tribe inhabiting the central part of Luzon, under the leadership of Aguinaldo, a Chinese half-breed, attacked, in vastly superior numbers, our little army in the possession of Manila, and after a desperate and bloody fight was repulsed in every direction.

**Liberty Poems. James West Company, 1900, pp13-15; 63-64**

In June 1900, The James West Company of Boston had published a book entitled *Liberty Poems*. It was a collection of poems written by notable anti-imperialists such as William Lloyd Garrison, Ernest Crosby, William Vaughn Moody, James Dooling, Clarence Hawkes, W. A. Croffut and others. Some were published in the Anti-Imperialist League newspapers such as Boston Evening Transcript, Sunday Republican, Springfield Republican. Inscribed on the cover of the book was “inspired by the crisis of 1898-1900” and was “made for the New England Anti-Imperialist League,” through the efforts of the “supporters of the cause of freedom.” What was noticeable in the poems were some of the words used by the soldiers in their letters. Included in the rhetoric of the writers were words like “jack-rabbit,” “goo-goos,” “Injun,” “nigger” in referring to the Filipinos and orders like “take no prisoners,” and “spare no one” and some soldiers terms like “war is hell,” “war is fun.” In addition, the anti-imperialists wrote about the experiences of the soldiers in the field as narrated by the soldiers to their loved ones. One particular entry was Ernest Crosby’s *The Pirate Flag*, which talks about the soldiers accounts about the war as fun, about the looting, about the burning of villages, and about the manslaughter. Crosby wrote about the orders of officers, who despite the waging of white flag of the revolutionary forces, they still killed them because of the “no prisoners” policy during the war. Crosby also alluded to the looting and the plunder that the soldiers, whom he called as “Blue-jackets and marines” in the Philippines. In one stanza, Crosby parodied the men who did the lootings and the killings mistaking them as pirates where in reality, “they were Dewey’s men.”

The Pirate’s Flag

By Ernest Crosby

And then around me fore and aft  
 The guns began to roar,  
 And flames sprang up and soon enwrapped  
 A village on the shore.  
 I took my glass, and clearly saw  
 Women and children run,  
 While soldiers in the palms behind  
 Were potting them for fun.

Far to the left some dusky men  
Fought bravely on a knoll;  
But, overcome at last, they raised  
A white rag on a pole.  
Yet still the soldiers shot them down;  
And I could almost hear  
Their laughter as they seemed to shout,  
“No prisoners wanted here!”

Then, when the last defender fell,  
The men rushed in with glee;  
And from each house they came with loads  
Of plunder, sad to see.  
And soon we sent a boat ashore,  
Blue-jackets and marines,  
To get our share of loot and swag,  
And spoil the Philippines.

I turned and asked a sailor lad,  
For now they stood at ease,  
What pirates we might chance to be  
Who plagued these summer seas.  
“Oh, we’re no pirates,” he replied.  
Don’t ask me that again.  
This is a ship of Uncle Sam,  
And we are Dewey’s men.”

“But how is that?” I said once more.  
“Where are your stripes and stars?  
And does that inky flag up there

Belong to honest tars?"

"To tell the truth, it's rather queer,"

Replied embarrassed Jack.

"But something in the climate here

Has turned Old Glory black.

The work of Francis Ellingwood Abbot entitled "Old Glory" – "New Shame," was more intense in accusing the American government of "filthing the flag with mud" due to its imperialistic desire.

"Old Glory", - "New Shame"

By Francis Ellingwood Abbot

Are we wild wolves, then,  
Gorged in our den?

Look to your flag, O Freedom's men!  
Tis filthy with mud,  
Soaked with innocent blood,  
Loathed of the free and abhorred of God.

Shame on this lust  
For the golden dust,  
For "commerce" and "markets" in which fools trust!  
Shame on this wars  
Of Plutus and Mars-  
Stripes and Dollars, not Stripes and Stars!

Drunken and gory,  
Damn not the proud story  
That shines in each stripe and each star of "Old Glory"  
The great Declaration

That made us a NATION-  
'Tis hissed but by vipers of this generation.  
Shall cant, murder, greed,  
Blacken Freedom's bright creed?  
Look to it, men of Freedom's breed!  
Wash clean your aim,  
Wash your smirched name,  
Wash from "Old Glory" the foul "New Shame"!

**TOPIC 6 : American Period****List of Reading Materials:**

- 1. Treaty of Paris**
- 2. McKinley's Prayer**
- 3. Benevolent Assimilation Proclamation**
- 4. Our Campaign for Independence**
- 5. The Corner Stone of Philippine Independence**
- 6. The Jones Law of 1916**
- 7. The Philippine Organic Act of 1902**
- 8. Diary of Carrie Chapman**
- 9. The Philippine Independence Act**

## INTRODUCTORY ESSAY FOR THE AMERICAN PERIOD IN THE PHILIPPINES

The readings are designed to offer to the students the primary sources that will provide them the context to be able to understand the narrative of the American occupation of the Philippines. Presented in chronological order, the collection will let them read first the “Treaty of Paris of December 10, 1898.” This peace agreement allowed the United States to gain possession of the Philippine Islands. The next reading material is “McKinley’s Prayer.” The significance of this excerpt is that it gives an insider’s view of how President McKinley arrived at his decision to issue his famous “Benevolent Assimilation” Policy. Citing that it was God’s will that the US should annex the Philippine Islands after praying hard supported the idea that occupying the Philippine islands had a blessing from God and should be seen from the vantage point of the Christian zeal of missionary work by way of spreading the good news to the natives of the archipelago. The Philippine Bill of 1902 guides the students to appreciate one of the most important decrees enacted by the American government in the Philippines. They will realize that the most important element contained in the bill was the clause that called for the creation of a lower legislative branch with elected Filipino representatives as legislators that will comprise the Philippine Assembly. The next reading presents an excerpt of Gov. General Francis Burton Harrison. This reading depicts the personal view of Harrison on the Filipino leaders and politicians who were emerging as the new leaders of the government as well as the challenges he faced in administering the colony. Following this excerpt is another excerpt from a book written by Filipinos Palma and Kalaw that provides clear insights and details on why the respective political parties were organized including the discussion of their political platforms.

The Jones Law of 1916 is the first formal and official declaration of the United States' commitment to grant independence to the Philippines. This Law replaced the Philippine Organic Act of 1902 (Philippine Bill of July 1, 1902) that served as the de facto initial constitution of the Philippine Islands. The emphasis of this reading is the fact that among the salient provisions of the Autonomy Act of 1916 was the creation of an all Filipino legislature which created the Philippine Senate to replace the Philippine Commission which had served as the upper chamber of the legislature. The next reading is an excerpt from the diary of Carrie Chapman Catt which led to the creation of a movement for women to take up leadership roles in politics. Lastly, a significant reading material for students to read about the American Period is the text of the Tydings-McDuffie Act of 1934. Known as the Philippine Independence Act of 1934, this was a U.S. law that provided for Philippine independence. Because of this, the Filipinos will now be motivated to prepare for the establishment of the Commonwealth government..

**Treaty of Peace between the United States of America and the Kingdom of Spain (Treaty of Paris), signed in Paris, December 10, 1898**

**By the President of the United States of America**

*[Signed in Paris, December 10, 1898]*

**ANNOTATION**

The Treaty of Paris, signed on December 10, 1898, was a peace agreement between Spain and the United States that ended the Spanish-American War. Under the treaty, Cuba gained independence from Spain, and the United States gained possession of the Philippine Islands, Puerto Rico, other islands in the West Indies, and Guam.

The commission met from October to December 1898 and agreed upon that some colonies of Spain including the Philippines be ceded to the United States. On 10 December 1898, without Filipino representation and consultation, the Treaty of Paris was concluded. It was signed by representatives from the US Government namely: Cushman Davis, William Frye, Whitelaw Reid, George Gray, and William Day. The Spanish delegation on the other hand was composed of Eugenio Montero Rios, Buenaventura Abarzuza, Jose de Garnica, Wenceslao Ramirez de Villa-Urrutia, and Rafael Cerero.

The Treaty of Paris was made up of thirteen articles that stipulate the conditions, obligations, as well as benefits that the Governments of Spain and the United States could enjoy over the ceded islands. It also stated that an amount of \$20,000,000 will be paid by the US to Spain after the treaty's ratification.

The treaty did not go into effect until after its ratification. Initially, many American senators did not favor it for they thought of it as unfair to the Filipinos and a manifestation of imperialism. Unfortunately, the Filipino-American hostilities that erupted on 4 February 1899 in the Philippines (known as the "First Shot") changed the course of the tide. American propaganda made it appear that the Filipinos instigated the hostility causing the breach of alliance and trust. Two days after, the treaty was ratified with two-thirds of the majority in the US Senate.

The American and Spanish governments reckoned the Treaty of Paris as an instrument of Peace, but the Filipinos resented its conclusion and ratification for they were not consulted and considered in its making. Further, the provisions of the treaty were not for the benefit of the Filipinos but the imperialists, instead. With the signing and ratification of the Treaty of Paris, the bitter relations between the Americans and the Filipinos turned bitterer and eventually lead to another episode that was known as the Filipino-American

A Proclamation.

Whereas, a Treaty of Peace between the United States of America and Her Majesty the Queen Regent of Spain, in the name of her August Son, Don Alfonso XIII, was concluded and signed by their respective plenipotentiaries at Paris on the tenth day of December, 1898, the original of which Convention being in the English and Spanish languages, is word for word as follows:

THE UNITED STATES OF AMERICA AND HER MAJESTY THE QUEEN REGENT OF SPAIN, IN THE NAME OF HER AUGUST SON DON ALFONSO XIII, desiring to end the

state of war now existing between the two countries, have for that purpose appointed as Plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES,  
WILLIAM R. DAY, CUSHMAN K. DAVIS, WILLIAM P. FRYE, GEORGE GRAY, and  
WHITELAW REID, citizens of the United States;

AND HER MAJESTY THE QUEEN REGENT OF SPAIN,  
DON EUGENIO MONTERO RIOS, President of the Senate  
DON BUENAVENTURA De ABARZUZA, Senator of the Kingdom and ex-Minister of the  
Crown,  
DON JOSE DE GARNICA, Deputy to the Cortes and Associate Justice of the Supreme Court;  
DON WENCESLAO RAMIREZ DE VILLA-URRUTIA, Envoy Extraordinary and Minister  
Plenipotentiary at Brussels, and  
DON RAFAEL CERERO, General of Division;

Who, having assembled in Paris, and having exchanged their full powers, which were found to be in due and proper form, have, after discussion of the matters before them, agreed upon the following articles:

#### **ARTICLE I**

Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such as occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

#### **ARTICLE II**

Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrones.

#### **ARTICLE III**

Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following line:

A line running from west to east along or near the twentieth parallel of north latitude, and through the middle of the navigable channel of Bachi, from the one hundred and eighteenth (118<sup>th</sup>) to the one hundred and twenty seventh (127<sup>th</sup>) degrees meridian of longitude east of Greenwich, thence along the one hundred and twenty seventh (127<sup>th</sup>) degree meridian of longitude east of Greenwich to the parallel of four degree and forty five minutes (4°45') north latitude, thence along the parallel of four degrees and forty five minutes (4°45') north latitude to its intersection with the meridian of longitude one hundred and nineteen degrees and thirty five minutes (119°35') east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty five minutes (119°35') east of Greenwich to the parallel of latitude seven degrees and forty minutes (7°40') north, thence along the parallel of latitude seven degrees

and forty minutes (7°40') north to its intersection with the one hundred and sixteenth (116<sup>th</sup>) degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth (10<sup>th</sup>) degree parallel of north latitude with the one hundred and eighteenth (118<sup>th</sup>) degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth (118<sup>th</sup>) degree meridian of longitude east of Greenwich to the point of beginning.

The United States will pay to Spain the sum of twenty million dollars (\$20,000,000) within three months after the exchange of the ratifications of the present treaty.

#### **ARTICLE IV**

The United States will, for the term of ten years from the date of the exchange of the ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

#### **ARTICLE V**

The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the island of Guam, on terms similar to those agreed upon by the Commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the Protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two Governments. Stands of colors, uncaptured war vessels, small arms, guns of all calibres, with their carriages and accessories, powder, ammunition, live stock, and materials and supplies of all kinds, belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defenses, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may, in the mean time, purchase such materials from Spain, if a satisfactory agreement between the two Governments on the subject shall be reached.

#### **ARTICLE VI**

Spain will, upon the signature of the present treaty, release all prisoners of war, and all persons detained or imprisoned for political offenses, in connection with the insurrections in Cuba and the Philippines and the war with the United States.

Reciprocally, the United States will release all persons made prisoners of war by the American forces, and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

The Government of the United States will at its own cost return to Spain and the Government of Spain will at its own cost return to the United States, Cuba, Porto Rico, and the Philippines,

according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

#### **ARTICLE VII**

The United States and Spain mutually relinquish all claims for indemnity, national and individual, of every kind, of either Government, or of its citizens or subjects, against the other Government that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war.

The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

#### **ARTICLE VIII**

In conformity with the provisions of Articles I, II, and III of this treaty, Spain relinquishes in Cuba, and cedes in Porto Rico and other islands in the West Indies, in the island of Guam, and in the Philippine Archipelago, all the buildings, wharves, barracks, forts, structures, public highways and other immovable property which, in conformity with law, belong to the public domain, and as such belong to the Crown of Spain.

And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, cannot in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the Peninsula. Where any document in such archives only in part relates to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the island above referred to, which relate to said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid.

#### **ARTICLE IX**

Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

#### **ARTICLE X**

The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

#### **ARTICLE XI**

The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such courts, and to pursue the same course as citizens of the country to which the courts belong.

#### **ARTICLE XII**

Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

1. Judgments rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse or rights of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.
2. Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgment before the court in which they may then be pending or in the court that may be substituted therefor.
3. Criminal actions pending on the date mentioned before the Supreme Court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but, such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

**ARTICLE XIII**

The rights of property secured by copyrights and patents acquired by Spaniards in the Island of Cuba, and in Porto Rico, the Philippines and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories, for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

**ARTICLE XIV**

Spain shall have the power to establish consular officers in the ports places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

**ARTICLE XV**

The Government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light dues, and tonnage duties, as its accords to its own merchant vessels, not engaged in the coastwise trade.

This article may at any time be terminated on six months' notice given by either Government to the other.

**ARTICLE XVI**

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will upon the termination of such occupancy, advise any Government established in the island to assume the same obligations.

**ARTICLE XVII**

The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Paris, the tenth day of December, in the year of Our Lord one thousand eight hundred and ninety-eight.

WILLIAM R. DAY  
CUSHMAN K. DAVIS  
WM P. FRYE  
GEO. GRAY  
WHITELAW REID.

EUGENIO MONTERO RIOS  
B. DEABARDUZA  
J. DE GARNICA  
W R DE VILLA URRUTIA  
RAFAEL CERERO

And whereas, the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the eleventh day of April, one thousand eight hundred and ninety-nine;

Now, therefore, be it known that I, William McKinley, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this eleventh day of April, in the year of Our Lord one thousand eight hundred and ninety-nine, and of the Independence of the United States the one hundred and twenty-third.

Signed: William McKinley

## President William McKinley's Prayer

### ANNOTATION

The section is an excerpt written by Homer C. Stuntz who was the pioneering missionary of the Board of Missions of the Methodist Church. His close friendship with Governor Howard Taft allowed him to write about the Philippines where he stayed for two years. This piece of information stemmed from the fact that President McKinley was a devout Methodist Christian and he shared his thoughts with a group of American Methodist dignitaries who visited him at the White House on November 21, 1899. The significance of this excerpt is that it gives an insider's view of how President McKinley arrived at his decision to issue his famous "Benevolent Assimilation" Policy. Citing that it was God's will that the US should annex the Philippine Islands after praying hard supported the idea that occupying the Philippine islands had a blessing from God and should be seen from the vantage point of the Christian zeal of missionary work by way of spreading the good news to the natives of the archipelago. This "divine revelation" would eventually shape the annexation of the Philippine islands to implement America's imperialist aspirations.

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Meantime the question of what to do with the Philippines was the one which perplexed our authorities in Washington. President McKinley faced it, and sought advice from all parties. Perhaps the fullest unofficial statement he ever made of the way his own conclusion to hold the Islands was reached is contained in his address to a committee of clergymen, as reported in the *Christian Advocate* by General James. F. Rusling. General Rusling was a member of a committee from a religious gathering in Washington to present resolutions of thanks to President McKinley for courtesies shown its members, and, with Bishop Thomas Bowman, Bishop John F. Hurst, and Drs. Upham and Buckley, met with the President by appointment in his private office in the White House for that purpose, November 21, 1899. After a pleasant interview the members of the committee rose to take their leave. The President detained them to give the following statement:

"Before you go I would like to say just a word about the Philippine business. I have been criticized a good deal about the Philippines, but don't deserve it. The truth is, I didn't want the Philippines, and when they came to us, as a gift from the gods, I did not know what to do with them. When the Spanish War broke out, Dewey was at Hong-Kong, and I ordered him to go to Manila, and he had to; because, if defeated, he had no place to refit on that side of the globe, and if the Dons were victorious they would likely cross the Pacific and ravage our Oregon and California coasts. And so he had to destroy the Spanish fleet, and did it! But that was as far as I thought then.

"When I next realized that the Philippines had dropped into our lap, I confess I did not know what to do with them. I sought counsel from all sides – Democrats as well as Republicans – but got little help. I thought first we would take only Manila; then Luzon; then other islands, perhaps, also. I walked the floor of the White house night after night until midnight; and I am not ashamed to tell you, gentlemen, that I went down on my knees and prayed Almighty God for light and guidance more than one night. And one night late it came to me this way – I don't know

hot it was, but it came: (1) That we could not give them back to Spain—that would be cowardly and dishonorable; (2) That we could not turn them over to France or Germany—our commercial rivals in the Orient—that would be bad business and discreditable; (3) That we could not leave them to themselves—they were unfit for self-government—and they would soon have anarchy and misrule over there worse than Spain’s was; and (4) That there was nothing left for us to do but to take them all, and to educate the Filipinos, and uplift and civilize and Christianize them, and, by God’s grace, do the very best we could by them, as our fellow-men for whom Christ also died. And then I went to bed, and went to sleep, and slept soundly, and the next morning I sent for the chief engineer of the War Department (ou map-maker), and told hi, to put the Philippines on the map of the United States (pointing to a large map on the wall of his office); and there they are, and there they will stay while I am President!”

The American occupation of the Philippines was undertaken with motives as humane and disinterested as those which drove us to war with Spain at first. The fact is, that the hour of destiny had struck. The forbearance of a just God was exhausted. Spain must dispossessed of territories which she had ruled with force and cruelty. A new order must begin.

**Benevolent Assimilation Policy Declaration**  
**EXECUTIVE MANSION, WASHINGTON, December 21, 1898.**

**ANNOTATION**

On Dec. 21, 1898, President McKinley issued the BENEVOLENT ASSIMILATION PROCLAMATION, announced in the Philippines on Jan. 4, 1899, which stated the U.S.' "humane" mission in acquiring the Philippines. He emphasized that the U.S. have "come, not as invaders or conquerors, but as friends, to protect the natives in their homes, in their employment, and their personal and religious rights." He proclaimed after the signing of the Treaty of Paris, asserting that the "military government maintained in Manila is to be extended to the whole Philippine islands and that the United States government assumes full control and sovereignty of the Spanish government over the Philippines. After a lengthy debate, the U.S congress ratified the treaty on February 6, 1899.

Moreover, the U.S. wanted to "win the confidence, respect, and affection of the inhabitants of the Philippines by assuring them in every possible way that full measure of individual rights and liberties which is the heritage of free peoples, and by proving to them that the mission of the United States is one of benevolent assimilation substituting the mild sway of justice and right for arbitrary rule." From the proclamation itself, President McKinley had denied the very concept of the declaration of war against Spain by deciding to annex the Philippines.

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The destruction of the Spanish fleet in the harbor of Manila by the United States naval squadron commanded by Rear-Admiral Dewey, followed by the reduction of the city and the surrender of the Spanish forces, practically effected the conquest of the Philippine Islands and the suspension of the Spanish sovereignty therein. With the signature of the treaty of peace between the United States and Spain by their respective plenipotentiaries at Paris on the 10th instant, and as a result of the victories of American arms, *the future control, disposition, and government of the Philippine Islands are ceded to the United States.* In the fulfillment of the *rights of sovereignty* thus acquired and the responsible obligations of government thus assumed, the actual occupation and administration of the entire group of the Philippine Islands becomes immediately necessary, and the *military government* heretofore maintained by the united states in the city, harbor, and bay of Manila *is to be extended* with all possible dispatch *to the whole of the ceded territory.*

In performing this duty the military commander of the United States is enjoined to make known to the inhabitants of the Philippine Islands that in *succeeding to the sovereignty of Spain*, in severing the former political relations, and in establishing a new political power, the authority of the United States is to be exerted for the securing of the persons and property of the people of the islands and for the confirmation of all their private rights and relations. It will be the duty of the commander of the forces of occupation to announce and proclaim in the most public manner that *we come*, not as invaders or

conquerors, but as friends, *to protect* the natives in their homes, in their employments, and in their personal and religious rights. All persons who, either by active aid or by honest submission, co-operate with the Government of the United States to give effect to these beneficent purposes will receive the reward of its support and *protection*. All others will be brought within the lawful rule we have assumed, with firmness if need be, but without severity, so far as possible. Within the absolute domain of *military authority*, which necessarily is and *must remain supreme* in the ceded territory until the legislation of the United States shall otherwise provide, the municipal laws of the territory in respect to private rights and property and the repression of crime are to be considered as continuing in force, and to be administered by the ordinary tribunals, so far as practicable. The operations of civil and municipal government are to be performed by such officers as may accept *the supremacy of the United States* by taking the oath of allegiance, or by officers chosen, as far as practicable, from the inhabitants of the islands. While the control of all the public property and the revenues of the state passes with the cession, and while the use and management of all public means of transportation are necessarily reserved to the authority of the United States, private property, whether belonging to individuals or corporations, is to be respected except for cause duly established. The taxes and duties heretofore payable by the inhabitants to the late government become payable to the authorities of the United States unless it be seen fit to substitute for them other reasonable rates or modes of contribution to the expenses of government, whether general or local. If private property be taken for military use, it shall be paid for when possible in cash, at a fair valuation, and when payment in cash is not practicable, receipts are to be given. All ports and places in the Philippine Islands in the actual possession of the land and naval forces of the United States will be opened to the commerce of all friendly nations. All goods and wares not prohibited for military reasons by due announcement of the military authority will be admitted upon payment of such duties and other charges as shall be in force at the time of their importation. Finally, it should be the earnest wish and paramount aim of the military administration to win the confidence, respect, and affection of the inhabitants of the Philippines by assuring them in every possible way that full measure of individual rights and liberties which is the heritage of free peoples, and by proving to them that the mission of the United States is one of

#### BENEVOLENT ASSIMILATION

substituting the mild sway of justice and right for arbitrary rule. In the fulfillment of this high mission, supporting the temperate administration of affairs for the greatest good of the governed, there must be sedulously maintained the strong arm of authority, to repress disturbance and to overcome all obstacles to the bestowal of the blessings of good and stable government upon the people of the Philippine Islands under the free flag of the United States.

WILLIAM McKINLEY.

**Excerpt from Palma, R., Kalaw, T. M. (Teodoro Manguiat). (1923). Our campaign for independence from Taft to Harrison (1901-1921). Manila: Bureau of printing. pp 15 to 17**

## ANNOTATION

Rafael Palma was a member of the Philippine Commission and was later elected Senator and ultimately appointed as the fourth President of the University of the Philippines. Teodoro M. Kalaw was a nationalist scholar, legislator, journalist, educator, and historian. The two authors were very active as political leaders and officials of the government during the American period. This excerpt provides an authoritative account of the evolution of the two dominant parties during the American period. It provides clear insights and details on why the respective political parties were organized including the discussion of their political platforms.

It was the inauguration of the First Philippine Assembly in 1907 that paved the way for the country's independence from American rule as it provided the Filipino legislators to have hands-on experience in the local political affairs. This event was very significant in the history of Philippine politics since this event also witnessed the first national election in our country through popular votes. The Filipinos' aspirations for greater political participation and their thirst for self-rule were realized in the establishment of the Philippine legislature. This glorious victory of the Filipinos was accompanied by enormous responsibilities because they have to prove to the U.S Congress, the international community, and to the Filipino nation that the Filipinos could govern themselves properly and dutifully.

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## THE FEDERAL PARTY IS ORGANIZED

Since the beginning of the Filipino American War there had been a small group of Filipinos who were opposed to it. These remained in Manila since the commencement of hostilities and did not take part in the risk of the campaign, some of them believing in good faith that it was a mistake and that it was foolish to fight against forces a hundred times superior. From among these Filipinos the Commission recruited its followers and advisers. Later on, some of the politicians who had been followers of Aguinaldo, and had taken refuge in the amnesty proclamation, joined this small nucleus, perhaps because they were convinced that to continue resistance would merely weaken the country materially and economically, and that it was more prudent because of pressure of circumstances, to temporarily renounce the political ideal that they had espoused. With the Filipino troop dispersed and the consequent surrender of many of their generals; with the first acts of the Commission that bore signs of democracy and the desire to count with public opinion in the making of the laws; with the reelection of McKinley that assured the continuance of his policy for another four years, and, lastly, with the proclamation of General McArthur threatening the Filipinos in arms with a series of cruel and severe penalties the group of conservative Filipino saw that the time had come to act, and they organized a political party under the name of Federal Party. The principal object of the

party was to hasten general peace in all the provinces and then to establish a territorial government which in time would make possible the admission of the Islands as a State of the North American Union. It was with unfeigned satisfaction that the Commission welcomed the organization of this party. It was not only a clear proof that their reassuring reports to Washington were founded on fact; it made it easier for them besides to carry out their plan of retaining the Islands indefinitely. The possibility of making the Islands a state of the American union was a handsome pretext with which to drive away the idea of independence so deeply imbedded in the minds of the Filipinos. It was for this reason that the Commission lent most cordial and decided support to the Federal Party and its dignitaries, and it placed at their disposal all the facilities and means available under a state of actual war with which to carry out their propaganda ends. In the Commission's phraseology, the Federal Party spread thru out the Islands with lightning like rapidity; but it spread not on account of the principles it stood for, but rather because of the spoils and benefits that it might be able to divide among those enlisting in its ranks. The hardships of the military rule under which many families were groaning, coupled with the enticing offers of honors and recompense from the government coffers, was the magnificent combination that had the effect of greatly weakening the resistance of the most valiant exponents of independence. The Federal Party was victorious all along the lines and rightly could it boast at the time of its easy conquests. It had with it the cream and the flower of plutocracy and the country's aristocracy of talent, at the same time that it enjoyed unlimited power, confidence, and influence in the councils of the new government.

Without losing time, the Commission organized the municipal governments, and soon afterwards the provincial governments. This furnished the occasion for a triumphal trip of the Commission from one province to another, familiarizing themselves with men and things, mixing socially with the Filipinos, informing them of the Commission's benevolent mission and promising them, like kindly guardians, a greater degree of popular government if they would conduct themselves as became good wards. 6

The lesson, however, was not mastered so easily by such provinces as Cavite, Batangas, Cebu, and Samar where the civil governments had to be turned over to the military; but on the whole it can be said that the rest of the provinces behaved in the manner expected of them. Hence it was that the Commission, complying with its mission of peace, organized the central civil government on July 4, 1901, in spite of the intrigues of the military who would not relinquish hold of the government so easily in favor of others.

About the time, when Taft was absent in Rome, the Nationalists, who had until then kept silent but had been observing with grief the course that events had taken, began to feel the first qualms of conscience and they decided to take soundings to see whether the stream could be forded. A number of “consistents,” as they styled themselves, met, deliberated, and drew up, without delay, a program containing the following bases:

#### ESSENTIAL BASE

First'— The securing of the independence of the Islands thru lawful means.

#### INCIDENTAL BASES

Second. Modification of the present administration of the Philippines so as to give the Filipinos a greater degree of self government, as an announcement of the capacity of the Filipino people.

Third. —Modification of article seven of the Philippine Bill as follows:

(a) Immediate establishment of two legislative chamber upon the completion of the Census.

(b) Both these legislative chambers to be elected by popular suffrage, to safeguard the interests of the Filipino people, and to be patterned after the two Houses of Congress in America.

(c) The bills passed by the Philippine Legislature to become laws subject to the same rules set forth in the American Constitution.

Fourth. —Admission of Philippine products into the United States customs free.

Fifth . Protective legislation for the Philippine industries. A committee of three was appointed to lay this program before Governor Wright, who was acting in the absence of Mr. Taft. It is said that Governor Wright, upon learning the purpose of the committee, knitted his brow in displeasure and flatly refused to give his assent to the program. Although aggrieved by Governor Wright's reception, the Nacionalistas were not discouraged, and when Mr. Taft arrived they named another committee to see him. Mr. Taft was more diplomatic as to form than Mr. Wright, but was just as unyielding as to substance.

In his opinion, the propaganda of the Nacionalista party would stir up the fires of the insurrection anew and would kill the party itself. It would be impossible to prevent the authorities from suspecting the Nationalists from within and confusing them with the brigands out in the field. Along similar lines, Mr. Taft addressed the committee. He took care to suggest, however, that if the word “independence” were eliminated from the program, he would have no objection to recognizing the new party. Debates and doubts ensued among the organizers of the party, but in the end the opinion prevailed that the grapes were still green and must be allowed to ripen; they, therefore, retreated to their original position of watchful waiting. It was

impossible, however, for the Federalists' error to continue blindfolding the country for any length of time. The Saint Louis Exposition of 1904 which induced many Filipinos to visit the United States, gave the Federal Party a lesson which it would not even admit when Mabini made them see the impossibility of their platform.

There was not a single American who seriously favored the annexation of the Philippines. To them, such annexation was precluded by the distance of the Islands and by the customs of the Filipinos that were totally different. Many of the prominent "Federalists" who had gone to the United States in the honest belief that their platform had some merit to it, came back confused and disheartened. The panacea they had administered on the country was a fatal one, and could not cure it, so that the party found itself in a very embarrassing position which not even the changes, subsequently adopted, were able to remedy.

The Nacionalistas took advantage of the opportunity and came out in the open. The state of war that had silenced them there tofore and prevented the carrying out of any propaganda for the party, had ceased to exist. There was nothing in the organic law prohibiting their working in a peaceful manner for the independence of the country. The Census had been completed and two years later the elections for the first Philippine Assembly was to be held. Herein we have to do justice to the American people. The liberal spirt of their Constitution which allows no barriers to free thought and its free expression, had made it possible for the Filipinos to campaign peacefully for their independence and to provide the ways and means necessary to obtain it. No other people has permitted a similar liberty to the inhabitants of a territory under its sway. Thus it was that the Nacionalistas, in organizing their party, never lost sight of, nor have they ever failed to recognize, this generosity on the part of the American people and their representatives in the Islands. Thus it was also that the leaders of the Nacionalistas never have shown an attitude of arrogance or of challenge even in the most trying situations, but instead they have placed themselves in the position of one merely complying with a duty dictated by the voice of the people. They considered themselves as trustees of the ideals of the Revolution, who were in duty bound to continue the works of those who had fallen.

In all their campaigns they limited themselves to showing to the American people and their representatives here that the cause of independence had not ceased to have followers in the country, and that, in spite of the personal liberties grant the Filipinos and the participation given them in the different branches of the government, they still cherished the ambition to have their own nationality and their own government under their own laws. In no manner were they impeded by the Government in their organization, but while there were no impediments from that end, there were many when the time arrived for the heads of the organization to come to an understanding. Because of this lack of understanding the Nacionalistas

became divided into various groups, the dividing line between each of which they themselves were unable to delineate. They lost much time discussing the clauses and planks of their respective platforms, until, on the eve of the election, the apprehension of a common disaster made them reunite, but only temporarily, because after their victory at the polls they fell to disputing again among themselves.

**Excerpt from Harrison, Francis Burton. *The Corner-Stone of Philippine Independence*.  
New York: The Century Co., 1922. pp 60 – 74**

**ANNOTATION**

Francis Burton Harrison (1873-1957) was a lawyer educated at Yale and the New York Law School. As a Democrat representing the State of New York, he was a U.S. congressman from 1903 to 1905 and from 1907 to 1912, and in 1916 President Woodrow Wilson appointed him Governor-General of the Philippines. As a fervent anti-imperialist and opponent of "Dollar Diplomacy," Harrison speeded up the filipinization of civil service posts, introduced reforms toward self-government, and espoused the Democrat program to give early independence to the Philippines. The Democrats lost in the elections of 1920, but Harrison returned to Manila in 1935 to serve as a presidential adviser to President Manuel L. Quezon under the Philippine Commonwealth. He was also an adviser to the Philippine government-in-exile during World War II, as well as to Presidents Manuel Roxas, Elpidio Quirino, and Ramon Magsaysay. At his request, Harrison was buried in the Philippines.

The excerpt depicts the personal view of Harrison on the Filipino leaders and politicians who were emerging as the new leaders of the government. His descriptions of his relationships with the leaders and their ways offer a firsthand version of the evolution of the political control and influence of members of the Philippine Assembly. This selection also shows his thoughts on the role and challenges he faced as the Governor-General of the Philippines.

## CHAPTER V

### Filipinos in Control of Legislature

It is not my intention to write here a history of the Philippine Government during the past eight years. As a participant in the work of that administration I could not, in all probability, write impartially of it. The records are all there, and it is too soon to pronounce final judgment. Those of us who have been connected with the administration have many times given public expression to our purposes and public record to our explanations. Most of it is already embalmed in the mortuary of government reports on file in Washington and Manila. Some Filipino historian in the years to come will probably, from the angle of vision afforded those who come after us, go through the musty records of the past, and give to this period a few chapters in a history of the Philippines. My hope is that in this volume I may contribute something of interest to the world-wide discussion concerning the capacity of the tropical races for self-government, as observed by one who has been engaged in giving to the Filipinos the fullest possible opportunity to demonstrate such capacity. If for this purpose government records and statistics are quoted, it will be in the endeavor to show to what an extent the Philippines have developed politically, economically, and otherwise materially, under their own government. (60)

It is impossible, however, to avoid frequent reference to the governor-general and his relation to the general situation ; his position is by tradition the very nerve-center of Philippine administration, and he is given by law very full powers of supervision and control. It was one of my purposes to assign gradually to the proper functionaries the responsibilities which should be theirs. The Governor-General of the Philippines receives a salary of \$18,000 a year from the Insular Treasury, and the residence known as Malacañang Palace in Manila is set aside for his use. The salary had been \$21,000, but was reduced, at my insistence and against the wishes of members of the Legislature, during my first weeks of office, when for reasons of vitally necessary economy other salaries were being cut. The salaries of the Governor of Hong-Kong and the Governor-General of Java are about three times as high ; of the Governor General of British India about four or five times as much. It costs the Governor-General of the Philippines from twice to four times his salary to live in Malacañang, according to his disposition in the matters of entertaining and general style of living. No motor-car is furnished him, and no servants, but he has free light and water and a cottage allowed him in the mountains in Baguio, known as the Mansion House. Free music is provided for entertainments in Manila, furnished by the Constabulary Band. Before leaving I was instrumental in arranging that the appropriation bill should provide for the "entertainment of distinguished guests" out of the \$100,000 appropriated in the General Purpose funds, when "approved by the Council of State." This should lighten the financial (61)

burden of my successor. It was made use of once in my last few months of office to the amount of about \$3000, to pay for the extraordinary expenditures necessary for entertainment at Malacañang of the visitors who were members of the Congressional party. Malacañang Palace is one of the most comfortable and delightful homes in the tropics. The Spaniards were the best of all the European races as builders in the hot countries, perhaps because they learned how to build in their own. The English make themselves miserable in the tropics by reproducing in every respect possible the houses and methods of life of their own cold climate. Malacañang was originally purchased by the Spanish Government about a century ago as a casita or country house, and has been added to from time to time until it has now a huge floor space of old hand-hewn hardwood, and is admirably fitted for large entertainments. The balcony projects over the swiftly flowing Pasig River, and there is generally a pleasant breeze there, even during the hottest weather. The thermometer in my room generally stood at 83°, and seldom went below 76° or above 89°. The gardens along the river are noted for the fairy-land illumination displayed at evening entertainments. Malacañang has been greatly enlarged and modernized in the last few years, and a beautiful new executive office building in the garden has just been completed. In the disastrous earthquake of 1865 the big stone palace of the governor-general, on what is now Plaza McKinley, was totally destroyed, and the governor-general moved temporarily into Malacañang; like so much else that the Spanish intended as temporary, it has become his permanent residence. When I settled (62) in Malacañang I was the ninety-fifth governor-general, and served in that position for seven and a half years, or longer than any one of the forty-four who had directly preceded me, dating back to the eighteenth century. The governor-general has an office in Malacañang, but when he was also President of the Philippine Commission, which

sat daily during the Legislative sessions, it was customary for him to go to the Ayuntamiento, or City Hall, every day for his office work.

It was frequently charged that in my first months of office I would not consult with "the Americans"; so far as I am aware, I saw all Americans who wished to advise with me,—indeed, gave hours to that service, day after day, year after year. The real difficulty was that I did not always take the advice, not of "the Americans," but of certain Americans who had composed what had been popularly known as the "kitchen cabinet," or "polo cabinet" of recent years.

Few of them held official positions, and many of them seemed to me to be inspired by private financial interests rather than the public interest. Anyone who has ever held public executive office will know how very great a part of his time is occupied in seeing people and receiving advice. This is particularly so in the Philippines, where for ages a paternal government had been conducted, with the governor-general, whether by law or custom, the head and center of it all. Week after week my time was occupied with receiving complaints, advice, or requests, often from the same people again and again. Finally I came to feel that my office was not unlike that of a medical man : persons came to me only when in trouble, and for consultation and relief. (63)

At the very beginning I made of record the fact that I had come to govern the islands in consultation also with the Filipinos. I was thus brought into immediate and daily contact with Mr. Sergio Osmena, the Speaker of the House of Representatives, president of the Nacionalista party and the leading representative of the Filipino people. This remarkable man had already been Speaker for five years, and still holds that office. I found him extremely well informed, not only about Philippine affairs, but about American history and Constitutional law. Wise, astute, and cautious, of an impressive personality, he was also possessed of most remarkable courteous good manners, which never failed him. For the past thirteen years he and Mr. Quezon have been the dominant personalities in Philippine politics. I have never heard either of them speak a word of criticism or ill-will against the United States or the American people, and only very rarely against an individual American. They have always had a faith in our country and an appreciation of what our country has done for their people far above the petty level of political and racial feelings in Manila.

Our first duty was to select for recommendation to the President the names of the new Filipino majority in the commission which was promised by his message. Mr. Osmena furnished a list of a dozen names, and we proposed to submit them for approval to the Philippine Assembly, so that all the elected representatives of the people might have a share in the selection, but this plan was vetoed by the Secretary of War. I then consulted Chief Justice Arellano, Resident Commissioners Quezon and Earnshaw, and Colonel Harbord, (65)

Chief of Constabulary. The five names agreed upon were cabled to the Secretary of War, and the commissioners were shortly nominated by the President and confirmed by the Senate, as follows: Victorino Mapa of Iloilo as Secretary of Finance and Justice; Rafael Palma of Manila, for several years already a member of the commission, for reappointment; Vicente Ilustre of

Batangas ; Jaime de Veyra of Leyte and Vicente Singson-Encarnacion of Ilocos Sur. Palma and De Veyra were members of the Nacionalista party, Mapa sympathetically inclined to that party, Ilustre an independent, and Singson the leader of the Progresista party in the House of Representatives. For nearly three years, until the change of government under the Jones Act, we worked. Together through seasons of political excitement and turmoil with perfect harmony and mutual good-will. It may serve to illustrate the types of older Filipino leaders to describe these commissioners here.

Secretary Mapa, who sat for twelve years upon the Philippine Supreme Court bench, is short of stature and dignified in demeanor. He served in Spanish days as Alcalde (or Mayor) of the City of Iloilo. His courtesy and modesty are so great that none but his intimate friends know his rare sense of humor and fund of anecdotes and proverbs. Some of his best stories are of playing tresillo (cards) with Governor-General Weyler, who was a short man like himself, with a terrific military reputation and menacing gestures; Mr. Mapa incidentally points out that General Weyler in all his long life had never once been under fire himself. As a member of the commission, Mr. Mapa's services were invaluable; nobody in the islands has a better (66)

legal mind, and he was constantly appealed to by his colleagues for his opinion on all legal points, never offering his advice in general discussions until it was asked. He was generous and kindly always, but in a parliamentary fight, once he had made up his mind, he was absolutely fearless, a veritable little Lion of Justice. His face is like an engraving of a French statesman of the seventeenth century, and his sense of honor and fair play are above all party or political considerations. He was recently made Chief Justice of the Supreme Court, to succeed the late Chief Justice Cavetona Arellano, but had to resign his position before a year of incumbency, on account of ill-health.

Rafael Palma is generally considered the third man in Filipino politics. His somewhat severe and melancholy face frequently lights up with an unexpected and sunny smile, as his sense of humor is pronounced. He has a good legal mind, rare literary ability, and a talent for public speaking ; and he speaks in the choicest Spanish. He is modest and industrious, and a loyal party man, upon whom a large part of the burden of party management was placed by Speaker Osmena. His service in the House of Representatives, the commission, the Philippine Senate, and on the Board of Regents of the University of the Philippines has been marked by absolute integrity and by a devotion to the cause of public instruction. As Secretary of the Interior he handled successfully many of the most delicate problems of the Government. Just and fair, he is popular with Americans and Filipinos alike. Being a very poor man, he has recently retired from the cabinet to enter business, as he has, in the Filipino fashion, a large and growing family. (67)

Jaime de Veyra was governor of the great province of Leyte during the troublesome days of the uprising of the pulajans, or outlaws, about fifteen years ago. His literary ability is marked, and illuminates his reports and papers, as he served an apprenticeship as a newspaper editor. He has held office in the House of Representatives and the commission and as Secretary of Commerce and Police, and then as Executive Secretary of the Government. His charming wife is a great

asset to him, with her facility for making and keeping friends among the American Congressional ladies, since Don Jaime is now one of the two Representatives in Congress from the Philippines. He is of a thick-set figure, somewhat darker than his colleagues, and of a very serious turn of mind, rarely smiling or talking except when he has something to say, when he develops a rather unexpected eloquence. He is extremely tender-hearted and inclined to sentiment. Vicente Illustre has dark and handsome features, and is possessed of much dignity and grace of manner. He served as a member of the Revolutionary Junta in Hong-Kong during the insurrection, and since then has practised law and watched over his sugar plantations in Batangas. He came from private life to the commission, where he did arduous and valuable work in drafting the laws for the reformation of the Justice of the Peace service, and also the new code for the government of the Department of Mindanao and Sulu, in 1914. He, like Mr. Mapa and Mr. Singson, has considerable wealth, and lives in a luxurious home surrounded with all comforts and with works of art. Mr. Ilustre was always something of an insurrecto in politics, and though he gained a seat for the short term in the Sen- (67)

ate, in 1916, he was ousted by his opponent in 1918 and has since practised law. He is rather more suspicious of the intentions of the United States than are his colleagues, and is aggressively in favor of the immediate independence of his country. His education was completed in Madrid in the later days of Spanish domination, and he has imbibed there some of the old-world cynicism as to the promises and agreements of nations. Vicente Singson is a tall, slow-moving figure of the mestizo type. He is an able public speaker, and has served in the House of Representatives, the commission, and the Senate. He is a Conservative and his interests are largely those of business and finance. Humor seldom disturbs his dignity, but his manners are affability and courtesy personified. His talents are those of the world of commerce, rather than of legislative halls, but he is ready and able to advance his views and defend his opinions on all occasions. His presence strengthened the business side of the commission.

Like Mr. Palma, he has been to the United States twice, and seems to like American customs and ideas. I find on reading over these descriptive sketches of my first Filipino colleagues that I have stressed the dignity of them all ; they are all of the older type and generation, and of them only Mr. Palma speaks English readily ; none have had an American public-school education. Dignity of demeanor is essentially an Oriental characteristic,—dignity with an impassive tinge. In the expression of most of the older Filipinos there is a trace of melancholy, as there is in all the Filipino music of older days,—the mark of centuries of service as a subject race. Men of the younger genera- (68)tion, already coming upon the stage in business and public affairs, look full of hope, ambition, and American hustle. Upon first acquaintance, Americans are not aware of the sense of fun of the Filipinos; their solemnity is an affair of manner rather than of mind. I remember several meetings of the all-Filipino Council of State in which the bursts of laughter must have disconcerted the officials on the other side of the swing doors. Loyal friends, good companions, dependable advisers—I regret leaving them all In public affairs I found them ever conscientious and patriotic, with a fine sense of the respect owed the United States Government, and a due

consciousness of obligation to their own people. Never was an anti-American measure introduced intentionally. They realized that the Filipinos were on trial, and that they themselves were the representatives of their fellow countrymen before the world. Hardly a possible problem of government but came before the commission or the Council of State during these years. I found them in debate, and in the care with which they cast their votes, as full of responsibility and of intelligent understanding as any legislators I have known anywhere.

Those departments of government which they had never possessed before, and which were therefore new to them, were studied with the utmost care and deliberation. In later chapters I shall discuss the development of Filipino governmental abilities. Within a few months the membership of the Philippine Commission was completed by President Wilson, and there arrived from the United States the new American members,—Vice-Governor Henderson S. Martin, a progressive Democrat from Kansas, genial and sunny-tempered, with a decided leaning toward all liberal and democratic ideas; Winfred T. Denison, Secretary of the Interior, sensitive and high-minded, one of the Progressive Republicans from New York, loyally devoted to the principle of Filipino self-government; and Clinton L. Riggs of Baltimore, Secretary of Commerce and Police, a Democrat of the most conservative type, whose bias in favor of the generally accepted standards of colonial government soon earned for him among the resident Americans the nickname of "the White Hope."

General Riggs was a most charming social companion, and a most difficult colleague in government. He was, from the very beginning, out of sympathy with the new policy in the Philippines, and, I think, came out with the idea of replacing me when my removal was accomplished by the campaign then under way. He was closely in the confidence of the Secretary of War, who also was greatly disturbed at the reports coming from the Philippines; and although Secretary Garrison subsequently became disgusted with the misinformation about the Philippines which was being disseminated through the United States, and in a spirit of generous indignation entered into a sharp controversy with Mr. Taft in the public press in defense of my administration, I am sure he would, himself, say that he never really sympathized with our radical plans in the Philippines; indeed, it will be remembered that his resignation as Secretary of War was based partly upon his dissatisfaction with the speedy preparations for Philippine independence. General Riggs stood firmly upon his interpretation of the law which gave the governor-general only "supervision" of the (70) other department secretaries; he told me that "supervision" gave only an advisory power, and no right of interference in his department, which included the Philippine Constabulary, of which by law the governor-general was commander-in-chief. The Jones Act of 1916 cleared up this controversy by giving the governor-general "supervision and control" over all departments of government. During the eighteen months of our controversy, General Riggs and I, after the fashion of Anglo-Saxons, managed to remain, personally and socially, good friends. He went home ill in the summer of 1915, and his resignation was accepted by the President in December of that year.

Poor Denison was the official who suffered most from the troublesome political storms of those early days; his was a spontaneous, frank, and sincere nature, and he was genuinely inspired with

a desire to bring self-government to the Filipinos. He was not of the stern stuff necessary to face public criticism and abuse. Within his first few months he made a speech at the City Club in Manila in which he advocated giving the Filipinos their rights, or, as he phrased it, "give them what they want." He at once became the target for a veritable bombardment of ridicule and abuse from the "organization," and his spirit was completely shattered. He left the Philippines a year later, in a most melancholy frame of mind, absolutely broken on the wheel of the "organization's" criticism.

Vice-Governor Martin, of a serene and well-balanced disposition, rode the waves successfully and rendered excellent service in the commission. His chief work was in the public schools, in founding the Rural Credit Association system, and in drafting and forcing (71) through the charter of the Philippine National Bank. He resigned in the autumn of 1916, and I think has since regretted that he did not remain to carry on the work he liked so well. He was a valuable and much valued pillar of support in our Philippine policy. He was succeeded in June, 1917, by Vice-Governor Charles E. Yeater of Missouri, at the present writing acting Governor-General of the Philippines.

To the Filipinos, the majority upon the commission meant that the dead-lock as to appropriations and other important measures would be broken instantaneously, and that in the selection of their higher officials, such as bureau chiefs, and judges of the First Instance, they were to have the controlling vote in the commission, to which, by existing law, such nominations were sent for confirmation. Long-standing grievances which they wished to remove were now in their hands for settlement. Above all, the new policy was a recognition of their political rights and race dignity, for which they showed immediate gratitude.

The morning after the announcement of the new step forward, "La Vanguardia," the leading Filipino paper, theretofore a very resolute opponent of American policies in the islands, expressed in Spanish the general sentiment editorially under the heading

"Dawn of the New Era" as follows:

Magical Effect of President's Grave and Dignified Message . . . .  
Complete Disappearance of All Hitherto Existing Prejudices and a Great Improvement in Political Atmosphere.

Much has already been said and written in regard to the necessity of a better understanding, of harmony and cooperation, but, hitherto, results have been always negative and all (72) efforts seemed fruitless. Matters went from bad to worse. Now, however, it has been sufficient for the chosen representative of President Wilson to make a simple and frank statement of policy, and the situation as a result is completely changed. These statements have been sufficient to revive in a most admirable and complete manner the faith of Filipinos in the justice of the American people, and all prejudices and misunderstandings that have grown up in the past have

been immediately wiped away. As a result, it can be said that since the decided views of the Democratic Administration have been announced never before in our mutual history have respect and consideration of American sovereignty been as firmly rooted in these islands as it is now.

The editor of the "Vanguardia," Mr. Alejandro Roces, the most influential and independent daily publisher in the islands, maintained the same attitude unswervingly during my whole administration. His unselfish patriotism and determined freedom from any official connections lent weight to his opinions.

Upon the day after the delivery of the first message to the Legislature—October 16, 1913—the Philippine Assembly gave official expression to similar views in a resolution, reciting the firm stand of the Filipino people for immediate independence from the day of the insurrection against Spain in 1896, through all trials and vicissitudes, and their patient confidence that ultimately the United States Government would redress "all errors and injustices." The resolution concluded as follows

We believe that, happily, the experiments of imperialism have come to an end, and that colonial exploitation has passed into history. The epoch of mistrust has been closed. ... A few days have sufficed to bring about a good understanding between Americans and Filipinos, which it had been impossible to establish during the thirteen years past. We are convinced that every onward step, while relieving the American Government of its responsibilities in the Islands, will, as in the past, fully demonstrate the present capacity of the Filipino people to establish a government of its own and guarantee in a permanent manner the safety under such government of the life, property and liberty of the residents of the Islands, national as well as foreign. We do not wish to say by this that there will not be difficulties and embarrassments.

Nor do we even expect that the campaign, open or concealed, of the enemies of the Filipino cause will cease soon, but we feel sure that through a conservative use of the powers entrusted to us, the Filipino people will, with God's favor and the help of America, emerge triumphantly from the test however difficult it may be. A few days later, when the Filipino majority was appointed to the commission, the new commissioners cabled their thanks to the President, accepting the offices in order to "aid the work of laying down a basis for a stable, free Filipino Government." A joint meeting of the Legislature on October 31, 1913, resolved "that the principle of immediate action has taken the place of the announcement of promises." These quotations have been given not only to show the response of the Filipino mind to the new policy, but for the light they cast upon past history in the islands. For a century at least the home government, first of Spain and then of the United States, had, in moments of liberal impulse, promised reforms and made political professions, and then turned to other matters and left the field to the forces of reaction and inaction.

## **The Jones Law of 1916**

**August 29, 1916**

### **ANNOTATION**

On August 29, 1916, the Jones Law, or the Act of Congress known as the Philippine Autonomy Act of 1916, was approved. It was the first formal and official declaration of the United States' commitment to grant independence to the Philippines. US Congressman William Atkinson Jones of Virginia authored the Jones Law. The law provides that the grant of independence would come only "as soon as a stable government can be established" which gave the United States Government the power to determine when this "stable government" has been achieved.

It aimed at providing the Filipino people broader domestic autonomy though it reserved certain privileges to the United States (Americans) to protect their sovereign rights and interests. Jones Law replaced the Philippine Organic Act of 1902 (Philippine Bill of July 1, 1902) that served as the de facto initial constitution of the Philippine Islands after it was ceded by Spain to the United States by the Treaty of Paris. Among the salient provisions of the Autonomy Act of 1916 was the creation of an all Filipino legislature which created the Philippine Senate to replace the Philippine Commission which had served as the upper chamber of the legislature. The law specified government functions to an executive to be appointed by the U.S President with the consent of the senate, with the title American Governor-General in the Philippines. The legislative power was lodged in an elective bicameral legislature called the senate and the House of Representatives.

[Public, No. 240]

AN ACT TO DECLARE THE PURPOSE OF THE PEOPLE OF THE UNITED STATES AS TO THE FUTURE POLITICAL STATUS OF THE PEOPLE OF THE PHILIPPINE ISLANDS, AND TO PROVIDE A MORE AUTONOMOUS GOVERNMENT FOR THOSE ISLANDS.

### **PREAMBLE**

Whereas it was never the intention of the people of United States in the incipency of the war with Spain to make it a war of conquest or for territorial aggrandizement; and

Whereas it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over Philippine Islands and to recognize their independence as soon as a stable government can be established therein; and

Whereas for the speedy accomplishment of such purpose it is desirable to place in the hands of the people of the Philippines as large a control of their domestic affairs as can be given them without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States, in order that, by the use and exercise of popular franchise and governmental

powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence: Therefore

### Section 1.—The Philippines

Be it enacted by the Senate and House of Representatives the United States of America in Congress assembled, That the provisions of this Act and the name “The Philippines” as used in this Act shall apply to and include the Philippine Islands ceded to the United States Government by the treaty of peace concluded between the United States and Spain on the eleventh day of April, eighteen hundred and ninety-nine, the boundaries of which are set forth in Article III of said treaty, together with those islands embraced in the treaty between Spain and the United States concluded at Washington on the seventh day of November, nineteen hundred.

### Section 2.—Philippine Citizenship and Naturalization

That all inhabitants of the Philippine Islands who were Spanish subjects on the eleventh day of April, eighteen hundred and ninety-nine, and then resided in said Islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands, except such as shall have elected to preserve their allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace between the United States and Spain, signed at Paris December tenth, eighteen hundred and ninety-eight, and except such others as have since become citizens of some other country: Provided, That the Philippine Legislature, herein provided for, is hereby authorized to provide by law for the acquisition of Philippine citizenship by those natives of the Philippine Islands who do not come within the foregoing provisions, the natives of the insular possessions of the United States, and such other persons residing in the Philippine Islands who are citizens of the United States, or who could become citizens of the United States under the laws of the United States if residing therein.

### Section 3.—Bill of Rights

(a) Due process and eminent domain.—That no law shall be enacted in said Islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws. Private property shall not be taken for public use without just compensation.

(b) Rights of persons accused of crime.—That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf.

That no person shall be held to answer for a criminal offense without due process of law; and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself.

That all persons shall before conviction beailable by sufficient sureties, except for capital offenses.

(c) Obligation of contracts.—That no law impairing the obligation of contracts shall be enacted.

(d) Imprisonment for debt.—That no person shall be imprisoned for debt.

(e) Suspension of habeas corpus.—That the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion, insurrection, or invasion the public safety may require it, in either of which event the same may be suspended by the President, or by the Governor-General, wherever during such period the necessity for such suspension shall exist.

(f) Ex post facto laws, primogeniture, titles of nobility.—That no ex post facto law or bill of attainder shall be enacted nor shall the law of primogeniture ever be in force in the Philippines.

That no law granting a title of nobility shall be enacted, and no person holding any office of profit or trust in said Islands shall, without the consent of the Congress of the United States, accept any present, emolument, office, or title of any kind whatever from any king, queen, prince, or foreign state

(g) Bail and punishment.—That excessive bail shall not required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

(h) Unreasonable searches.—That the right to be secured against unreasonable searches and seizures shall not be violated.

(i) Slavery.—That slavery shall not exist in said Islands; nor shall involuntary servitude exist therein except as a punishment for crime whereof the party shall have been duly convicted.

(j) Freedom of speech.—That no law shall be passed abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition the Government for redress grievances.

(k) Freedom of religion.—That no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed; and no religious test shall be required for the exercise of civil or political rights. No public money or property shall ever be appropriated, applied, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary as such.

(l) Poligamy.—Contracting of polygamous or plural marriages hereafter is prohibited. That no law shall be construed to permit polygamous or plural marriages.

(m) How public funds to be spent.—That no money shall be paid out of the treasury except in pursuance of an appropriation by law.

(n) Uniform tax.—That the rule of taxation in said Islands shall be uniform.

(o) Subject and title of bills.—That no bill which may be enacted into law shall embrace more than one subject, and that subject shall be expressed in the title of the bill.

(p) Warrants of arrest.—That no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized

(q) Special funds.—That all money collected on any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury and paid out for such purpose only.

#### Section 4.—Expenses of Government

That all expenses that may be incurred on account of the Government of the Philippines for salaries of officials and the conduct of their offices and departments, and all expenses and obligations contracted for the internal improvement or development of the Islands, not, however, including defenses, barracks, and other works undertaken by the United States, shall except as otherwise specifically provided by the Congress, be paid by the Government of the Philippines.

#### Section 5.—Inapplicability of American Statutes

That the statutory laws of the United States hereafter enacted shall not apply to the Philippine Islands, except when specifically so provided, or it is so provided in this Act.

#### Section 6.—Continuance of Philippine Laws

That the laws now in the Philippines shall continue in force and effect, except as altered, amended, or modified herein, until altered, amended, or repealed by the legislative authority herein provided or by act of Congress of the United States.

#### Section 7.—Legislative Power to Change Laws

That the legislative authority herein provided shall have power, when not inconsistent with this act, by due enactment to amend, alter, modify, or repeal any law, civil or criminal continued in force by this Act as it may from time to time see fit.

This power shall specifically extend with the limitation herein provided as to the tariff to all laws relating to revenue and taxation in effect in the Philippines.

#### Section 8.—General Legislative Power

That general legislative power, except as otherwise herein provided, is hereby granted to the Philippine legislature, authorized by this Act.

#### Section 9.—Public Property and Legislation on Public Domain, Timber and Mining

That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, signed December tenth, eighteen hundred and ninety-eight, except such land or other property as has been or shall be designated by the President of the United States for military and other reservations of the Government of the United States, and all lands which may have been subsequently acquired by the Government of the Philippine Islands by purchase under the provisions of sections sixty-three and sixty-four of the Act of Congress approved July first, nineteen hundred and two, except such as may have heretofore been sold and disposed of in accordance with the provisions of said act of Congress, are hereby placed under the control of the government of said Islands to be administered or disposed of for the benefit of the inhabitants thereof, and the Philippine Legislature shall have power to legislate with respect to all such matters as it may deem advisable; but acts of the Philippine Legislature with reference to land of the public domain, timber, and mining hereafter enacted, shall not have the force of law until approved by the President of the United States: Provided, That upon the approval of such an act by the Governor-General, it shall be by him forthwith transmitted to the President of the United States, and he shall approve or disapprove the same within six months from and after its enactment and submission for his approval, and if not disapproved within such time it shall become a law the same as if it had been specifically approved: Provided, further, That where lands in the Philippine Islands have been or may be reserved for any public purpose of the United States, and, being no longer required for the purpose for which reserved, have been or may be, by order of the President, placed under the control of the government of said Islands to be administered for the benefit of the inhabitants thereof, the order of the President shall be regarded as effectual to give the government of said Islands full control and power to administer and dispose of such lands for the benefit of the inhabitants of said Islands.

#### Section 10.—Laws on Tariff, Immigration and Coinage

That while this Act provides that the Philippine Government shall have the authority to enact a tariff law the trade relations between the Islands and the United States shall continue to be governed exclusively by laws of the Congress of the United States: Provided, That tariff acts or acts amendatory to the tariff of the Philippine Islands shall not become law until they shall receive the approval of the President of the United States, nor shall any act of the Philippine Legislature affecting immigration or the currency or coinage laws of the Philippines become a law until it has been approved by the President of the United States: Provided, further, That the President shall approve or disapprove any act mentioned in the foregoing proviso within six months from and after its enactment and submission for his approval, and if not disapproved within such time it shall become a law the same as if it had been specifically approved.

#### Section 11.—Taxes and Public Debts

That no export duties shall be levied or collected on, exports from the Philippine Islands, but taxes and assessments on property, and license fees for franchises and privileges, and internal taxes, direct or indirect, may be imposed for the purposes of the Philippine Government and the

provincial and municipal governments thereof, respectively, as may be provided and defined by acts of the Philippine Legislature, and, where necessary to anticipate taxes and revenues, bonds and other obligations may be issued by the Philippine Government or any provincial or municipal government therein, as may be provided by law and to protect the public credit: Provided, however, That the entire indebtedness of the Philippine Government created by the authority conferred therein shall not exceed at any one time the sum of \$15,000,000, exclusive of those obligations known as friar land bonds, nor that of any province or municipality a sum in excess of seven per centum of the aggregate tax valuation of its property at any one time.

#### Section 12.—The Philippine Legislature

That general legislative powers in the Philippines, except as herein otherwise provided, shall be vested in a Legislature which shall consist of two houses, one the Senate and the other the House of Representatives, and the two houses shall be designated “the Philippine Legislature”: Provided, That until the Philippine Legislature as herein provided shall have been organized the existing Philippine Legislature shall have all legislative authority herein granted to the Government of the Philippine Islands, except such as may now be within the exclusive jurisdiction of the Philippine Commission, which is so continued until the organization of the Legislature herein provided for the Philippines. When the Philippine Legislature shall have been organized, the exclusive legislative jurisdiction and authority exercised by the Philippine Commission shall thereafter be exercised by the Philippine Legislature.

#### Section 13.—Election and Qualification of Senators

That the members of the Senate of the Philippines, except as herein provided, shall be elected for terms of six and three years, as hereinafter provided, by the qualified electors of the Philippines. Each of the senatorial districts defined as hereinafter provided shall have the right to elect two senators. No person shall be an elective member of the Senate of the Philippines who is not a qualified elector and over thirty years of age, and who is not able to read and write either the Spanish or English language, and who has not been a resident of the Philippines for at least two consecutive years and an actual resident of the senatorial district from which chosen for a period of at least one year immediately prior to his election.

#### Section 14.—Election and Qualifications of Representatives

That the members of the House of Representatives shall, except as herein provided, be elected triennially by the qualified electors of the Philippines. Each of the representative districts hereinafter provided for shall have the right to elect one representative. No person shall be an elective member of the House of Representatives who is not a qualified elector and over twenty-five years of age, and who is not able to read and write either the Spanish or English language, and who has not been an actual resident of the district from which elected for at least one year immediately prior to his election: Provided, That the members of the present Assembly elected on the first Tuesday in June, nineteen hundred and sixteen, shall be the members of the House of

Representatives from their respective districts for the term expiring in nineteen hundred and nineteen.

#### Section 15.—Qualifications of Voters

That at the first election held pursuant to this Act, the qualified electors shall be those having the qualifications of voters under the present law; thereafter and until otherwise provided by the Philippine Legislature herein provided for the qualifications of voters for senators and representatives in the Philippines and all officers elected by the people shall be as follows:

Every male person who is not a citizen or subject of a foreign power twenty-one years of age or over (except insane and feeble-minded persons and those convicted in a court of competent jurisdiction of an infamous offense since the thirteenth day of August, eighteen hundred and ninety-eight) who shall have been a resident of the Philippines for one year and of the municipality in which he shall offer to vote for six months next preceding the day of voting, and who is comprised within one of the following classes:

- (a) Those who under existing law are legal voters and have exercised the right of suffrage.
- (b) Those who own real property to the value of 500 pesos, or who annually pay 30 pesos or more of the established taxes.
- (c) Those who are able to read and write either Spanish, English, or a native language.

#### Section 16.—Senate and Representative Districts, and Appointive Senators and Representatives

That the Philippine Islands shall be divided into twelve senate districts, as follows:

First district: Batanes, Cagayan, Isabela, Ilocos Norte, and Ilocos Sur.

Second district: La Union, Pangasinan, and Zambales.

Third district: Tarlac, Nueva Ecija, Pampanga, and Bulacan.

Fourth district: Bataan, Rizal, Manila, and Laguna.

Fifth district: Batangas, Mindoro, Tayabas, and Cavite.

Sixth district: Sorsogon, Albay, and Ambos Camarines.

Seventh district: Iloilo and Capiz.

Eight district: Negros Occidental, Negros Oriental, Antique, and Palawan.

Ninth district: Leyte and Samar.

Tenth district: Cebu.

Eleventh district: Surigao, Misamis, and Bohol.

Twelfth district: The Mountain Province, Baguio, Nueva Vizcaya, and the Department of Mindanao and Sulu.

The representative districts shall be the eighty-one now provided by law, and three in the Mountain Province, one in Nueva Vizcaya, and five in the Department of Mindanao and Sulu.

The first election under the provisions of this Act shall be held on the first Tuesday of October, nineteen hundred and sixteen, unless the Governor-General in his discretion shall fix another date not earlier than thirty nor later than sixty days after the passage of this Act: Provided, That the Governor-General's proclamation shall be published at least thirty days prior to the date fixed for the election, and there shall be chosen at such election one senator from each senate district for a term of three years and one for six years. Thereafter one senator from each district shall be elected from each senate district for a term of six years: Provided, That the Governor-General of the Philippine Islands shall appoint, without the consent of the Senate and without restriction as to residence, senators and representatives who will, in his opinion, best represent the senate district and those representative districts which may be included in the territory not now represented in the Philippine Assembly: Provided further, That thereafter elections shall be held only on such days and under such regulations as to ballots, voting, and qualifications of electors as may be prescribed by the Philippine Legislature, to which is hereby given authority to redistrict the Philippine Islands and modify, amend, or repeal any provision of this section, except such as refer to appointive senators and representatives.

#### Section 17.—Tenure of Senators and Representatives

That the terms of office of elective senators and representatives shall be six and three years, respectively, and shall begin on the date of their election. In case of vacancy among the elective members of the Senate or in the House of Representatives, special elections may be held in the districts wherein such vacancy occurred under such regulations as may be prescribed by law, but senators or representatives elected in such cases shall hold office only for the unexpired portion of the term wherein the vacancy occurred. Senators and representatives appointed by the Governor-General shall hold office until removed by the Governor-General.

#### Section 18.—Organization of the Legislature and Privileges of Members

(a) Control of each house over its members and proceedings.—That the Senate and House of Representatives, respectively, shall be the sole judges of the elections, returns, and qualifications of their elective members, and each house may determine the rules of its proceedings, punish its

members for disorderly behavior, and, with the concurrence of two-thirds, expel an elective member.

(b) Organization, quorum, and sessions.—Both houses shall convene at the capital on the sixteenth day of October next following the election and organize by the election of a speaker or a presiding officer, a clerk, and a sergeant-at-arms for each house, and such other officers and assistants as may be required. A majority of each house shall constitute a quorum to do business, but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. The Legislature shall hold annual sessions, commencing on the sixteenth day of October, or, if the sixteenth day of October be a legal holiday, then on the first day following which is not a legal holiday, in each year. The Legislature may be called in special session at any time by the Governor-General for general legislation, or for action on such specific subjects as he may designate. No special session shall continue longer than thirty days, and no regular shall continue longer than one hundred days, exclusive of Sundays.

The Legislature is hereby given the power and authority to change the date of the commencement of its annual sessions.<sup>2</sup>

(c) Compensation and privileges of members.—The senators and representatives shall receive an annual compensation for their services, to be ascertained by law, and paid out of the treasury of the Philippine Islands. The senators and representatives shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

(d) Disqualifications of members.—No senator or representative shall, during the time for which he may have been elected, be eligible to any office the election to which is vested in the Legislature, nor shall be appointed to any office of trust or profit which shall have been created or the emoluments of which shall have been increased during such term.

#### Section 19. — Procedure for Law-Making

(a) Legislative journal and the veto power.—That each house of the Legislature shall keep a journal of its proceedings and, from time to time, publish the same; and the yeas and nays of the members of either house, on any question, shall, upon demand of one-fifth of those present, be entered on the journal, and every bill and joint resolution which shall have passed both houses shall, before it becomes a law, be presented to the Governor-General. If he approve the same, he shall sign it; but if not, he shall return it with his objections to that house in which it shall have originated, which shall enter the objections at large on its journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members elected to that house shall agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of all the members elected to that house it shall be sent to the Governor-General, who, in case he shall then not approve, shall transmit the same to the President of the United States. The vote of each house shall be by the yeas and nays, and the

names of the members voting for and against shall be entered on the journal. If the President of the United States approve the same, he shall sign it and it shall become a law. If he shall not approve the same, he shall return it to the Governor-General, so stating, and it shall not become a law: Provided, That if any bill or joint resolution shall not be returned by the Governor-General as herein provided within twenty days (Sundays excepted) after it shall have been presented to him the same shall become a law in like manner as if he had signed it, unless the Legislature by adjournment prevent its return, in which case it shall become a law unless vetoed by the Governor-General within thirty days after adjournment: Provided, further, That the President of the United States shall approve or disapprove an act submitted to him under the provisions of this section within six months from and after its enactment and submission for its approval; and if not approved within such time, it shall become a law the same as if it had been specifically approved.

(b) The veto on appropriations.—The Governor-General shall have the power to veto any particular item or items of an appropriation bill, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect except in the manner heretofore provided in this section as to bills and joint resolutions returned to the Legislature without his approval.

(c) Report of laws to Congress.—All laws enacted by the Philippine Legislature shall be reported to the Congress of the United States, which hereby reserves the power and authority to annul the same.

(d) Revisal of former appropriations.—If at the termination of any fiscal year the appropriations necessary for the support of Government for the ensuing fiscal year shall not have been made, the several sums appropriated in the last appropriation bills for the objects and purposes therein specified, so far as the same may be done, shall be deemed to be reappropriated for the several objects and purposes specified in said last appropriation bill; and until the Legislature shall act in such behalf the treasurer shall, when so directed by the Governor-General, make the payments necessary for the purposes aforesaid.

#### Section 20.—The Resident Commissioners

(a) Selection and tenure.—That at the first meeting of the Philippine Legislature created by this Act and triennially thereafter there shall be chosen by the Legislature two Resident Commissioners to the United States, who shall hold their office for a term of three years beginning with the fourth day of March following their election, and who shall be entitled to an official recognition as such by all Departments upon presentation to the President of a certificate of election by the Governor-General of said Islands.

(b) Compensation.—Each of said Resident Commissioners shall, in addition to the salary and the sum in lieu of mileage now allowed by law, be allowed the same sum for stationery and for the pay of necessary clerk hires as is now allowed to the members of the House of Representatives

of the United States, to be paid out of the Treasury of the United States, and the franking privilege allowed by law to members of Congress.

(c) Qualifications.—No person shall be eligible to election as Resident Commissioner who is not a bona fide elector of said Islands and who does not owe allegiance to the United States and who is not more than thirty years of age and who does not read and write the English language. The present two Resident Commissioners shall hold office until the fourth of March, nineteen hundred and seventeen.

(d) Temporary vacancy.—In case of vacancy in the position of Resident Commissioner caused by resignation or otherwise, the Governor-General may make temporary appointments until the next meeting of the Philippine Legislature, which shall then fill such vacancy; but the Resident Commissioner thus elected shall hold office only for the unexpired portion of the term wherein the vacancy occurred.

#### Section 21.—The Governor-General

(a) Title, appointment, residence.—That the supreme executive power shall be vested in an executive officer, whose official title shall be “The Governor-General of the Philippine Islands.” He shall be appointed by the President, by and with the advice and consent of the Senate of the United States, and hold his office at the pleasure of the President and until his successor is chosen and qualified. The Governor-General shall reside in the Philippine Islands during his official incumbency, and maintain his office at the seat of Government.

(b) Powers and duties.—He shall, unless otherwise herein provided, appoint, by and with the consent of the Philippine Senate, such officers as may now be appointed by the Governor-General, or such as he is authorized by this Act to appoint, or whom may hereafter be authorized by law to appoint; but appointments made while the Senate is not in session shall be effective either until disapproval or until the next adjournment of the Senate. He shall have general supervision and control of all of the departments and bureaus of the Government in the Philippine Islands as far as is not inconsistent with the provisions of this Act, and shall be commander in chief of all locally created armed forces and militia. He is hereby vested with the exclusive power to grant pardons and reprieves and remit fines and forfeitures, and may veto any legislation enacted as herein provided. He shall submit within ten days of the opening of each regular session of the Philippine Legislature a budget of receipts and expenditures, which shall be the basis of the annual appropriation bill. He shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of the Philippine Islands of the United States operative within the Philippine Islands, and whenever it becomes necessary he may call upon the commanders of the military and naval forces of the United States in the Islands, or summon the posse comitatus, or call out the militia or other locally created armed forces, to prevent or suppress lawless violence, invasion, insurrection, or rebellion; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privileges of the writ of habeas corpus, or place the Islands, or any part thereof, under martial law: Provided, That whenever the Governor-General shall

exercise his authority, he shall at once notify the President of the United States thereof, together with the attending facts and circumstances and the President shall have power to modify or vacate the act of the Governor-General.

(c) Report of the Governor-General.—He shall annually and at such other times as he may be required make such official report of the transactions of the Government of the Philippine Islands to an executive department of the United States to be designated by the President, and his said annual report shall be transmitted to the Congress of the United States; and he shall perform such additional duties and functions as may in pursuance of the law be delegated or assigned to him by the President.

#### Section 22.—The Executive Departments and the Legislature

(a) Temporary continuance of executive heads.—That, except as provided otherwise in this Act, the executive departments of the Philippine Government shall continue as now authorized by law until otherwise provided by the Philippine Legislature. When the Philippine Legislature herein provided shall convene and organize, the Philippine Commission, as such, shall cease and determine, and the members thereof shall vacate their offices as members of said Commission: Provided, That the heads of executive departments shall continue to exercise their executive functions until the heads of departments provided by the Philippine Legislature pursuant to the provisions of this Act are appointed and qualified.

(b) Legislative powers over the departments, and limitations of such.—The Philippine Legislature may thereafter by appropriate legislation increase the number or abolish any of the executive departments, or make such changes in the names and duties thereof as it may see fit, and shall provide for the appointment and removal of the heads of the executive departments by the Governor-General: Provided, That all executive functions of the Government must be directly under the Governor-General or within one of the executive departments under the supervision and control of the Governor-General

(c) Provisions for a bureau for non-Christians.—There is hereby established a bureau, to be known as the Bureau of Non-Christian Tribes, which said bureau shall be embraced in one of the executive departments to be designated by the Governor-General, and shall have general supervision over the public affairs of the inhabitants of the territory represented in the Legislature by appointive senators and representatives.

#### Section 23.—The Vice-Governor

(a) Appointment and powers; Bureaus of Education and Health.—That there shall be appointed by the President, by and with the advice and consent of the Senate of the United States, a Vice-Governor of the Philippine Islands, who shall have all the powers of the Governor-General in the case in the of a vacancy or temporary removal, resignation, or disability of the Governor-General, or in case of his temporary absence; and the said Vice-Governor shall be the head of the executive department, known as the Department of Public Instruction, which shall include the

Bureau of Education and the Bureau of Health, and he may be assigned such other executive duties as the Governor-General may designate.

(b) Bureaus under the Department of the Interior.—Other bureaus now included in the Department of Public Instruction shall, until otherwise provided by the Philippine Legislature, be included in the Department of the Interior.

(c) Succession to the office of Governor-General.—The President may designate the head of an executive department of the Philippine government to act as Governor-General in the case of a vacancy, the temporary removal, resignation, or disability of the Governor-General and the Vice-Governor, or their temporary absence, and the head of the department thus designated shall exercise all the powers and perform all the duties of the Governor-General during such vacancy, disability, or absence.

#### Section 24.—The Insular Auditor

(a) Appointment, powers, duties.—That there shall be appointed by the President an Auditor, who shall examine, audit, and settle all accounts pertaining to the revenues and receipts from whatever source of the Philippine Government and of the provincial and municipal governments of the Philippines, including trust funds derived from bond issues; and audit, in accordance with law and administrative regulations, all expenditures of funds or Property pertaining to or held in trust by the Government or the Provinces or municipalities thereof. He shall perform a like duty with respect to all Government branches.

He shall keep the general accounts of the Government and preserve the vouchers pertaining thereto.

It shall be the duty of the Auditor to bring to the attention of the proper administrative officer expenditures of funds or property which, in his opinion, are irregular, unnecessary, excessive, or extravagant.

(b) Deputy Auditor and Assistant.—There shall be a Deputy Auditor appointed in the same manner as the Auditor. The Deputy Auditor shall sign such official papers as the Auditor may designate and perform such other duties as the Auditor may prescribe, and in case of the death, resignation, sickness, or other absence of the Auditor from his office, from any cause, the Deputy Auditor shall have charge of such office. In case of the absence from duty, from any cause, of both the Auditor and the Deputy Auditor, the Governor-General may designate an assistant, who shall have charge of the office.

(c) Jurisdiction of Auditor.—The administrative jurisdiction of the Auditor over accounts, whether of funds or property, and all vouchers and records pertaining thereto, shall be exclusive. With the approval of the Governor-General he shall from time to time make and promulgate general or special rules and regulations not inconsistent with law covering the method of accounting for public funds and property, and funds and property held in trust by the Government or any of its branches: Provided, That any officer accountable for public funds or

property may require such additional reports or returns from his subordinates or others as he may deem necessary for his own information and protection.

(d) Decisions of Auditor.—The decisions of the Auditor shall be final and conclusive upon the executive branches of the Government, except that appeal therefrom may be taken by the party aggrieved or the head of the department concerned within one year, in the manner hereinafter prescribed. The Auditor shall, except as hereinafter provided, have like authority as that conferred by law upon the several auditors of the United States and the Comptroller of the United States Treasury and is authorized to communicate directly with any persons having claims before him for settlement, or with any department, officer, or person having official relations with his office.

(e) Financial reports.—As soon after the close of each fiscal year as the accounts of said year may be examined and adjusted the auditor shall submit to the Governor-General and the Secretary of War an annual report of the fiscal concerns of the Government, showing the receipts and disbursements of the various departments and bureaus of the Government and of the various provinces and municipalities, and make such other reports as may be required of him by the Governor-General or the Secretary of War.

(f) Right of investigation.—In the execution of their duties the Auditor and the Deputy Auditor are authorized to summon witnesses, administer oaths, and to take evidence, and, in the pursuance of these provisions, may issue subpoenas and enforce the attendance of witnesses, as now provided by law.

(g) Supervision.—The office of the Auditor shall be under the general supervision of the Governor-General and shall consist of the Auditor and Deputy Auditor and such necessary assistants as may be prescribed by law.

#### Section 25.—Appeal from Auditor's Decision

(a) Time and form, of appeal.—That any person aggrieved by the action or decision of the Auditor in the settlement of his account or claim may, within one year, take an appeal in writing to the Governor-General, which appeal shall specifically set forth the particular action of the Auditor to which exception is taken with the reason and authorities relied on for reversing such decision.

(b) Final decision.—If the Governor-General shall confirm the action of the Auditor, he shall indorse the appeal and transmit it to the Auditor, and the action shall thereupon be final and conclusive. Should the Governor-General fail to sustain the action of the Auditor, he shall forthwith transmit his grounds of disapproval to the Secretary of War, together with the appeal and the papers necessary to a proper understanding of the matter. The decision of the Secretary of War in such case shall be final and conclusive.

#### Section 26.—The Judiciary

(a) Jurisdiction of courts and appointment of judges.—That the Supreme Court and the Courts of First Instance of the Philippine Islands shall possess and exercise jurisdiction as heretofore provided and such additional jurisdiction as shall hereafter be prescribed by law. The municipal courts of said Islands shall possess and exercise jurisdiction as now provided by law, subject in all matters to such alteration and amendment as may be hereafter enacted by law; and the chief

justice and associate justices of the supreme court shall hereafter be appointed by the President, by and with the advice and consent of the Senate of the United States. The judges of the court of first instance shall be appointed by the Governor-General, by and with the advice and consent of the Philippine Senate: Provided, That the admiralty jurisdiction of the supreme court and courts of first instance shall not be changed except by act of Congress. That in all cases pending under the operation of existing laws, both criminal and civil, the jurisdiction shall continue until final judgment and determination.

#### Section 27.—Cases Appealable to the United States Supreme Court

That the Supreme Court of the United States shall have jurisdiction to review, revise, reverse, modify, or affirm the final judgments and decrees of the supreme court of the Philippine Islands in all actions, cases, causes, and proceedings now pending therein or hereafter determined thereby in which the Constitution or any statute, treaty, title, right or privilege of the United States is involved, or in causes in which the value in controversy exceeds \$25,000, or in which the title or possession of real estate exceeding in value the sum of \$25,000, to be ascertained by the oath of either party or of other competent witnesses, is involved or brought in question; and such final judgments or decrees may and can be reviewed, revised, modified, or affirmed by said Supreme Court of the United States on appeal or writ of error by the party aggrieved within the same time, in the same manner, under the same regulation, and by the same procedure, as far as applicable, as the final judgments and decrees of the district courts of the United States.<sup>3</sup>

#### Section 28.—Franchises

(a) Scope of franchises and power to change them.—That the Government of the Philippine Islands may grant franchises and rights, including the authority to exercise the right of eminent domain, for the construction and operation of works of public utility and service, and may authorize said works to be constructed and maintained over and across the public property of the United States, including streets, highways, squares, and reservations, and over similar property of the Government of said Islands, and may adopt rules and regulations under which the provincial and municipal governments of the Islands may grant the right to use and occupy such public property belonging to said provinces or municipalities: Provided, That no private property shall be damaged or taken for any purpose under this section without just compensation, and that such authority to take and occupy land shall not authorize the taking, use, or occupation of any land except such as is required for the actual necessary purposes for which the franchise is granted, and that no franchise or right shall be granted to any individual, firm, or corporation except under the conditions that it shall be subject to amendment, alteration, or repeal by the Congress of the United States, and that lands or right of use and occupation of lands thus granted shall revert to the governments by which they were respectively granted upon the termination of the franchises and rights under which they were granted or upon the revocation or repeal.

(b) Conditions on grant of franchise, and revocation.—That all franchises or rights granted under this Act shall forbid the issue of stock or bonds except in exchange for actual cash or for property at a fair valuation equal to the par value of the stock or bonds so issued; shall forbid the declaring of stock or bond dividends, and, in the case of public service corporations, shall provide for the effective regulation of the charges thereof, for the official inspection and regulation of the books

and accounts of such corporations, and for the payment of a reasonable percentage of gross earnings into the treasury of the Philippine Islands or of the province or municipality within which such franchises are granted and exercised: Provided, further, That it shall be unlawful for any corporation organized under this Act, or for any person, company, or corporation receiving any grant, franchise, or concession from the Government of said Islands, to use, employ, or contract for the labor of persons held in involuntary servitude; and any person, company, or corporation so violating the provisions of this Act shall forfeit all charters, grants, or franchises for doing business in said Islands, in an action or proceeding brought for that purpose in any court of competent jurisdiction by any officer of the Philippine Government, or on the complaint of any citizen of the Philippines, under such regulations and rules as the Philippine Legislature shall prescribe, and in addition shall be deemed guilty of an offense, and shall be punished by a fine of not more than \$10,000.

#### Section 29.—Salaries

(a) Funds for salaries.—That, except as in this Act otherwise provided, the salaries of all the officials of the Philippines not appointed by the President, including deputies, assistants, and other employees, shall be such and be so paid out of the revenues of the Philippines as shall from time to time be determined by the Philippine Legislature; and if the Legislature shall fail to make an appropriation for such salaries, the salaries so fixed shall be paid without the necessity of further appropriations therefor. The salaries of all officers and all expenses of the offices of the various officials of the Philippines appointed as herein provided by the President shall also be paid out of the revenues of the Philippines

(b) Salaries of certain officers.—The annual salaries of the following-named officials appointed by the President and so to be paid shall be: The Governor-General, \$18,000; in addition thereto he shall be entitled to the occupancy of the buildings heretofore used by the chief executive of the Philippines, with the furniture and effects therein, free of rental; Vice-Governor, \$10,000; Chief Justice of the Supreme Court, \$8,000; Associate Justice of the Supreme Court, \$7,500 each; Auditor, \$6,000; Deputy Auditor, \$3,000.

#### Section 30.—Salaries of Municipal and Provincial Officers

That the provisions of the foregoing section shall not apply to provincial and municipal officials; their salaries and the compensation of their deputies, assistants, and other help, as well as all other expenses incurred by the provinces and municipalities, shall be paid out of the provincial and municipal revenues in such manner as the Philippine Legislature shall provide.

#### Section 31.—Continuance of Laws

That all laws or parts of laws applicable to the Philippines not in conflict with any of the provisions of this Act are hereby continued in force and effect.

Approved, August 29, 1916.

## **The Philippine Organic Act of 1902**

### **ORGANIC ACT**

#### **AN ACT TEMPORARILY TO PROVIDE FOR THE ADMINISTRATION OF THE AFFAIRS OF CIVIL GOVERNMENT IN THE PHILIPPINE ISLANDS, AND FOR OTHER PURPOSES**

**57<sup>th</sup> Congress of the United States of America, First Session, 1902**

### **ANNOTATION**

The Philippine Bill of 1902 is one of the most important decrees enacted by the American government in the Philippines. Entitled “An Act Temporarily to Provide for the Administration of the Affairs of Civil Government in the Philippine Islands, and for Other Purposes,” this law contained two important provisions that strengthen both the civil and human rights of the Filipino people and bestowed on them the privilege of legislation.

Also known as Cooper Act, it provided a Bill of Rights for the Filipinos that protected their rights: to live, to acquire property, to practice their religion, to be subjected to due process, to exercise their obligations, to enjoy compensations due to them, and freedom of expression. But the most important element contained in the bill was its clauses that called for the creation of a lower legislative branch with elected Filipino representatives as legislators.

The bill also stated the American government’s readiness to call for a general election in the islands should insurrection cedes and complete peace is maintained as attested by the Philippine Commission. The decree mandates the US President to order the Philippine Commission to perform a census of the islands and make a detailed report about the population and matters about the people that may be deemed by the Commission as necessary, while peace is being upheld. Two years after the publication of the result of the census, and upon the satisfaction of the Philippine Commission and the US President, a general election shall be called and the elected Filipinos, not less than fifty but not greater than one hundred in number, will comprise the Philippine Assembly—the body that will act as the lower house of the legislature in the Philippines.

The Filipinos became very cooperative with the promises offered by the bill. Peace was maintained, a census was conducted and after its publication, an election was held on 30 July 1907 and the assembly was convened and inaugurated on 16 October 1907 at the Manila Grand Opera House. The Nacionalista Party, espousing “immediate and complete independence” headed by Sergio Osmeña garnered the majority of the seats. The First Philippine Assembly is best remembered for its effort in reviving the issue of independence and for passing laws that improved the type of education enjoyed by the Filipinos.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the action of the President of the United States in creating the Philippine Commission and authorising said Commission to exercise the powers of government to the extent and in the manner and form and subject to the regulation and control set forth in the

instructions of the President to the Philippine Commission, dated April seventh, nineteen hundred, and in creating the offices of Civil Governor and Vice-Governor of the Philippine Islands, and authorising said Civil Governor and Vice-Governor to exercise the powers of government to the extent and in the manner and form set forth in the Executive order dated June twenty-first, nineteen hundred and one, and is establishing four Executive Departments of government in said Islands as set forth in the Act of the Philippine Commission entitled "An Act providing an organisation for the Departments of the Interior, of Commerce and Police, of Finance and Justice, and of Public Instruction," enacted September sixth, nineteen hundred and one, is hereby approved, ratified, and confirmed, and until otherwise provided by law the said Islands shall continue to be governed as thereby and herein provided, and all laws passed hereafter by the Philippine Commission shall have an enacting clause as follows. "By authority of the United States, be it enacted by the Philippine Commission." The provisions of section eighteen hundred and ninety-one of the Revised Statutes of eighteen hundred and seventy eight shall not apply to the Philippine Islands.

Future appointments of Civil Governor, Vice-Governor, members of said Commission and heads of Executive Departments shall be made by the President, by and with the advice and consent of the Senate.

**Section 2.** That the action of the President of the United States heretofore taken by virtue of the authority vested in him as Commander in Chief of the Army and Navy, as set forth in his order of July twelfth, eighteen hundred and ninety-eight, whereby a land of duties and taxes as set forth by said order was to be levied and collected at all ports and places in the Philippine Islands upon passing into the occupation and possession of the forces of the United States, together with the subsequent amendments of said order, are hereby approved, ratified, and confirmed, and the actions of the authorities of the Government of the Philippine Islands taken in accordance with the provisions of said order and subsequent amendments, are hereby approved: Provided, that nothing contained in this section shall be held to amend or repeal an Act entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," approved March eighth, nineteen hundred and two.

**Section 3.** That the President of the United States, during such time as and whenever the sovereignty and authority of the United States encounter armed resistance in the Philippine Islands, until otherwise provided by Congress, shall continue to regulate and control commercial intercourse with and within said Islands by such general rules and regulations as he, in his discretion, may deem more conducive to the public interests and the general welfare.

**Section 4.** That all inhabitants of the Philippine Islands continuing to reside therein who were Spanish subjects on the eleventh day of April, eighteen hundred and ninety-nine, and then resided in the Philippine Islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace between the United States and Spain signed at Paris December tenth, eighteen hundred and ninety-eight.

**Section 5.** That no law shall be enacted in said Islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws.

That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf.

That no person shall be held to answer for a criminal offence without due process of law; and no person for the same offence shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself.

That all persons shall before conviction be bailable by sufficient sureties, except for capital offences.

That no law impairing the obligation of contracts shall be enacted.

That no person shall be imprisoned for debt.

That the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion, insurrection, or invasion the public safety may require it, in either of which events the same may be suspended by the President, or by the Governor, with the approval of the Philippine Commission, wherever during such period the necessity for such suspension shall exist.

That no ex post facto law or bill of attainder shall be enacted.

That no law granting a title of nobility shall be enacted, and no person holding any office of profit or trust in said Islands, shall without the consent of the Congress of the United States, accept any present, emolument, office, or title of any kind whatever from any king, queen, prince, or foreign State.

That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

That the right to be secure against unreasonable searches and seizures shall not be violated.

That neither slavery, nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said Islands.

That no law shall be passed abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

That no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed.

That no money shall be paid out of the Treasury except in pursuance of an appropriation by law.

That the rule of taxation in said Islands shall be uniform.

That no private or local bill which may be enacted into law shall embrace more than one subject, and that subject shall be expressed in the title of the bill.

That no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

That all money collected on any tax levied or assessed for a special purpose shall be treated as a special fund in the Treasury and paid out for such purpose only.

**Section 6.** That whenever the existing insurrection in the Philippine Islands shall have ceased and a condition of general and complete peace shall have been established therein and the fact shall be certified to the President by the Philippine Commission, the President, upon being satisfied thereof, shall order a census of the Philippine Islands to be taken by said Philippine Commission; such census in its inquiries relating to the population shall take and make so far as practicable full report for all the inhabitants, of name, age, sex, race, or tribe, whether native or foreign born, literacy in Spanish native dialect, or language, or in English, school attendance, ownership of homes, industrial and social statistics, and such other information separately for each island, each province, and municipality, or other civil division, as the President and said Commission may deem necessary: Provided, that the President may, upon the request of said Commission, in his discretion, employ the service of the Census Bureau in compiling and promulgating the statistical information above provided for, and may commit to such Bureau any part or portion of such labour as to him may seem wise.

**Section 7.** That two years after the completion and publication of the census, in case such condition of general and complete peace with recognition of the authority of the United States shall have continued in the territory of said Islands not inhabited by Moros or other non-Christian tribes and such facts shall have been certified to the President by the Philippine Commission, the President upon being satisfied thereof shall direct Commission to call, and the Commission shall call, a general election for the choice of delegates to a popular assembly of the people of said territory in the Philippine Islands, which shall be known as the Philippine Assembly. After said Assembly shall have convened and organised, all the legislative power heretofore conferred on the Philippine Commission in all that part of said Islands not inhabited by Moros or other non-Christian tribes shall be vested in a Legislature consisting of two Houses – the Philippine Commission and the Philippine Assembly. Said Assembly shall consist of not less than fifty nor more than one hundred members to be apportioned by said Commission among the provinces as nearly as practicable according to population: Provided, that no province shall have less than one member: And provided further, that provinces entitled by population to more than one member may be divided into such convenient district as the said Commission may deem best.

Public notice of such division shall be given at least ninety days prior to such election, and the election shall be held under rules and regulations to be prescribed by law. The qualification of electors of such election shall be the same as is now provided by law in case of electors in municipal elections. The members of Assembly shall hold office for two years from the first day of January next following their election, and their successors shall be chosen by the people every second year thereafter. No person shall be eligible to such election who is not a qualified elector of the election district in which he may be chosen, owing allegiance to the United States and twenty-five years of age.

The Legislature shall hold annual sessions, commencing on the first Monday of February in each year and continuing not exceeding ninety days thereafter (Sundays and holidays not included); Provided, that the first meeting of the Legislature shall be held upon the call of the Governor within ninety days after the first election: And provided further, that if at the termination of any session the appropriations necessary for the support of Government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the Legislature shall act in such behalf the Treasurer may, with the advice of the Governor, make the payments necessary for the purposes aforesaid.

The Legislature may be called in special session at any time by the Civil Governor for general legislation, or for action on such specific subjects as he may designate. No special session shall continue longer than thirty days, exclusive of Sundays.

The Assembly shall be the judge of the elections, returns, and qualifications of its members. A majority shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorised to compel the attendance of absent members. It shall choose its Speaker and other officers, and the salaries of its members and officers shall be fixed by law. It may determine the rule of its proceedings, punish its members for disorderly behaviour, and with the concurrence of two-thirds expel a member. It shall keep a journal of its proceedings, which shall be published, and the yeas and nays of the members on any question shall, on the demand of one-fifth of those present, be entered on the journal.

**Section 8.** That at the same time with the first meeting of the Philippine Legislature, and biennially thereafter, there shall be chosen by said Legislature, each House voting separately, two resident Commissioners to the United States, who shall be entitled to an official recognition as such by all departments upon presentation to the President of a certificate of election by the Civil Governor of said Islands, and each of whom shall be entitled to a salary payable monthly by the United States at the rate of five thousand dollars per annum, and two thousand dollars additional to cover all expenses: Provided, that no person shall be eligible to such election who is not a qualified elector of said Islands, owing allegiance to the United States, and who is not thirty years of age.

**Section 9.** That the Supreme Court and the Courts of First Instance of the Philippine Islands shall possess and exercise jurisdiction as heretofore provided and such additional jurisdiction as shall hereafter be prescribed by the Government of said Islands, subject to the power of said

Government to change the practice and method of procedure. The municipal courts of said Islands shall possess and exercise jurisdiction as heretofore provided by the Philippine Commission, subject in all matters to such alteration and amendment as may be hereafter enacted by law; and the Chief Justice and Associate Justices of the Supreme Court shall hereafter be appointed by the President, by and with the advice and consent of the Senate, and shall receive the compensation heretofore prescribed by the Commission until otherwise provided by Congress. The judges of the Court of First Instance shall be appointed by the Civil Governor, by and with the advice and consent of the Philippine Commission: Provided, that the admiralty jurisdiction of the Supreme Court and Courts of First Instance shall not be changed except by Act of Congress.

**Section 10.** That the Supreme Court of the United States shall have jurisdiction to review, revise, reverse, modify, or affirm the final judgments and decrees of the Supreme Court of the Philippine Islands in all actions, cases, causes, and proceedings now pending therein or hereafter determined thereby in which the Constitution or any statute, treaty, title, right, or privilege of the United States is involved, or in causes in which the value in controversy exceeds twenty-five thousand dollars, or in which the title or possession of real estate exceeding in value the sum of twenty-five thousand dollars, to be ascertained by the oath of either party or of other competent witnesses, is involved or brought in question; and such final judgments or decrees may and can be reviewed, revised, reversed, modified, or affirmed by said Supreme Court of the United States on appeal or writ of error by the party aggrieved, in the same manner, under the same regulations, and by the same procedure, as far as applicable, as the final judgments and decrees of the Circuit Courts of the United States.

**Section 11.** That the Government of the Philippine Islands is hereby authorised to provide for the needs of commerce by improving the harbours and navigable waters of said Islands and to construct and maintain in said navigable waters and upon the shore adjacent thereto bonded warehouses, wharves, piers, light-houses, signal and life-saving stations, buoys, and like instruments of commerce, and to adopt and enforce regulations in regard thereto, including bonded warehouses wherein articles not intended to be imported into said Islands nor mingled with the property therein, but brought into a port of said Islands for reshipment to another country may be deposited in bond and reshipped to another country without the payment of customs duties or charges.

**Section 12.** That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, signed December tenth, eighteen hundred and ninety-eight, except such land or other property as shall be designated by the President of the United States for military and other reservations of the Government of the United States, are hereby placed under the control of the Government of said Islands, to be administered for the benefit of the inhabitants thereof, except as provided in this Act.

**Section 13.** That the Government of the Philippine Islands, subject to the provisions of this Act and except as herein provided, shall classify according to its agricultural character and productiveness, and shall immediately make rules and regulations for the lease, sale, or other

disposition of the public lands other than timber or mineral lands, but such rules and regulations shall not go into effect or have the force of law until they have received the approval of the President, and when approved by the President they shall be submitted by him to Congress at the beginning of the next ensuing session thereof and unless disapproved or amended by Congress at said session they shall at the close of such period have the force and effect of law in the Philippine Islands: Provided, that a single homestead entry shall not exceed sixteen hectares in extent.

**Section 14.** That the Government of the Philippine Islands is hereby authorised and empowered to enact rules and regulations and to prescribe terms and conditions to enable persons to perfect their title to public lands in said Islands, who, prior to the transfer of sovereignty from Spain to the United States, had fulfilled all or some of the conditions required by the Spanish laws and royal decrees of the Kingdom of Spain for the acquisition of legal title thereto, yet failed to secure conveyance of title; and the Philippine Commission is authorised to issue patents, without compensation, to any native of said Islands, conveying title to any tract of land not more than sixteen hectares in extent, which were public lands and had been actually occupied by such native or his ancestors prior to and on the thirteenth of August, eighteen hundred and ninety-eight.

**Section 15.** That the Government of the Philippine Islands is hereby authorised and empowered, on such terms as it may prescribe, by general legislation, to provide for the granting or sale and conveyance to actual occupants and settlers and other citizens of said Islands such parts and portions of the public domain, other than timber and mineral lands, of the United States in said Islands as it may deem wise, not exceeding sixteen hectares to any one person and for the sale and conveyance of not more than one thousand and twenty-four hectares to any corporation or association of persons: Provided, that the grant or sale of such lands, whether the purchase price be paid at once or in partial payments, shall be conditioned upon actual and continued occupancy, improvement, and cultivation of the premises sold for a period of not less than five years, during which time the purchaser or grantee can not alienate or encumber said land or the title thereto; but such restriction shall not apply to transfers of rights and title of inheritance under the laws for the distribution of the estates of decedents.

**Section 16.** That in granting or selling any part of the public domain under the provisions of the last preceding section, preference in all cases shall be given to actual occupants and settlers; and such public lands of the United States in the actual possession or occupancy of any native of the Philippine Islands shall not be sold by said Government to any other person without the consent thereto of said prior occupant or settler first had and obtained: Provided, that the prior right hereby secured to an occupant of land, who can show no other proof of title than possession, shall not apply to more than sixteen hectares in any one tract.

**Section 17.** That timber, trees, forests, and forest products on lands leased or demised by the Government of the Philippine Islands under the provisions of this Act shall not be cut, destroyed, removed, or appropriated except by special permission of said Government and under such regulations as it may prescribe.

All moneys obtained from lease or sale of any portion of the public domain or from licenses to cut timber by the Government of the Philippine Islands shall be covered into the Insular Treasury and be subject only to appropriation for insular purposes according to law.

**Section 18.** That the forest laws and regulations now in force in the Philippine Islands, with such modifications and amendments as may be made by the Government of said Islands, are hereby continued in force, and no timber lands forming part of the public domain shall be sold, leased, or entered until the Government of said Islands, upon the certification of the Forestry Bureau that said lands are more valuable for agriculture than for forest uses, shall declare such lands so certified to be agricultural in character: Provided, that the said Government shall have the right and is hereby empowered to issue licenses to cut, harvest, or collect timber or other forest products on reserved or unreserved public lands in said Islands in accordance with the forest laws and regulations hereinbefore mentioned and under the provisions of this Act, and the said Government may lease land to any person or persons holding such licenses, sufficient for a mill site, not to exceed four hectares in extent, and may grant rights of way to enable such person or persons to get access to the lands to which such licenses apply.

**Section 19.** That the beneficial use shall be the basis, the measure, and the limit of all rights to water in said Islands, and the Government of said Islands is hereby authorised to make such rules and regulations for the use of water, and to make such reservations of public lands for the protection of the water supply, and for other public purposes not in conflict with the provisions of this Act, as it may deem best for the public good.

**Section 20.** That in all cases public lands in the Philippine Islands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law.

**Section 21.** That all valuable mineral deposits in public lands in the Philippine Islands, both surveyed and unsurveyed, are hereby declared to be free and open to exploration, occupation, and purchase, and the land in which they are found to occupation and purchase, by citizens of the United States, or of said Islands: Provided, that when on any lands in said Islands entered and occupied as agricultural lands under the provisions of this Act, but not patented, mineral deposits have been found, the working of such mineral deposits is hereby forbidden until the person, association, or corporation who or which has entered and is occupying such lands shall have paid to the Government of said Islands such additional sum or sums as will make the total amount paid for the mineral claim or claims in which said deposits are located equal to the amount charged by the Government for the same as mineral claims.

**Section 22.** That mining claims upon land containing veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, located after the passage of this Act, whether located by one or more persons qualified to locate the same under the preceding section, shall be located in the following manner and under the following conditions: Any person so qualified desiring to locate a mineral claim shall, subject to the provisions of this Act with respect to land which may be used for mining, enter upon the same and locate a plot of ground measuring, where possible, but not exceeding, one thousand feet in

length by one thousand feet in breadth, in as nearly as possible a rectangular form; that is to say: All angles shall be right angles, except in cases where a boundary line of a previously surveyed claim is adopted as common to both claims, but the lines need not necessarily be meridional. In defining the size of a mineral claim, it shall be measured horizontally, irrespective of inequalities of the surface of the ground.

**Section 23.** That a mineral claim shall be marked by two posts placed as nearly as possible on the line of the ledge or vein, and the posts shall be numbered one and two, and the distance between posts numbered one and two shall not exceed one thousand feet, the line between posts numbered one and two to be known as the location line; and upon posts numbered one and two shall be written the name given to the mineral claim, the name of the locator, and the date of the location. Upon post numbered one there shall be written, in addition to the foregoing, "Initial post," the approximate compass bearing of post numbered two, and a statement of the number of feet lying to the right and to the left of the line from post numbered one to post numbered two, thus: "Initial post Direction of post numbered two \_\_\_\_\_ feet of this claim lie on the right and \_\_\_\_\_ feet on the left of the line from number one to number two post." All the particulars required to be put on number one and number two posts shall be furnished by the locator to the provincial secretary, or such other officer as by the Philippine Government may be described as mining recorder, in writing, at the time the claim is recorded, and shall form a part of the record of the sum claim.

**Section 24.** That when a claim has been located the holder shall immediately mark the line between posts numbered one and two so that it can be distinctly seen. The locator shall also place a post at the point where he has found minerals in place, on which shall be written "Discovery post:" Provided, that when the claim is surveyed the surveyor shall be guided by the records of the claim, the sketch plan on the back of the declaration made by the owner when the claim was recorded, posts numbered one and two, and the notice on number one, initial post.

**Section 25.** That it shall not be lawful to move number one post, but number two post may be moved by the deputy mineral surveyor when the distance between posts numbered one and two exceeds one thousand feet, in order to place number two post one thousand feet from number one post on the line of location. When the distance between posts numbered one and two is less than one thousand feet the deputy mineral surveyor shall have no authority to extend the claim beyond number two.

**Section 26.** That the "location line" shall govern the direction of one side of the claim, upon which the survey shall be extended according to this Act.

**Section 27.** That the holder of a mineral claim shall be entitled to all minerals which may lie within his claim, but he shall not be entitled to mine outside the boundary lines of his claim continued vertically downward: Provided, that this Act shall not prejudice the rights of claim owners nor claim holders whose claims have been located under existing laws prior to this Act.

**Section 28.** That no mineral claim of the full size shall be recorded without the application being accompanied by an affidavit made by the applicant or some person on his behalf cognisant of the

facts – that the legal notices and posts have been put up; that mineral has been found in place on the claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the number one and number two posts shall be set out in full, and as accurate a description as possible of the position of the claim given with reference to some natural object or permanent monuments.

**Section 29.** That no mineral claim which at the date of its record is known by the locator to be less than a full-sized mineral claim shall be recorded without the word “fraction” being added to the name of the claim, and the application being accompanied by an affidavit or solemn declaration made by applicant or some person on his behalf cognisant of the facts: That the legal posts and notices have been put up; that mineral has been found in place on the fractional claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the posts numbered one and two shall be set out in full, and as accurate a description as possible of the position of the claim given. A sketch plan shall be drawn by the applicant on the back of the declaration, showing as near as may be the position of the adjoining mineral claims and the shape and size, expressed in feet, of the claim or fraction desired to be recorded: Provided, that the failure on the part of the locator of a mineral claim to comply with any of the foregoing provisions of this section shall not be deemed to invalidate such location, if upon the facts it shall appear that such locator has actually discovered mineral in place on said location, and that there has been on his part a bona fide attempt to comply with the provisions of this Act, and that the non-observance of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity.

**Section 30.** That in cases where, from the nature or shape of the ground, it is impossible to mark the location line of the claim as provided by this Act, then the claim may be marked by placing posts as nearly as possible to the location line, and noting the distance and direction such posts may be from such location line, which distance and direction shall be set out in the record of the claim.

**Section 31.** That every person locating a mineral claim shall record the same with the provincial secretary or such other officer as by the Government of the Philippine Islands may be described as mining recorder of the district within which the same is situated, within thirty days after the location thereof. Such record shall be made in a book to be kept for the purpose in the office of the said provincial secretary or such other officer as by said Government described as mining recorder, in which shall be inserted the name of the claim, the name of each locator, the locality of the mine, the direction of the location line, the length in feet, the date of location, and the date of the record. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned.

**Section 32.** That in case of any dispute as to the location of a mineral claim the title to the claim shall be recognised according to the priority of such location, subject to any question as to the

validity of the record itself and subject to the holder having complied with all the terms and conditions of this Act.

**Section 33.** That no holder shall be entitled to hold in his, its or their own name or in the name of any other person, corporation or association more than one mineral claim on the same vein or lode.

**Section 34.** That a holder may at any time abandon any mineral claim by giving notice, in writing, or such intention to abandon, to the provincial secretary or such other officer as by the Government of the Philippine Islands may be described as mining recorder; and from the date of the record of such notice all his interest in such claim shall cease.

**Section 35.** That proof of citizenship under the clauses of this Act relating to mineral lands may consist in the case of an individual, of his own affidavit thereof; in the case of an association of persons unincorporated, of the affidavit of their authorised agent made on his own knowledge or upon information and belief, and in case of a corporation organised under the laws of the United States, or of any State or Territory thereof, or of the Philippine Islands, by the filing of a certified copy of their charter or certificate of incorporation.

**Section 36.** That the United States Philippine Commission or its successors may make regulations, not in conflict with the provision of this Act, governing the location, manner of recording, and amount of work necessary to hold possession of a mining claim, subject to the following requirements:

On each claim located after the passage of this Act, and until a patent has been issued therefore, not less than one hundred dollars' worth of labour shall be performed or improvements made during each year: Provided, that upon a failure to comply with these conditions the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several co-owners to contribute his proportion of the expenditures required thereby, the co-owners who have performed the labour or made the improvements may, at the expiration of the year, give such delinquent co-owner personal notice in writing or notice by publication in the newspaper published nearest the claim, and in two newspapers published at Manila, one in the English language and the other in the Spanish language, to be designated by the Chief of the Philippine Insular Bureau of Public Lands, for at least once a week for ninety days, and, if at the expiration of ninety days after such notice in writing or by publication such delinquent shall fail or refuse to contribute his proportion of the expenditure required by this section his interest in the claim shall become the property of his co-owners who have made the required expenditures. The period within which the work required to be done annually on all unpatented mineral claims shall commence on the first day of January succeeding the date of location of such claim.

**Section 37.** That a patent for any land claimed and located for valuable mineral deposits may be obtained in the following manner: Any person, association, or corporation authorised to locate a

claim under this Act, having claimed and located a piece of land for such purposes, who has or have complied with the terms of this Act may file in the office of the provincial secretary, or such other officer as by the Government of said Islands may be described as mining recorder of the province wherein the land claimed is located, an application for a patent, under oath showing such compliance, together with a plat and field notes of the claim or claims in common, made by or under the direction of the Chief of the Philippine Insular Bureau of Public Lands, showing accurately the boundaries of the claim, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted, and shall file a copy of the notice in such office, and shall thereupon be entitled to a patent for the land, in the manner following: The provincial secretary, or such other officer as by the Philippine Government may be described as mining recorder, upon the filing of such application, plat, field notes, notices, and affidavits, shall publish a notice that such an application has been made, once a week for the period of sixty days, in a newspaper to be by him designated as nearest to such claim and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the Chief of the Philippine Insular Bureau of Public Lands; and he shall also post such notice in his office for the same period. The claimant at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the provincial secretary or such other officer as by the Philippine Government may be described as mining recorder a certificate of the Chief of the Philippine Insular Bureau of Public Lands that five hundred dollars' worth of labour has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the provincial secretary or such other officer as by the Government of said Islands may be described as mining recorder at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent upon the payment to the provincial treasurer or the collector of internal revenue of five dollars per acre and that no adverse claim exists, and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this Act: Provided, that where the claimant for a patent is not a resident of or within the province wherein the land containing the vein, ledge, or deposit sought to be patented is located, the application for patent and the affidavits required to be made in this section by the claimant for such patent may be made by his, her, or its authorised agent where said agent is conversant with the facts sought to be established by said affidavits.

**Section 38.** That applicants for mineral patents, if residing beyond the limits of the province or military department wherein the claim is situated, may make the oath or affidavit required for proof of citizenship before the clerk of any court of record, or before any notary public of any

province of the Philippine Islands, or any other official in said Islands authorised by law to administer oaths.

**Section 39.** That where an adverse claim is filed during the period of publication it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavits thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment, and a failure so to do shall be a waiver of his adverse claim. After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the provincial secretary or such other officer as by the Government of the Philippine Islands may be described as mining recorder, together with the certificate of the Chief of the Philippine Insular Bureau of Public Lands that the requisite amount of labour has been expended or improvements made thereon, and the description required in other cases, and shall pay to the provincial treasurer or the collector of internal revenue of the province in which the claim is situated, as the case may be, five dollars per acre for his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the provincial secretary or such other officer as by said Government may be described as mining recorder to the Secretary of the Interior of the Philippine Islands, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, rightly to possess. The adverse claim may be verified by the oath of any duly authorised agent or attorney in fact of the adverse claimant cognisant of the facts stated; and the adverse claimant, if residing or at the time being beyond the limits of the province wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record, or any notary public of any province or military department of the Philippine Islands, or any other officer authorised to administer oaths where the adverse claimant may then be. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the Chief of the Philippine Insular Bureau of Public Lands, whereupon the provincial secretary or such other officer as by the Government of said Islands may be described as mining recorder shall certify the proceedings and judgment roll to the Secretary of the Interior for the Philippine Islands, as in the preceding case, and patents shall issue to the several parties according to their respective rights. If in any action brought pursuant to this section, title to the ground in controversy shall not be established by either party, the court shall so find, and judgment shall be entered accordingly. In such case costs shall not be allowed to either party, and the claimant shall proceed in the office of the provincial secretary or such other officer as by the Government of said Islands may be described as mining recorder or be entitled to a patent for the ground in controversy until he shall have perfected his title. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining claim to any person whatever.

**Section 40.** That the description of mineral claims upon surveyed lands shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued for claims upon unsurveyed lands, the Chief of the Philippine Insular Bureau of Public Lands in extending the surveys shall adjust the same to the boundaries of such patented claim according to the plat or description thereof, but so as in no case to interfere with or change the location of any patented claim.

**Section 41.** That any person authorised to enter lands under this Act may enter and obtain patent to lands that are chiefly valuable for building stone under the provisions of this Act relative to placer mineral claims.

**Section 42.** That any person authorised to enter lands under this Act may enter and obtain patent to lands containing petroleum or other mineral oils and chiefly valuable therefore under the provisions of this Act relative to parcel mineral claims.

**Section 43.** That no location of a placer claim shall exceed sixty-four hectares for any association of persons, irrespective of the number of persons composing such association, and no such location shall include more than eight hectares for an individual claimant. Such locations shall conform to the laws of the United States Philippine Commission, or its successors, with reference to public surveys, and nothing in this section contained shall defeat or impair any bona fide ownership of land for agricultural purposes or authorise the sale of the improvements of any bona fide settler to any purchase.

**Section 44.** That where placer claims are located upon surveyed lands and conform to legal subdivisions, further survey or plat shall be required, and all placer mining claims located after the date of passage of this Act shall conform as nearly as practicable to the Philippine system of public-land surveys and the regular subdivision of such surveys; but where placer claims can not be conformed to legal subdivisions, survey and plat shall be made as on nsurveyed lands; and where by the segregation of mineral lands in any legal subdivision a quantity of agricultural land less than sixteen hectares shall remain, such fractional portion of agricultural land may be entered by any party qualified by law for homestead purposes.

**Section 45.** That where such person or association, they and their grantors have held and worked their claims for a period equal to the time prescribed by the statute of limitations of the Philippine Islands, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this Act, in the absence of any adverse claim; but nothing in this Act shall be deemed to impair any lien which may have attached in any way whatever prior to the issuance of a patent.

**Section 46.** That the Chief of the Philippine Insular Bureau of Public Lands may appoint competent deputy mineral surveyors to survey mining claims. The expenses of the survey of vein or lode claims and of the survey of placer claims, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any such deputy mineral surveyor to make the survey. The Chief of the Philippine Insular Bureau of Public Lands shall also have

power to establish the maximum charges for surveys and publication of notices under this Act; and in case of excessive charges for publication he may designate any newspaper published in a province where mines are situated, or in Manila, for the publication of mining notices and fix the rates to be charged by such paper; and to the end that the Chief of the Bureau of Public Lands may be fully informed on the subject such applicant shall file with the provincial secretary, or such other officer as by the Government of the Philippine Islands may be described as mining recorder, a sworn statement of all charges and fees paid by such applicant for publication and surveys, and of all fees and money paid the provincial treasurer or the collector of internal revenue, as the case may be, which statement shall be transmitted, with the other papers in the case, to the Secretary of the Interior for the Philippine Islands.

**Section 47.** That all affidavits required to be made under this Act may be verified before any officer authorised to administer oaths within the province or military department where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the proper provincial secretary or such other officer as by the Government of the Philippine Islands may be described as mining recorder. In cases of contest as to the mineral or agricultural character of land the testimony and proofs may be taken as herein provided on personal notice of at least ten days to the opposing party; or if such party can not be found, then by publication at least once a week for thirty days in a newspaper to be designated by the provincial secretary or such other officer as by said Government may be described as mining recorder published nearest to the location of such land and in two newspapers published in Manila, one in the English language and one in the Spanish language, to be designated by the Chief of the Philippine Insular Bureau of Public Lands; and the provincial secretary or such other officer as by said Government may be described as mining recorder shall require proofs that such notice has been given.

**Section 48.** That where non-mineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location of such nonadjacent land shall exceed two hectares, and payment for the same must be made at the same rate as fixed by this Act for the superficies of the lode. The owner of a quarts mill or reduction works not owning a mine in connection therewith may also receive a patent for his mill site as provided in this section.

**Section 49.** That as a condition of sale the Government of the Philippine Islands may provide rules for working, policing, and sanitation of mines, and rules concerning easements, drainage, water rights, right of way, right of Government survey and inspection, and other necessary means to their complete development not inconsistent with the provisions of this Act, and those conditions shall be fully expressed in the patent. The Philippine Commission or its successors are hereby further empowered to fix the bonds of deputy mineral surveyors.

**Section 50.** That whenever by priority of possession rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued and the same are recognised and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same, and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed, but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

**Section 51.** That all patents granted shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights as may have been acquired under or recognised by the preceding section.

**Section 52.** That the Government of the Philippine Islands is authorised to establish land districts and provide for the appointment of the necessary officers wherever they may deem the same necessary for the public convenience, and to further provide that in districts where land offices are established proceedings required by this Act to be had before provincial officers shall be had before the proper officers of such land offices.

**Section 53.** That every person above the age of twenty-one years, who is a citizen of the United States, or of the Philippine Islands, or who has acquired the rights of a native of said Islands under and by virtue of the treaty of Paris, or any association of persons severally qualified as above, shall, upon application to the proper provincial treasurer, have the right to enter any quality of vacant coal lands of said Islands not otherwise appropriated or reserved by competent authority, not exceeding sixty-four hectares to such individual person, or one hundred and twenty-eight hectares to such association, upon payment to the provincial treasurer or the collector of internal revenue, as the case may be, of not less than twenty-five dollars per hectare for such lands, where the same shall be situated more than fifteen miles from any completed railroad or available harbour or navigable stream, and not less than fifty dollars per hectare for such lands as shall be within fifteen miles of such road, harbour, or stream: Provided, that such entries shall be taken in squares of sixteen or sixty-four hectares, in conformity with the rules and regulations governing the public-land surveys of the said Islands in plotting legal subdivisions.

**Section 54.** That any person or association of persons, severally qualified as above provided, who have opened and improved, or shall hereafter open and improve, any coal mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry under the preceding section of the mines so opened and improved.

**Section 55.** That all claims under the preceding section must be presented to the proper provincial secretary within sixty days after the date of actual possession and the commencement of improvements on the land by the filing of a declaratory statement therefore; and where the improvements shall have been made prior to the expiration of three months from the date of the passage of this Act, sixty days from the expiration of such three months shall be allowed for the

filing of a declaratory statement; and no sale under the provisions of this Act shall be allowed until the expiration of six months from the date of the passage of this Act.

**Section 56.** That the three preceding sections shall be held to authorise only one entry by the same person or association of persons; and no association of persons, any member of which shall have taken the benefit of such sections, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions thereof; and no member of any association which shall have taken the benefit of such section shall enter or hold any other lands under their provisions; and all persons claiming under section fifty-eight shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

**Section 57.** That in case of conflicting claims upon coal lands where the improvements shall be commenced after the date of the passage of this Act, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase. And also where improvements have already been made prior to the passage of this Act, division of the land claimed may be made by legal subdivisions, which shall conform as nearly as practicable with the subdivisions of land provided for in this Act, to include as near as may be the valuable improvements of the respective parties. The Government of the Philippine Islands is authorised to issue all needful rules and regulations for carrying into effect the provisions of this and preceding sections relating to mineral lands.

**Section 58.** That whenever it shall be made to appear to the secretary of any province or the commander of any military department in the Philippine Islands that any lands within the province are saline in character, it shall be the duty of said provincial secretary or commander, under the regulations of the Government of the Philippine Islands, to take testimony in reference to such lands, to ascertain their true character, and to report the same to the Secretary of the Interior for the Philippine Islands; and if, upon such testimony, the Secretary of the Interior shall find that such lands are saline and incapable of being purchased under any of the laws relative to the public domain, then and in such case said lands shall be offered for sale at the office of the provincial secretary or such other officer as by the said Government may be described as mining recorder of the province or department in which the same shall be situated, as the case may be, under such regulations as may be prescribed by said Government and sold to the highest bidder, for cash, at a price of not less than three dollars per hectare; and in case such lands fail to sell when so offered, then the same shall be subject to private sale at such office, for cash, at a price not less than three dollars per hectare, in the same manner as other lands in the said Islands are sold. All executive proclamations relating to the sales of public saline lands shall be published in only two newspapers, one printed in the English language and one in the Spanish language, at Manila, which shall be designated by said Secretary of the Interior.

**Section 59.** That no Act granting lands to provinces, districts, or municipalities to aid in the construction of roads, or for other public purposes, shall be so construed as to embrace mineral

lands, which, in all cases, are reserved exclusively, unless otherwise specially provided in the Act or Acts making the grant.

**Section 60.** That nothing in this Act shall be construed to affect the rights of any person, partnership, or corporation having a valid, perfected mining concession granted prior to April eleventh, eighteen hundred and ninety-nine, but all such concessions shall be conducted under the provisions of the law in force at the time they were granted, subject at all times to cancellation by reason of illegality in the procedure by which they were obtained, or for failure to comply with the conditions prescribed as requisite to their retention in the laws under which they were granted: Provided, that the owner or owners of every such concession shall cause the corners made by its boundaries to be distinctly marked with permanent monuments within six months after this Act has been promulgated in the Philippine Islands, and that any concessions the boundaries of which are not so marked within this period shall be free and open to exploration and purchase under the provisions of this Act.

**Section 61.** That mining rights on public lands in the Philippine Islands shall, after the passage of this Act, be acquired only in accordance with its provisions.

**Section 62.** That all proceedings for the cancellation of perfected Spanish concessions shall be conducted in the courts of the Philippine Islands having jurisdiction of the subject-matter and of the parties, unless the United States Philippine Commission, or its successors, shall create special tribunals for the determination of such controversies.

**Authority for the Philippine Islands Government to Purchase Lands of Religious Orders and Others and Issue Bonds for Purchase Price**

**Section 63.** That the Government of the Philippine Islands is hereby authorised, subject to the limitations and conditions prescribed in this Act, to acquire, receive, hold, maintain, and convey title to real and personal property, and may acquire real estate for public uses by the exercise of the right of eminent domain.

**Section 64.** That the powers hereinbefore conferred in section sixty-three may also be exercised in respect of any lands, easements, appurtenances, and hereditaments which, on the thirteenth of August, eighteen hundred and ninety-eight, were owned or held by associations, corporations, communities, religious orders, or private individuals in such large tracts or parcels and in such manner as in the opinion of the Commission injuriously to affect the peace and welfare of the people of the Philippine Islands. And for the purpose of providing funds to acquire the lands mentioned in this section said Government of the Philippine Islands is hereby empowered to incur indebtedness, to borrow money, and to issue, and to sell at not less than par value, in gold coin of the United States of the present standard value or the equivalent in value in money of said Islands, upon such terms and conditions as it may deem best, registered or coupon bonds of said Government for such amount as may be necessary, said bonds to be in denominations of fifty dollars or any multiple thereof, bearing interest at a rate not exceeding four and a half per centum per annum, payable quarterly, and to be payable at the pleasure of said Government after dates named in said bonds not less than five nor more than thirty years from the date of their issue,

together with interest thereon, in gold coin of the United States of the present standard value or the equivalent in value in money of said Islands; and said bonds shall be exempt from the payment of all taxes or duties of said Government, or any local authority therein, or of the Government of the United States, as well as from taxation in any form by or under State, municipal, or local authority in the United States or the Philippine Islands. The moneys which may be realised or received from the issue and sale of said bonds shall be applied by the Government of the Philippine Islands to the acquisition of the property authorised by this section, and to no other purposes.

**Section 65.** That all lands acquired by virtue of the preceding section shall constitute a part and portion of the public property of the Government of the Philippine Islands, and may be held, sold, and conveyed, or leased temporarily for a period not exceeding three years after their acquisition by said Government on such terms and conditions as it may prescribe, subject to the limitations and conditions provided for in this Act: Provided, that all deferred payments and the interest thereon shall be payable in the money prescribed for the payment of principal and interest of the bonds authorised to be issued in payment of said lands by the preceding section and said deferred payments shall bear interest at the rate borne by the bonds. All moneys realised or received from sales or other disposition of said lands or by reason thereof shall constitute a trust fund for the payment of principal and interest of said bonds, and also constitute a sinking fund for the payment of said bonds at their maturity. Actual settlers and occupants at the time said lands are acquired by the Government shall have the preference over all others to lease, purchase, or acquire their holdings within such reasonable time as may be determined by said Government.

### **Municipal Bonds for Public Improvements**

**Section 66.** That for the purpose of providing funds to construct sewers, to furnish adequate sewer and drainage facilities, to secure a sufficient supply of water, and to provide all kinds of municipal betterments and improvements in municipalities, the Government of the Philippine Islands, under such limitations, terms, and conditions as it may prescribe, with the consent and approval of the President and the Congress of the United States, may permit any municipality of said Islands to incur indebtedness, borrow money, and to issue and sell (at not less than par value in gold coin of the United States) registered or coupon bonds in such amount and payable at such time as may be determined by the Government of said Islands, with interest thereon not to exceed five per centum per annum: Provided, that the entire indebtedness of any municipality under this section shall not exceed five per centum of the assessed valuation of the property in said municipality and any obligation in excess of such limit shall be null and void.

**Section 67.** That all municipal bonds shall be in denominations of fifty dollars, or any multiple thereof, bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the Government of the Philippine Islands, after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with the interest thereon, in gold coin of the United States of the present standard of value, or its equivalent in value in money of the said Islands: and said bonds shall be exempt

from the payment of all taxes or duties of the Government of the Philippine Islands, or any local authority therein, or the Government of the United States.

**Section 68.** That all moneys which may be realised or received from the issue and sale of said bonds shall be utilised under authorisation of the Government of the Philippine Islands in providing the municipal improvements and betterment which induced the issue and sale of said bonds, and for no other purpose.

**Section 69.** That the Government of the Philippine Islands shall, by the levy and collection of taxes on the municipality, its inhabitants and their property, or by other means, make adequate provision to meet the obligation of the bonds of such municipality, and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: Provided, that if said bonds or any portion thereof shall be paid out of the funds of the Government of said Islands, such municipality shall reimburse said Government for the sum thus paid, and said Government is hereby empowered to collect said sum by the levy and collection of taxes on such municipality.

**Section 70.** That for the purpose of providing funds to construct sewers in the city of Manila and to furnish it with an adequate sewer and drainage system and supply of water the Government of the Philippine Islands, with the approval of the President of the United States first had, is hereby authorised to permit the city of Manila to incur indebtedness, to borrow money, and to issue and sell (at not less than par value in gold coin of the United States), upon such terms and conditions as it may deem best, registered or coupon bonds of the city of Manila to an amount not exceeding four million dollars, lawful money of the United States, payable at such time or times as may be determined by said Government, with interest thereon not to exceed five per centum per annum.

**Section 71.** That said coupon or registered bonds shall be in denominations of fifty dollars or any multiple thereof, bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the Government of the Philippine Islands, after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with the interest thereon in gold coin of the United States of the present standard value, or the equivalent in value in money of the said Islands; and said bonds shall be exempt from the payment of all taxes or duties of the Government of the said Islands, or of any local authority therein, or of the Government of the United States.

**Section 72.** That all moneys which may be realised or received from the issue and sale of said bonds shall be utilised under authorisation of said Government of the Philippine Islands in providing a suitable sewer and drainage system and adequate supply of water for the city of Manila and for no other purpose.

**Section 73.** That the Government of the Philippine Islands shall, by the levy and collection of taxes on the city of Manila, its inhabitants and their property, or by other means, make adequate provision to meet the obligation of said bonds and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: Provided, that if said

bonds or any portion thereof shall be paid out of the funds of the Government of said Islands, said city shall reimburse said Government for the sum thus paid, and said Government is hereby empowered to collect said sum by the levy and collection of taxes on said city.

### **Franchises**

Section 74. That the Government of the Philippine Islands may grant franchises; privileges, and concessions, including the authority to exercise the right of eminent domain for the construction and operation of works of public utility and service, and may authorise said works to be constructed and maintained over and across the public property of the United States, including streets, highways, squares, and reservations, and over similar property of the Government of said Islands, and may adopt rules and regulations under which the provincial and municipal governments of the Islands may grant the right to use and occupy such public property belonging to said provinces or municipalities: Provided, that no private property shall be taken for any purpose under this section without just compensation paid or tendered therefore, and that such authority to take and occupy land shall not authorise the taking, use, or occupation of any land except such as is required for the actual necessary purposes for which the franchise is granted, and that no franchise, privilege, or concession shall be granted to any corporation except under the conditions that it shall be subject to amendment, alteration, or repeal by the Congress of the United States, and that lands or rights of use and occupation of lands thus granted shall revert to the Governments by which they were respectively granted upon the termination of the franchises and concession under which they were granted or upon their revocation or repeal. That all franchises, privileges, or concessions granted under this Act shall forbid the issue of stock or bonds except in exchange for actual cash, or for property at a fair valuation, equal to the par value of the stock or bonds so issued; shall forbid the declaring of stock or bond dividends, and, in the case of public-service corporations, shall provide for the effective regulation of the charges thereof, for the official inspection and regulation of the books and accounts of such corporations, and for the payment of a reasonable percentage of gross earnings into the Treasury of the Philippine Islands or of the province or municipality within which such franchises are granted and exercised: Provided further, that it shall be unlawful for any corporation organised under this Act, or for any person, company, or corporation receiving any grant, franchise, or concession from the Government of said Islands, to use, employ, or contract for the labour of persons claimed or alleged to be held in involuntary servitude; and any person, company, or corporation so violating the provisions of this Act shall forfeit all charters, grants, franchises, and concessions for doing business in said Islands, and in addition shall be deemed guilty of an offence, and shall be punished by a fine of not less than ten thousand dollars.

Section 75. That no corporation shall be authorised to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it is created, and every corporation authorised to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed one thousand and twenty-four hectares of land; and it shall be unlawful for any member of a corporation engaged in agriculture or mining and for any corporation organised for any purpose except irrigation to be in any wise interested in any other corporation engaged in

agriculture or in mining. Corporations, however, may loan funds upon real-estate security and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations not organised in the Philippine Islands, and doing business therein shall be bound by the provisions of this section so far as they are applicable.

### **Coinage**

**Section 76.** That the Government of the Philippine Islands is hereby authorised to establish a mint at the city of Manila, in said Islands, for coinage purposes, and the coins hereinafter authorised may be coined at said mint. And the said Government is hereby authorised to enact laws necessary for such establishment: Provided, that the laws of the United States relating to mints and coinage, so far as applicable, are hereby extended to the coinage of said Islands.

**Section 77.** That the Government of the Philippine Islands is authorised to coin, for use in said Islands, a coin of the denomination of fifty centavos and of the weight of one hundred and ninety-two and nine-tenths grains, a coin of the denomination of twenty centavos and of the weight of seventy-seven and sixteen one-hundredths grains, and a coin of the denomination of ten centavos and of the weight of thirty-eight and fifty-eight one-hundredths grains, and the standards of said silver coins shall be such that of one thousand parts by weight nine hundred shall be of pure metal and one hundred of alloy, and the alloy shall be of copper.

**Section 78.** That the subsidiary silver coins authorised by the preceding section shall be coined under the authority of the Government of the Philippine Islands in such amounts as it may determine, with the approval of the Secretary of War of the United States, from silver bullion purchased by said Government, with the approval of the Secretary of War of the United States: Provided, that said Government may in addition and in its discretion recoin the Spanish-Filipino dollars and subsidiary silver coins issued under the authority of the Spanish Government for use in said Islands into the subsidiary coins provided for in the preceding section at such rate and under such regulations as it may prescribe, and the subsidiary silver coins authorised by this section shall be legal tender in said Islands to the amount of ten dollars.

**Section 79.** That the Government of the Philippine Islands is also authorised to issue minor coins of the denominations of one-half centavo, one centavo, and five centavos, and such minor coins shall be legal tender in said Islands for amounts not exceeding one dollar. The alloy of the five-centavo piece shall be of copper and nickel, to be composed of three fourths copper and one-fourth nickel. The alloy of the one-centavo and one-half-centavo pieces shall be ninety-five per centum of copper and five per centum of tin and zinc, in such proportions as shall be determined by said Government. The weight of the five-centavo piece shall be seventy-seven and sixteen-hundredths grains troy, and of the one-centavo piece eighty grains troy, and of the one-half centavo piece forty grains troy.

**Section 80.** That for the purchase of metal for the subsidiary and minor coinage, authorised by the preceding sections, an appropriation may be made by the Government of the Philippine

Islands from its current funds, which shall be reimbursed from the coinage under said sections; and the gain or seigniorage arising there from shall be paid into the Treasury of said Islands.

**Section 81.** That the subsidiary and minor coinage hereinbefore authorised may be coined at the mint of the Government of the Philippine Islands at Manila, or arrangements may be made by the said Government with the Secretary of the Treasury of the United States for their coinage at any of the mints of the United States, at a charge covering the reasonable cost of the work.

**Section 82.** That the subsidiary and minor coinage hereinbefore authorised shall bear devices and inscriptions to be prescribed by the Government of the Philippines Islands, and such devices and inscriptions shall express the sovereignty of the United States, that it is a coin of the Philippine Islands, the denomination of the coin, and the year of the coinage.

**Section 83.** That the Government of the Philippine Islands shall have the power to make all necessary appropriations and all proper regulations for the redemption and reissue of worn or defective coins and for carrying out all other provisions of this Act relating to coinage.

**Section 84.** That the laws relating to entry, clearance, and manifests of steamships and other vessels arriving from or going to foreign ports shall apply to voyages each way between the Philippine Islands and the United States and the possessions thereof, and all laws relating to the collection and protection of customs duties not inconsistent with the Act of Congress of March eighth, nineteen hundred and two, “temporarily to provide revenue for the Philippine Islands,” shall apply in the case of vessels and goods arriving from said Islands in the United States and its aforesaid possessions.

The laws relating to seamen on foreign voyages shall apply to seamen on vessels going from the United States and its possessions aforesaid to said Islands, the customs officers there being for this purpose substituted for consular officers in foreign ports.

The provisions of chapters six and seven, title forty-eight, Revised Statutes, so far as now in force, and any amendments thereof, shall apply to vessels making voyages either way between ports of the United States or its aforesaid possessions and ports in said Islands; and the provisions of law relating to the public health and quarantine shall apply in the case of all vessels entering a port of the United States or its aforesaid possessions from said Islands, where the customs officers at the port of departure shall perform the duties required by such law of consular officers in foreign ports.

Section 3005, Revised Statutes, as amended, and other existing laws concerning the transit of merchandise through the United States, shall apply to merchandise arriving at any port of the United States destined for any of its insular and continental possessions or destined from any of them to foreign countries.

Nothing in this Act shall be held to repeal or alter any part of the Act of March eighth, nineteen hundred and two, aforesaid, or to apply to Guam, Tutorial, or Mauna, except that section eight of an Act entitled “An Act to revise and amend the tariff laws of the Philippine Archipelago,”

enacted by the Philippine Commission on the seventeenth of September, nineteen hundred and one, and approved by an Act entitled "An Act temporarily to provide revenues for the Philippine Islands, and for other purposes," approved March eighth, nineteen hundred and two, is hereby amended so as to authorise the Civil Governor thereof in his discretion to establish the equivalent rates of the money in circulation in said Islands with the money of the United States as often as once in ten days.

**Section 85.** That the Treasury of the Philippine Islands and such banking associations in said Islands with a paid-up capital of not less than two million dollars and chartered by the United States or any State thereof as may be designated by the Secretary of War and the Secretary of the Treasury of the United States shall be depositories of public money of the United States, subject to the provisions of existing law governing such depositories in the United States: Provided, that the Treasury of the Government of said Islands shall not be required to deposit bonds in the Treasury of the United States, or to give other specific securities for the safe-keeping of public money except as prescribed, in his discretion, by the Secretary of War.

**Section 86.** That all laws passed by the Government of the Philippine Islands shall be reported to Congress, which hereby reserves the power and authority to annul the same, and the Philippine Commission is hereby directed to make annual report of all its receipts and expenditures to the Secretary of War.

#### **Bureau of Insular Affairs**

**Section 87.** That the Division of Insular Affairs of the War Department, organised by the Secretary of War, is hereby continued until otherwise provided, and shall hereafter be known as the Bureau of Insular Affairs of the War Department. The business assigned to said Bureau shall embrace all matters pertaining to civil government in the island possessions of the United States subject to the jurisdiction of the War Department; and the Secretary of War is hereby authorised to detail an officer of the Army whom he may consider especially well qualified, to act under the authority of the Secretary of War as the chief of said Bureau, and said officer while acting under said detail shall have the rank, pay, and allowances of a colonel.

**Section 88.** That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

**EXCERPT FROM THE DIARY OF CARRIE CHAPMAN CATT.**

**-THE PHILIPPINES- (PART-XI)-**

**-JULY 19th. To AUGUST 20th. 1912-**

**ANNOTATION**

Carrie Chapman Catt and Dr. Aletta Jacob visited Manila for a three-week visit as part of a worldwide tour. Catt, who led the National American Woman Suffrage Association (NAWSA) and founded the League of Women Voters, was supportive of the Philippine suffrage movement. They met a group of Filipino and American women at the Manila Hotel in 1912. Two of the women were Sofia de Veyra and Pura Villanueva Kalaw. Both were leaders of their respective organizations. Pura was the president of the Asociacion Femenista Ilonga and Sofia was a founding member of the Asociacion Femenista Filipina).

Eventually, the Society for the Advancement of Women (SAW) was formed with an equal number of Filipino and American founding members before Catt left the Philippines. Catt observed that SAW was the first society in which both Filipinos and Americans were united in work. SAW became the Manila Women's Club, which later became part of the National Federation of Women's Clubs. The women in these clubs campaigned tirelessly to get the 300,000 votes from Filipino women for the 1937 Amended Election Law to be passed. This paved the way for women to take up leadership roles in politics. Since then, the Philippines has witnessed the election of two female presidents, and many women have been elected or appointed to positions on a national and local government level.

Catt, Carrie Chapman Diaries, July 19-Aug. 20, 1912  
Philippines

The Women of the Philippines

The arrival in Manilla of two leaders of women-Mrs. Carrie Chapman Catt of the United States and Dr. Aletta Jacobs of Holland-who come to make investigation of the condition of women in the Philippines is a really interesting event. They come at an opportune time. Social conditions and problems are uppermost in the minds of all who are working for the advancement of the Philippines and if these ladies can contribute anything of value it will be very welcome. They bring to their mission several advantages that weigh even against extended local experience. They are enthusiasts and specialists, they have been studying the affairs and problems of the women in other counters, their eyes are new and they can get contrasts denied to local students. There seems [to be] but one possible criticism of their plan and that is the time they have allotted to their work-it appears insufficient. But if they are given the maximum of assistance they can cover a great deal of ground and to that end the writer ventures the suggestion that the government, the chiefs of all local institutions of women, the officers of the local women's societies and all who are interested in their purpose join in forwarding their work. These investigators will at the very outset discover many interesting things about the women of the

Philippines. They will quickly discern that they are whole lot better than the men, an advantage by no means limited to mere morals. They excel their men in business, in energy and industry, in thrift. They do more for their homes and their families than do their men. They have caught the new spirit of progression that is abroad in the land and have a leading part in it. They are filling the schools and their attainments in scholarship equal to those of the other sex. They have taken the first steps toward the professions, notably medicine and nursing, and their work is rich in promise for the future. They have for years been leaders in the local household industries and will be an important element in the commercial life of the islands when that sphere is enlarged by the work of the schools and the special efforts that the government is now devoting to it.

Speaking in a broad and general sense the writer is inclined to believe that the rights of woman in the Philippines are fairly protected and conserved by both the laws of the land and the family and social customs that obtain. In common with her people, she needs educational, social and material advancement but she will share fully in these advantages as they come. Much is planned for her but perhaps much more can and should be done for her, and if the two investigators can be helpful their ideas and suggestions will be welcomed. The cause of suffrage, in which the two visiting ladies are especially interested, has not been advanced here and conditions would indicate that the time is not ripe. However, let not us deter; it would be diverting whether practical or not.

#### SUFFRAGETTES FOR ISLANDS

Manila Times, Aug 16, 1912 Mrs. Catt Organizes Local Women for Work

Manila is to have an active, fully organized woman's suffrage society club. The organization of this association was perfected yesterday at the Manila hotel by Mrs. Carrie Chapman Catt, at a meeting held with several of the more prominent American and Filipino women of the city. The association is to be known as the Society of the Advancement of Women and it has four American and four Filipino lady officials. They are: president, Mrs. C.S. Lobingier;

vice president, Senora Victorino Mapa. The minutes of the meetings are to be kept in two languages, Spanish and English. Mrs. Calderon will act as Spanish secretary and Mrs. Saleeby will be the English secretary. Mrs. Goodale is treasurer of the society and there is an advisory committee composed of the following well known ladies: Senora Teodoro Kalaw, Senorita Lopez and Mrs. Quinan. The first meeting of the society will be held on August 29th, at the home of Mrs. Logingier on Calle San Marcelino. In speaking of the society and its formation yesterday Mrs. Catt said to a TIMES man this morning: "The society will, of course take up whatever work it desires, but its first object will be to study the women's suffrage movement. The society already has quite a number of members and they are the most prominent and best women in the city. I feel sure that the organization of this society here will do an immense amount of good in more ways than one."

Asked regarding her impressions of the Philippines and the conditions here, Mrs. Catt, who leaves this evening on the Prinz Sigismund for Hongkong, said: "I feel that I have been here such

a short time that I do not fully understand conditions as I should like to and for that reason am thinking of returning again next year. Personally, I found things very interesting here. Results are being wrought out here which are going to tell for the hindrance or benefit of every Asiatic country. If the Filipinos are really benefited by the broad system of education which has been inculcated here, if they become imbued with ideas of business honesty, if they become able to handle the large commercial problems and can be trusted with the responsibilities of government, it will have an immense effect on other adjacent countries. "I have heard from several sources that candidates for political preferment in the provinces have used money and that other corrupt practices have crept in. If such bad customs are kept up, England, France, Germany and the Netherlands will point to that as the final condemnation of the Asiatic countries to govern themselves, and it is of the utmost importance that the voters of the islands be made to see that and combine in condemning such practices.

"For this reason I think it would be a wise step if the women of the country were given the right to vote for all agree that the women of the islands are more upright and honorable than the men and they would make the men be honest, too." Asked what she thought of the immediate independence idea, Mrs. Catt said: -"The people of the islands are much better off under the liberal policy of the United States than if they were given independence and all its attendant dangers. The United States hold the Philippine by as fair a title as any colonies are held by foreign countries; they came to us by the fortunes of war and to give them up would be an act of philanthropy and independence should not be given the islands until all the people are educated and their men are more fitted to cope with the political and commercial problems which now beset the archipelago. Independence, moreover, could not be given the islands at this time unless all the nations entered into an agreement to keep hands off under all circumstances and I feel sure that the various nations would not enter into such a covenant. Personally, I should like to see the islands converted into a territory and afterwards into a state, a part of the United States. I think that would be for their best interests."

## THE PHILIPPINE INDEPENDENCE ACT

### (TYDINGS-MCDUFFIE ACT) 1934

**AN ACT TO PROVIDE FOR THE COMPLETE INDEPENDENCE OF THE PHILIPPINE ISLANDS, TO PROVIDE FOR THE ADOPTION OF A CONSTITUTION AND A FORM OF GOVERNMENT FOR THE PHILIPPINE ISLANDS, AND FOR OTHER PURPOSES.**

### ANNOTATION

The Tydings-McDuffie Act known as the Philippine Independence Act of 1934 is a U.S. law that provided for Philippine independence. It is a slightly revised version of the Hare-Hawes-Cutting Bill passed by the U.S. Congress in 1933 but was vetoed by U.S. President Herbert Hoover. The U.S. Congress overrode the veto but was rejected by the Philippine Senate upon urgings of Manuel L. Quezon. Quezon wanted an amended bill. The new bill named, The Philippine Independence Act was authored by Senator Milliard Tydings (Democrat) of Maryland and Representative John McDuffie (Democrat) of Alabama. The new president, Franklin D. Roosevelt, signed it into law on March 24, 1934.

Among the significant provisions of the law are: (1) The election of the leaders of Philippine Commonwealth; (2) The recognition of Philippine independence on July 4, 1946; (3) The right of the United States to establish military bases in the country; (4) Granting the United States president the power to call on all military forces of the Philippines into service; (5) Reclassifying all Filipinos as aliens and limiting immigration to the United States to 50 persons per year. The law also stipulated that the Philippines would practice neutrality. Meaning, it could not go to war without the permission of the United States except when it had to protect itself. The Philippine Legislature ratified the Tydings-McDuffie law on May 1, 1934. From then on, Filipinos busied themselves with preparations for the establishment of the Commonwealth government.

### Convention to Frame Constitution for Philippine Islands

Section 1. The Philippine Legislature is hereby authorized to provide for the election of delegates to a constitutional convention, which shall meet in the hall of the House of Representatives in the capital of the Philippine Islands, at such time as the Philippine Legislature may fix, but not later than October 1, 1934, to formulate and draft a constitution for the government of the Commonwealth of the Philippine Islands, subject to the conditions and qualifications prescribed in this Act, which shall exercise jurisdiction over all the territory ceded to the United States by the treaty of peace concluded between the United States and Spain on the 10th day of December, 1898, the boundaries of which are set forth in Article III of said treaty, together with those islands embraced in the treaty between Spain and the United States concluded at Washington on the 7th day of November, 1900. The Philippine Legislature shall provide for the necessary expenses of such convention.

### Character of Constitutions — Mandatory Provisions

Sec. 2. (a) The constitution formulated and drafted shall be republican in form, shall contain a bill of rights, and shall, either as a part thereof or in an ordinance appended thereto, contain provisions to the effect that, pending the final and complete withdrawal of the sovereignty of the United States over the Philippine Islands —

- (1) All citizens of the Philippine Islands shall owe allegiance to the United States.
- (2) Every officer of the government of the Commonwealth of the Philippine Islands shall, before entering upon the discharge of his duties, take and subscribes an oath of office, declaring, among other things, that he recognizes and accepts the supreme authority of and will maintain true faith and allegiance to the United States.
- (3) Absolute toleration of religious sentiment shall be secured and no inhabitant or religious organization shall be molested in person or property on account of religious belief or mode of worship.
- (4) Property owned by the United States, cemeteries, churches, and parsonages or convents appurtenant thereto, and all lands, buildings, and improvements used exclusively for religious, charitable, or educational purposes shall be exempt from taxation.
- (5) Trade relations between the Philippine Islands and the United States shall be upon the basis prescribed in section 6.
- (6) The public debt of the Philippine Islands and its subordinate branches shall not exceed limits now or hereafter fixed by the Congress of the United States; and no loans shall be contracted in foreign countries without the approval of the President of the United States.
- (7) The debts, liabilities, and obligations of the present Philippine Government, its provinces, municipalities, and instrumentalities, valid and subsisting at the time of the adoption of the constitution, shall be assumed and paid by the new government.
- (8) Provision shall be made for the establishment and maintenance of an adequate system of public schools, primarily conducted in the English language.
- (9) Acts affecting currency, coinage, imports, exports, and immigration shall not become law until approved by the President of the United States.
- (10) Foreign affairs shall be under the direct supervision and control of the United States.
- (11) All acts passed by the Legislature of the Commonwealth of the Philippine Islands shall be reported to the Congress of the United States.
- (12) The Philippine Islands recognizes the right of the United States to expropriate property for public uses, to maintain military and other reservations and armed forces in the Philippines,

and, upon order of the President, to call into the service of such armed forces all military forces organized by the Philippine Government.

(13) The decisions of the courts of the Commonwealth of the Philippine Islands shall be subject to review by the Supreme Court of the United States as provided in paragraph 6 of section 7.

(14) The United States may, by Presidential proclamation, exercise the right to intervene for the preservation of the government of the Commonwealth of the Philippine Islands and for the maintenance of the government as provided in the constitution thereof, and

for the protection of life, property, and individual liberty and for the discharge of government obligations under and in accordance with the provisions of the constitution.

(15) The authority of the United States High Commissioner to the government of the Commonwealth of the Philippine Islands, as provided in this Act, shall be recognized.

(16) Citizens and corporations of the United States shall enjoy in the Commonwealth of the Philippine Islands all the civil rights of the citizens and corporations, respectively, thereof.

(b) The constitution shall also contain the following provisions, effective as of the date of the proclamation of the President recognizing the independence of the Philippine Islands, as hereinafter provided:

(1) That the property rights of the United States and the Philippine Islands shall be promptly adjusted and settled, and that all existing property rights of citizens or corporations of the United States shall be acknowledged, respected, and safeguarded to the same extent as property rights of citizens of the Philippine Islands.

(2) That the officials elected and serving under the constitution adopted pursuant to the provisions of this Act shall be constitutional officers of the free and independent Government of the Philippine Islands and qualified to function in all respects as if elected directly under such government, and shall serve their full terms of office as prescribed in the constitution.

(3) That the debts and liabilities of the Philippine Islands, its provinces, cities, municipalities, and instrumentalities, which shall be valid and subsisting at the time of the final and complete withdrawal of the sovereignty of the United States, shall be assumed by the free and independent Government of the Philippine Islands; and that where bonds have been issued under authority of an Act of Congress of the United States by the Philippine Islands, or any province, city, or municipality therein, the Philippine Government will make adequate provision for the necessary funds for the payment of interest and principal, and such obligations shall be a first lien on the taxes collected in the Philippine Islands.

(4) That the Government of the Philippine Islands, on becoming independent of the United States, will assume all continuing obligations assumed by the United States under the treaty of peace with Spain ceding said Philippine Islands to the United States.

(5) That by way of further assurance the Government of the Philippine Islands will embody the foregoing provisions [except paragraph (2)] in a treaty with the United States.

#### Submission of Constitution to the President of the United States

Sec. 3. Upon the drafting and approval of the constitution by the constitutional convention in the Philippine Islands, the constitution shall be submitted within two years after the enactment of this Act to the President of the United States, who shall determine whether or not it conforms with the provisions of this Act. If the President finds that the proposed constitution conforms substantially with the provisions of this Act he shall so certify to the Governor-General of the Philippine Islands, who shall so advise the constitutional convention. If the President finds that the constitution does not conform with the provisions of this Act he shall so advise the Governor-General of the Philippine Islands, stating wherein in his judgment the constitution does not so conform and submitting provisions which will in his judgment make the constitution so conform. The Governor-General shall in turn submit such message to the constitutional convention for further action by them pursuant to the same procedure hereinbefore defined, until the President and the constitutional convention are in agreement.

#### Submission of Constitution to Filipino People

Sec. 4. After the President of the United States has certified that the constitution conforms with the provisions of this Act, it shall be submitted to the people of the Philippine Islands for their ratification or rejection at an election to be held within four months after the date of such certification, on a date to be fixed by the Philippine Legislature, at which election the qualified voters of the Philippine Islands shall have an opportunity to vote directly for or against the proposed constitution and ordinances appended thereto. Such election shall be held in such manner as may be prescribed by the Philippine Legislature, to which the return of the election shall be made. The Philippine Legislature shall by law provide for the canvassing of the return and shall certify the result to the Governor-General of the Philippine Islands, together with a statement of the votes cast, and a copy of said constitution and ordinances. If a majority of the votes cast shall be for the constitution, such vote shall be deemed an expression of the will of the people of the Philippine Islands in favor of Philippine independence, and the Governor-General shall, within thirty days after receipt of the certification from the Philippine Legislature, issue a proclamation for the election of officers of the government of the Commonwealth of the Philippine Islands provided for in the constitution. The election shall take place not earlier than three months nor later than six months after the proclamation by the Governor-General ordering

such election. When the election of the officers provided for under the constitution has been held and the results determined, the Governor-General of the Philippine Islands shall certify the results of the election to the President of the United States, who shall thereupon issue a proclamation announcing the results of the election, and upon the issuance of such proclamation by the President the existing Philippine Government shall terminate and the new government shall enter upon its rights, privileges, powers, and duties, as provided under the constitution. The present Government of the Philippine Islands shall provide for the orderly transfer of the functions of government.

If a majority of the votes cast are against the constitution, the existing Government of the Philippine Islands shall continue without regard to the provisions of this Act.

#### Transfer of Property and Rights to Philippine Commonwealth

Sec. 5. All the property and rights which may have been acquired in the Philippine Islands by the United States under the treaties mentioned in the first section of this Act, except such land or other property as has heretofore been designated by the President of the United States for and other reservations of the Government of the United States, and except such land or other property or rights or interests therein as may have been sold or otherwise disposed of in accordance with law, are hereby granted to the government of the Commonwealth of the Philippine Islands when constituted.

#### Relations with the United States Pending Complete Independence

Sec. 6. After the date of the inauguration of the government of the Commonwealth of the Philippine Islands trade relations between the United States and the Philippine Islands shall be as now provided by law, subject to the following exceptions:

(a) There shall be levied, collected, and paid on all refined sugars in excess of fifty thousand long tons, and on unrefined sugars in excess of eight hundred thousand long tons, coming into the United States from the Philippine Islands in any calendar year, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

(b) There shall be levied, collected, and paid on all coconut oil coming into the United States from the Philippine Islands in any calendar year in excess of two hundred thousand long tons, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

(c) There shall be levied, collected, and paid on all yarn, twine, cord, cordage, rope and cable, tarred or untarred, wholly or in chief value of Manila (abaca) or other hard fibers, coming into the United States from the Philippine Islands in any calendar year in excess of a collective total of three million pounds of all such articles hereinbefore enumerated, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

(d) In the event that in any year the limit in the case of any article which may be exported to the United States free of duty shall be reached by the Philippine Islands, the amount or quantity of such articles produced or manufactured in the Philippine Islands thereafter that may be so exported to the United States free of duty shall be allocated,

under export permits issued by the government of the Commonwealth of the Philippine Islands, to the producers or manufacturers of such articles proportionately on the basis of their exportation to the United States in the preceding year; except that in the case of unrefined sugar the amount thereof to be exported annually to the United States free of duty shall be allocated to the sugar-producing mills of the Islands proportionately on the basis of their average annual production for the calendar years 1931, 1932, and 1933, and the amount of sugar from each mill which may be so exported shall be allocated in each year between the mill and the planters on the basis of the proportion of sugar to which the mill and the planters are respectively entitled. The Government of the Philippine Islands is authorized to adopt the necessary laws and regulations for putting into effect the allocation hereinbefore provided.

(e) The government of the Commonwealth of the Philippine Islands shall impose and collect an export tax on all articles that may be exported to the United States from the articles that may be exported to the United States from the Philippine Islands free of duty under the provisions of existing law as modified by the foregoing provisions of this section including the articles enumerated in subdivisions (a), (b) and (c), within the limitations therein specified, as follows:

(1) During the sixth year after the inauguration of the new government the export tax shall be 5 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

(2) During the seventh year after the inauguration of the new government the export tax shall be 10 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

(3) During the eighth year after the inauguration of the new government the export tax shall be 15 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

(4) During the ninth year after the inauguration of the new government the export tax shall be 20 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

(5) After the expiration of the ninth year of the inauguration of the new government the export tax shall be 25 per centum of the rates of duty which are required by the laws of the United States to be levied collected and paid on like articles imported from foreign countries.

The government of the Commonwealth of the Philippine Islands shall place all funds received in such export taxes in a sinking fund, and such funds shall, in addition to other moneys available for the purpose, be applied solely to the payment of the principal interest on the bonded indebtedness of the Philippine

Islands, provinces, municipalities, and instrumentalities until such indebtedness has been fully discharged.

When used in this section in a geographical sense, the term "United States" includes all Territories and possessions of the United States, except the Philippine Islands, the Virgin Islands, American Samoa, and the island of Guam.

Sec. 7. Until the final and complete withdrawal of American sovereignty over the Philippine Islands—

(1) Every duly adopted amendment to the constitution of the government of the Commonwealth of the Philippine Islands shall be submitted to the President of the United States for approval. If the President approves the amendment or if the President fails to disapprove such amendment within six months from the time of its submission, the amendment shall take effect as a part of such constitution.

(2) The President of the United States shall have authority to suspend the taking effect of or the operation of any law, contract, or executive order of the government of the Commonwealth of the Philippine Islands, which in his judgment will result in a failure of the government of the Commonwealth of the Philippine Islands to fulfill its contracts, or to meet its bonded indebtedness and interest thereon or to provide for its sinking funds, or which seems likely to impair the reserves for the protection of the currency of the Philippine Islands, or which in his judgment will violate international obligations of the United States.

(3) The Chief Executive of the Commonwealth of the Philippine Islands shall make an annual report to the President and Congress of the United States of the proceedings and operations of the government of the Commonwealth of the Philippine Islands and shall make such other reports as the President or Congress may request.

(4) The President shall appoint, by and with the advice and consent of the Senate, a United States High Commissioner to the government of the Commonwealth of the Philippine Islands who shall hold office at the pleasure of the President and until his successor is appointed and qualified. He shall be known as the United States High Commissioner to the Philippine Islands. He shall be the representative of the President of the United States in the Philippine Islands and shall be recognized as such by the government of the Commonwealth of the Philippine Islands, by the commanding officers of the military forces of the United States, and by all civil officials of the United States in the Philippine Islands. He shall have access to all records of the government or any subdivision thereof, and shall be furnished by the Chief Executive of the Commonwealth of the Philippine Islands with such information as he shall request.

If the government of the Commonwealth of the Philippine Islands fails to pay any of its bonded or other indebtedness or the interest thereon when due or to fulfill any of its contracts, the United States High Commissioner shall immediately

report the facts to the President, who may thereupon direct the High Commissioner to take over the customs offices and administration of the same, administer the same, and apply such part of the revenue received therefrom as may be necessary for the payment of such overdue indebtedness or for the fulfillment of such contracts. The United States High Commissioner shall annually, and at such other times as the President may require, render an official report to the President and Congress of the United States. He shall perform such additional duties and functions as may be delegated to him from time to time by the President under the provisions of this Act.

The United States High Commissioner shall receive the same compensation as is now received by the Governor-General of the Philippine Islands, and shall have such staff and assistants as the President may deem advisable and as may be appropriated for by Congress, including a financial expert, who shall receive for submission to the High Commissioner a duplicate copy of the reports to the insular auditor. Appeals from decisions of the insular auditor may be taken to the President of the United States. The salaries and expenses of the High Commissioner and his staff and assistants shall be paid by the United States.

The first United States High Commissioner appointed under this Act shall take office upon the inauguration of the new government of the Commonwealth of the Philippine Islands.

(5) The government of the Commonwealth of the Philippine Islands shall provide for the selection of a Resident Commissioner to the United States, and shall fix his term of office. He shall be the representative of the government of the Commonwealth of the Philippine Islands and shall be entitled to official recognition as such by all departments upon presentation to the President of credentials signed by the Chief Executive of said government. He shall have a seat in the House of Representatives of the United States, with the right of debate, but without the right of voting. His salary and expenses shall be fixed and paid by the Government of the

Philippine Islands. Until a Resident Commissioner is selected and qualified under this section, existing law governing the appointment of Resident Commissioners from the Philippine Islands shall continue in effect.

(6) Review by the Supreme Court of the United States of cases from the Philippine Islands shall be as now provided by law; and such review shall also extend to all cases involving the constitution of the Commonwealth of the Philippine Islands.

Sec. 8. (a) Effective upon the acceptance of this Act by concurrent resolution of the Philippine Legislature or by a convention called for that purpose, as provided in section 17:

(1) For the purposes of the Immigration Act of 1917, the Immigration Act of 1924 [except section 13 (c)], this section, and all other laws of the United States

relating to the immigration, exclusion, or expulsion of aliens, citizens of the Philippine Islands who are not citizens of the United States shall be considered as if they were aliens. For such purposes the Philippine Islands shall be considered as a separate country and shall have for each fiscal year a quota of fifty. This paragraph shall not apply to a person coming or seeking to come to the Territory of Hawaii who does not apply for and secure an immigration or passport visa, but such immigration shall be determined by the Department of the Interior on the basis of the needs of industries in the Territory of Hawaii.

(2) Citizens of the Philippine Islands who are not citizens of the United States shall not be admitted to the continental United States from the Territory of Hawaii (whether entering such territory before or after the effective date of this section) unless they belong to a class declared to be non-immigrants by section 3 of the Immigration Act of 1924 or to a class declared to be non-quota immigrants under the provisions of section 4 of such Act other than subdivision (c) thereof, or unless they were admitted to such territory under an immigration visa. The Secretary of Labor shall by regulations provide a method for such exclusion and for the admission of such excepted classes.

(3) Any Foreign Service officer may be assigned to duty in the Philippine Islands, under a commission as a consular officer, for such period as may be necessary and under such regulations as the Secretary of State may prescribe, during which assignment such officer shall be considered as stationed in a foreign country; but his powers and duties shall be confined to the performance of such of the official acts and notarial and other services, which such officer might properly perform in respect to the administration of the immigration laws if assigned to a foreign country as a consular officer, as may be authorized by the Secretary of State.

(4) For the purposed of sections 18 and 20 of the Immigration Act of 1917, as amended, the Philippine Islands shall be considered a foreign country.

(b) The provisions of this section are in addition to the provisions of the immigration laws now in force, and shall be enforced as part of such laws, and all the penal or other provisions of such laws not applicable, shall apply to and be enforced in connection with the provisions of this section. An alien, although admissible under the provisions of this section, shall not be admitted to the United States if he is excluded by any provision of the immigration laws other than this section, and an alien, although admissible under the provisions of the immigration laws other than this section, shall not be admitted to the United States if he is excluded by any provision of this section.

(c) Terms defined in the Immigration Act of 1924 shall, when used in this section, have the meaning assigned to such terms in the Act.

Sec. 9. There shall be no obligation on the part of the United States to meet the interest or principal of bonds and other obligations of the Government of the Philippine Islands or of the provincial and municipal governments thereof,

hereafter issued during the continuance of United States sovereignty in the Philippine Islands: Provided, That such bonds and obligations hereafter issued shall not be exempt from taxation in the United States or by authority of the United States.

#### Recognition of Philippine Independence and Withdrawal of American Sovereignty

Sec. 10. (a) On the 4th, day of July immediately following the expiration of a period of ten years from the date of the inauguration of the new government under the constitution provided for in this Act the President of the United States shall by proclamation withdraw and surrender all right of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States in and over the territory and people of the Philippine Islands, including all military and other reservations of the Government of the United States in the Philippines (except such naval reservations and fueling stations as are reserved under section 5), and, on behalf of the United States, shall recognize the independence of the Philippine Islands as a separate and self-governing nation and acknowledge the authority and control over the same of the government instituted by the people thereof, under the constitution then in force.

(b) The President of the United States is hereby authorized and empowered to enter into negotiations with the Government of the Philippine Islands, not later than two years after his proclamation recognizing the independence of the Philippine Islands, for the adjustment and settlement of all questions relating to naval reservations and fueling stations of the United States in the Philippine Islands, and pending such adjustment and settlement the matter of naval reservations and fueling stations shall remain in its present status.

### Neutralization of Philippine Islands

Sec. 11. The President is requested, at the earliest practicable date, to enter into negotiations with foreign powers with a view to the conclusion of a treaty for the perpetual neutralization of the Philippine Islands, if and when the Philippine independence shall have been achieved.

### Notification to Foreign Governments

Sec. 12. Upon the proclamation and recognition of the independence of the Philippine Islands, the President shall notify the governments with which the United States is in diplomatic correspondence thereof and invite said governments to recognize the independence of the Philippine Islands.

### Tariff Duties After Independence

Sec. 13. After the Philippine Islands have become a free and independent nation there shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from other foreign countries: Provided, That at least one year prior to the date fixed in this Act for the independence of the Philippine Islands, there shall be held a conference of representatives of the Government of the United States and the Government of the Commonwealth of the Philippine Islands, such representatives to be appointed by the President of the United States and the Chief Executive of the Commonwealth of the Philippine Islands, respectively, for the purpose of formulating recommendations as to future trade relations between the Government of the United States and the independent Government of the Philippine Islands, the time, place, and manner of holding such conference to be determined by the President of the United States; but nothing in this proviso shall be construed to modify or affect in any way any provision of this Act relating to the procedure leading up to Philippine independence or the date upon which the Philippine Islands shall become independent.

### Immigration After Independence

Sec. 14. Upon the final and complete withdrawal of American sovereignty over the Philippine Islands the immigration laws of the United States (including all the provisions thereof relating to persons ineligible to citizenship) shall apply to persons who were born in the Philippine Islands to the same extent as in the case of other foreign countries.

### Certain Statutes Continued In Force

Sec. 15. Except as in this Act otherwise provided, the laws now or hereafter in force in the Philippine Islands shall continue in force in the Commonwealth of the Philippine Islands until altered, amended, or repealed by the Legislature of the Commonwealth of the Philippine Islands or by the Congress of the United States, and all references in such laws to the government or officials of the Philippines or Philippine Islands shall be construed, insofar as applicable, to refer to the government and corresponding officials respectively of the Commonwealth of the Philippine Islands. The government of the Commonwealth of the Philippine Islands shall be deemed successor to the present Government of the Philippine Islands and of all the rights and obligations thereof. Except as otherwise provided in this Act, all laws or parts of laws relating to the present Government of the Philippine Islands and its administration are hereby repealed

as of the date of the inauguration of the government of the Commonwealth of the Philippine Islands.

Sec. 16. If any provision of this Act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the applicability of such provisions to other persons and circumstances shall not be affected thereby.

### Effective Date

Sec. 17. The foregoing provisions of this Act shall not take effect until accepted by concurrent resolution of the Philippine Legislature or by a convention called for the purpose of passing upon that question as may be provided by the Philippine Legislature.c

Approved: March 24, 1934.

## **TOPIC 7: Commonwealth of the Philippines**

### **List of Reading Materials:**

- 1. The 1935 Constitution**
- 2. Commonwealth Act No. 34**
- 3. Commonwealth Act No. 44**
- 4. Inauguration of the Commonwealth**
- 5. Quezon's Speech**
- 6. Quezon's Acceptance Speech**
- 7. Commonwealth Act No. 1**
- 8. Annual Report of the United States High Commissioner to the Philippine Islands  
Commissioner to the Philippine Islands Covering the Calendar Year 1935**
- 9. Letter of President Quezon on Three-point Policy for Mindanao and Sulu**
- 10. The Significance of the Woman Suffrage Referendum**

### **Introduction to the Commonwealth of the Philippines, 1935-1946**

Established through the Tydings-McDuffie Law, the Commonwealth government from 1935-1946 was designed as a transitional administration in preparation for the country's complete independence. During this period, the Filipinos were given the power and responsibility to manage their domestic affairs under the American supervision. Led by Manuel Quezon as the first President, the Commonwealth tackled the economic and social problems that beset the country during the said period.

This part of the compilation includes the 1935 Constitution which laid out the legal foundations and basic principles of the government; Quezon's speeches that mention important issues during his presidency; and key Commonwealth laws that were passed in response to the pressing needs at that time such as the National Defense Act, Eight Hour Labor Law and Women's Suffrage. Through these documents, teachers and students will have a deeper understanding on the economic and socio-political situation of the Philippines during the Commonwealth period.

**“The 1935 Constitution” Official Gazette of the Republic of the Philippines.**

One of the important provisions of Tydings McDuffie Law was the organization of constitutional convention that would frame the fundamental laws of the country. After the Philippine Legislature accepted the Tydings McDuffie Law in 1934, delegates of the convention were also elected wherein Claro M. Recto was elected as its President.

The 1935 Constitution provided the legal foundations of the Commonwealth Government which was a ten-year transition government before the US would grant the Philippines its independence. Some of its important characteristics include: (1) a unicameral legislature through the National Assembly; (2) six-year term of the President and Vice-President without re-election; (3) bill of rights that protect the citizens and; (4) rights of suffrage by male citizens which shall be extended to women two years after the adoption of the constitution.

The 1935 Constitution was amended in 1940 which abolished the unicameral legislature and replaced by a bicameral legislative body composed of the Senate and House of Representatives.

**EXCERPT:**

**CONSTITUTION OF THE PHILIPPINES**

The Filipino people, imploring the aid of Divine Providence, in order to establish a government that shall embody their ideals, conserve and develop the patrimony of the nation, promote the general welfare, and secure to themselves and their posterity the blessings of independence under a régime of justice, liberty, and democracy, do ordain and promulgate this Constitution.

**Article I.—THE NATIONAL TERRITORY**

Section 1. The Philippines comprises all the territory ceded to the United States by the treaty of Paris concluded between the United States and Spain on the tenth day of December, eighteen hundred and ninety-eight, the limits of which are set forth in Article III of said treaty, together with all the islands embraced in the treaty concluded at Washington, between the United States and Spain on the seventh day of November, nineteen hundred, and in the treaty concluded between the United States and Great Britain on the second day of January, nineteen hundred and thirty, and all territory over which the present Government of the Philippine Islands exercises jurisdiction.

**ARTICLE II.—DECLARATION OF PRINCIPLES**

Section 1. The Philippines is a republican state. Sovereignty resides in the people and all government authority emanates from them.

Sec. 2. The defense of the State is a prime duty of government, and in the fulfillment of this duty all citizens may be required by law to render personal military or civil service.

Sec. 3. The Philippines renounces war as an instrument of national policy, and adopts the generally accepted principles of international law as a part of the law of the Nation.

SEC. 4. The natural right and duty of parents in the rearing of the youth for civic efficiency should receive the aid and support of the Government.

SEC. 5. The promotion of social justice to insure the well-being and economic security of all the people should be the concern of the State.

### **ARTICLE III.—BILL OF RIGHTS**

SECTION 1. (1) No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.

(2) Private property shall not be taken for public use without just compensation.

(3) The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, to be determined by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched, and the persons or things to be seized.

(4) The liberty of abode and of changing the same within the limits prescribed by law shall not be impaired.

(5) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court or when public safety and order require otherwise.

(6) The right to form associations or societies for purposes not contrary to law shall not be abridged.

(7) No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof, and the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights.

(8) No law shall be passed abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances

(9) No law granting a title of nobility shall be enacted, and no person holding any office of profit or trust shall, without the consent of the National Assembly, accept any present, emolument, office, or title of any kind whatever from any foreign state.

(10) No law impairing the obligation of contracts shall be passed.

- (11) No *ex post facto* law or bill of attainder shall be enacted.
- (12) No person shall be imprisoned for debt or nonpayment of a poll tax.
- (13) No involuntary servitude in any form shall exist except as a punishment for crime whereof the party shall have been duly convicted.
- (14) The privilege of the writ of *habeas corpus* shall not be suspended except in cases of invasion, insurrection, or rebellion, when the public safety requires it, in any of which events the same may be suspended wherever during such period the necessity for such suspension shall exist.
- (15) No person shall be held to answer for a criminal offense without due process of law.
- (16) All persons shall before conviction be bailable by sufficient sureties, except those charged with capital offenses when evidence of guilt is strong. Excessive bail shall not be required.
- (17) In all criminal prosecutions the accused shall be presumed to be innocent until the contrary is proved, and shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face and to have compulsory process to secure the attendance of witnesses in his behalf.
- (18) No person shall be compelled to be a witness against himself.
- (19) Excessive fines shall not be imposed, nor cruel and unusual punishment inflicted.
- (20) No person shall be twice put in jeopardy of punishment for the same offense. If an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.
- (21) Free access to the courts shall not be denied to any person by reason of poverty.

#### **ARTICLE V.—SUFFRAGE**

SECTION 1. Suffrage may be exercised by male citizens of the Philippines not otherwise disqualified by law, who are twenty-one years of age or over and are able to read and write, and who shall have resided in the Philippines for one year and in the municipality wherein they propose to vote for at least six months preceding the election. The National Assembly shall extend the right of suffrage to women, if in a plebiscite which shall be held for that purpose within two years after the adoption of this Constitution, not less than three hundred thousand women possessing the necessary qualifications shall vote affirmatively on the question.

**Commonwealth Act No. 34**  
**An Act to provide for the holding of a plebiscite on the question of woman suffrage**

Article 5 of the 1935 Constitution states that "The National Assembly shall extend the right of suffrage to women, if in a plebiscite which shall be held for that purpose within two years after the adoption of this Constitution, not less than three hundred thousand women possessing the necessary qualifications shall vote affirmatively on the question."

In line with this, the National Assembly passed the Commonwealth Act No. 34 on September 30, 1936. This Act provided the holding of a plebiscite for women's suffrage on the following year. Commonwealth Act No. 34 mandated women who met the same voting qualification as men to participate in the said plebiscite.

On April 30, 1937, the plebiscite was held wherein 90% or 447, 725 of women voted in favor of suffrage paving the way to women's active participation in the Philippine politics.

Excerpt:

**Section 1**

Pursuant to the provisions of Article V of the Constitution, there shall be held a plebiscite on Friday, April thirty, nineteen hundred and thirty-seven, on the question of woman suffrage. On said date all qualified women, as hereinafter provided, may vote either in favor or against the granting of such suffrage.

Said Article V of the Constitution shall be published in the Official Gazette, in English and in Spanish, for three consecutive issues at least fifteen days prior to said election, and the said Article V shall be posted in a conspicuous place in each municipal and provincial office building and in each polling place not later than the twenty-second day of April, nineteen hundred and thirty-seven, and shall remain posted therein continually until after the termination of the plebiscite. At least ten copies of the said Article V of the Constitution, in English and in Spanish, shall be kept at each polling place available for examination by the qualified electors during the plebiscite. Whenever practicable, copies in the principal native languages as may be determined by the Secretary of the Interior, shall also be kept in each polling place.

**Section 2**

Every female citizen of the Philippines, twenty-one years of age, or over, who shall have been a resident of the Philippines for one year and of the municipality wherein she proposes to vote for at least six months next preceding the plebiscite and who possesses the qualifications required by existing law for male voters, but without the disqualifications therein specified, is entitled to vote in said plebiscite.

**Section 8**

The ballots to be used in the plebiscite shall be printed in English and in Spanish and shall conform to the following form:

(Commonwealth seal)

OFFICIAL BALLOT

BALOTA OFICIAL

THE QUESTION OF WOMAN SUFFRAGE is submitted in this plebiscite to the female citizens of the Philippines, in order that they may vote either in favor or against the granting of such suffrage pursuant to the provisions of Article V of the Constitution which reads as follows:

"SECTION 1. Suffrage may be exercised by male citizens of the Philippines not otherwise disqualified by law, who are twenty-one years of age or over and are able to read and write, and who shall have resided in the Philippines for one year and in the municipality wherein they propose to vote for at least six months preceding the election. The National Assembly shall extend the right of suffrage to women, if in a plebiscite which shall be held for that purpose within two years after the adoption of this Constitution, not less than three hundred thousand women possessing the necessary qualifications shall vote affirmatively on the question."

If you are in favor of woman suffrage answer "Yes," and if you are against, answer "No" in the corresponding square.

LA CUESTION DEL SUFRAGIO FEMENINO se somete en este plebiscito a las ciudadanas de Filipinas para que ellas voten, bien a favor o en contra del otorgamiento de dicho sufragio, por virtud de las disposiciones del Capitulo V de la Constitucion que se lee como sigue:

"ARTICULO 1. Podra ejercitar el sufragio todo ciudadano filipino que tenga veintiun años de edad o mas, sepa leer o escribir, haya residido en Filipinas un año, y seis meses, por lo menos, en el municipio en que se proponga votar antes de la fecha de la eleccion, y que de otro modo no este incapacitado por la ley. La Asamblea Nacional otorgara, sin embargo, a la mujer el derecho de sufragio, siempre que, en un plebiscito que se convocara al efecto, dentro de dos años despues de la adoptada esta Constitucion, trescientas mil mujeres cuando menos, que poseyeren las necesarias calificaciones, voten afirmativamente sobre la cuestion."

Si está en favor del otorgamiento de dicho sufragio, escriba la palabra "Si" en el encasillado en blanco despues de la pregunta: si está en contra, escriba la palabra "No." SECcIH

Are you in favor of granting suffrage to women?

¿Está Vd. en favor de la concesion del sufragio a las mujeres?

**Section 10A** A count of the votes cast according to the returns of the board of inspectors will be made by the National Assembly. If the result shows that not less than three hundred thousand women have voted affirmatively on the question, all women who possess the qualifications specified in section two hereof will be entitled to vote in any election which may be held thereafter. In such case, the registration list of the plebiscite may be used in any subsequent election, until revised according to law

**COMMONWEALTH ACT NO.  
444  
EIGHT HOUR LABOR LAW**

In an attempt to keep his promise during his campaign, Manuel Quezon as President of the Commonwealth government proclaimed a program of social justice in 1936. Through this program, he intended to help the Filipinos particularly the landless peasants and the exploited laborers. In response, the National Assembly enacted social justice measures aimed at the underprivileged.

From 1936-1941, the Commonwealth government enacted a number of laws for the protection of peasants and workers. One of these was the Commonwealth Act No. 444 or the Eight-Hour Labor Law which stipulates a maximum of eight working hours a day for laborers "employed in any industry or occupation, whether public or private, with the exception of farm laborer, laborers who prefer to be paid on piece work basis, domestic servants and persons in the personal service of another and members of the family of the employer working for him." The law also states that additional 25 percent of his pay should be given if the person worked on Sundays and legal holidays. The act further provided that, "In case of national emergency the Government is empowered to establish rules and regulations for the operation of the plants and factories and to determine the wages to be paid the laborers."

EXCERPT:

Section 1. The legal working day for any person employed by another shall be of not more than eight hours daily. When the work is not continuous, the time during which the laborer is not working and can leave his working place and can rest completely shall not be counted.

Section 2. This Act shall apply to all persons employed in any industry or occupation, whether public or private, with the exception of farm laborers, laborers who prefer to be paid on piece work basis, domestic servants and persons in the personal service of another and members of the family of the employer working for him.

Section 3. Work may be performed beyond eight hours a day in case of actual or impending emergencies caused by serious accidents, fire, flood, typhoon, earthquake, epidemic, or other disaster or calamity in order to prevent loss of life and property or imminent danger to public safety; or in case of urgent work to be performed on the machine, equipment, or installations in order to avoid a serious loss which the employer would otherwise suffer, or some other just cause of a similar nature; but in all such cases the laborers and employees shall be entitled to receive compensation for the overtime work performed at the same rate as their regular wages or salary, plus at least twenty-five per centum additional.

In case of national emergency the Government is empowered to establish rules and regulations for the operation of the plants and factories and to determine the wages to be paid the laborers.

Section 4. No person, firm, or corporation, business establishment or place or center of labor shall compel an employee or laborer to work during Sundays and legal holidays, unless he is paid an additional sum of at least twenty-five per centum of his regular remuneration: Provided however, That this prohibition shall not apply to public utilities performing some public service such as supplying gas, electricity, power, water, or providing means of transportation or communication.

Section 5. Exemption from the provisions of sections two, and three hereof may be granted by the Secretary of labor in the interest of the public, or if, in his opinion, such exemption is justifiable either because the organization or nature of the work requires it, or because of lack or insufficiency of competent laborers in a locality or because the relieving of laborers must be done under certain conditions, or by reason of any other exceptional circumstances or conditions of the work or industry concerned; but when such exemption is granted employees and laborers will be paid at least twenty-five per centum in addition to their regular salaries or wages for the time in excess of eight hours.

Section 6. Any agreement or contract between the employer and the laborer or employee contrary to the provisions of this Act shall be null and void ab initio.

Section 7. Any violation of this Act by the employer or person having direct control and supervision over the work shall be punished by a fine of not more than one thousand pesos, or by imprisonment for not more than one year, or both.

Section 8. Acts Numbered Forty-one hundred and twenty-three and Forty-two hundred and forty-two of the former Philippine Legislature are repealed.

Section 9. This Act shall take effect upon its approval.

APPROVED: June 3, 1939.

**Inauguration Committee. *Inauguration of the Commonwealth of the Philippines (Schedule of Events)*. Manila: Bureau of Printing. November 2-30, 1935.**

Published by the Inauguration Committee of the Commonwealth of the Philippines, this document details the daily activities of the government officials and other guests of the Commonwealth inauguration from November 2 to 30, 1935. Among the most distinguished guests were Hon. George H. Dern, US Secretary of War and the personal representative of the US President, Vice President John N. Garner and Speaker Joseph Byrns. A complete list of the Congressional and press delegations and other special guests is found in this schedule of events. It also includes a copy of the program during the inauguration of the Commonwealth of the Philippines on November 15, 1935 and the daily activities of government officials including conferences, sight-seeing and private engagements.

This document is an important primary source for students and researchers interested particularly about the history of the Commonwealth Government of the Philippines.

Excerpt:

**FRIDAY, NOVEMBER 15, 1935**

INAUGURATION CEREMONIES

Place: Legislative Building

The Secretary of War and the Governor-General will

drive together from Malacañan Palace to the Inauguration Ceremonies preceded by a Cavalry escort.

The President-elect will drive with his family from

his residence in Pasay to the Inauguration Ceremonies preceded by a Cavalry escort.

7. *10 a. m.*- Assemblage at the Legislative Building. The rear doors will be opened to Officials and distinguished Guests.

*7.40 a. m.*-Assemblage at the Grandstand.

Wives of all the Officials and distinguished Guests as well as all other persons invited to attend the Inauguration Ceremonies will occupy the places respectively assigned to them before 7.40 a. M.

*7.45 a. m.*-Entrance of Officials and Distinguished Guests.

8. *10 a. m.*-Entrance of the Governor-General, the President-elect and the Secretary of War.

*8.15 a. m.*-- Inaugural Ceremonies.

Invocation by His Grace, the , Most Reverend Gabriel M. Reyes, D. D., Archbishop of Cebu.

Introduction of the Secretary of War by the Governor-General.  
Address by the Secretary of War.

Reading by the Governor-General of the President's proclamation.

Administration of the Oath of Office to the President-elect by the Chief Justice of the Supreme Court.

Administration of the Oath of Office to the Vice President-elect by the Chief Justice of the Supreme Court.

Administration of the Oath of Office to the Members-elect of the National Assembly by the Chief Justice of the Supreme Court.

Declaration by the Secretary of War that the Government of the Commonwealth of the Philippines has been established.

*8.45 a.m.*-Inaugural Address by His Excellency Manuel L. Quezon, President of the Philippines.

9.00 a. m.- Recession.

Upon the conclusion of the inauguration ceremonies, the following will withdraw into the Chamber of the former House of Representatives in the following order:

The President of the Philippines .

The United States High Commissioner.

The Secretary of War of the United States.

End of the Ceremonies.

Departure of the High Commissioner under escort.

Departure of the Secretary of War under escort.

Departure of other officials and distinguished Guests who may not desire to remain for the parade.

9.30 a. m.-Inaugural Parade:

A bugle call will be sounded to indicate

the start of the parade from Plaza Lawton.

At the proper time the President will return to the ceremonial Stand, step up on the platform in front of the Presidential flag and review the parade.

The other Officials and distinguished Guests who may have retired into the Chamber of the former House of Representatives may return to their respective places in the Ceremonial Stand to watch the parade.

#### ORDER OF UNITS

Grand Marshall:

Brig. Gen. Basilio J. Valdes, Chief of the Philippine Constabulary.

Military Parade--

United States Army.

Philippine Constabulary. Philippine Coastguard Service. University of the Philippines Corps of Cadets.

Ateneo de Manila Corps of Cadets.

San Juan de Letran Corps of Cadets.

Civic Parade-

Provincial Delegations.

Manila and Baguio Delegations. Municipal Delegations.

Commercial and Industrial Units .

Labor Unions.

Miscellaneous Units.

Upon the completion of the parade, the President will proceed to Malacañan Palace preceded by a cavalry escort.

Outside the gates of Malacañan, the cavalry escort will be

relieved by the Palace Guard which will escort the President anew and

precede him on his entry into the Palace.

*12.30 p. m.*-Official call on the President by:

The Vice President of the Philippines

The Speaker and Members of the National Assembly

The Chief Justice and Associate Justices of the Supreme Court.

The Members of the Cabinet.

Place: Malacañan Palace

*4:00 p. m.*-Opening session of the National Assembly.

Place: Chamber of the former House of Representatives

*7.30 p. m.*- Fireworks display .

Place: Manila Bay in front of the New Luneta .

*8.00 p. m.*- Dinner given by the President and

Mrs. Quezon in honor of the Secretary of War and Mrs. Dern.

Place: Home of President Quezon, Pasay.

*9.30 p. M.*- Inaugural Ball—Pageant depicting epochs, 1898-1935.

Admission by ticket , proceeds for charity.

Place: Inaugural Auditorium, Wallace Field.

**Quezon, Manuel. "My loyalty to my party ends where my loyalty to my country begins."  
Speech delivered at the Colectivista Party Convention. Manila, Grand Opera House.  
1922.**

The 1922 legislative elections was an important event in the history of Philippine politics. This is particularly because of the internal conflict that caused a split in the *Partido Nacionalista*, the ruling political party in Philippine Legislature since 1907. The conflict was mainly between the leadership of Sergio Osmeña in the House of Representatives and Manuel Quezon in the Senate.

The famous split was announced on February 17, 1922 when the newly-formed party, the *Partido Nacionalista-Colectivista* introduced Quezon as its president. It is in this party convention that Manuel Quezon delivered this speech saying that the "disagreement in the party.. is due to nothing else but a difference in opinion that grew wider as days went by." He also emphasized the importance of saving one's principles even if it means sacrificing "everything, even the party itself." The split resulted to the defeat of the Nacionalistas in the legislative elections on June 6, 1922.

This document is an important reference on Quezon's political life, on the history of the *Partido Nacionalista* and in the history of Philippine politics.

EXCERPT:

**My loyalty to my party ends where my loyalty to my country begins**

This is a day of transcendental importance to me. I am going to take a step the consequences of which I have foreseen, out the result of which God alone knows. From the time I entered public life I fought under the banner of the Nationalism Party. I affiliated with it at a time when the only words written on its flag were: Immediate Independence. I affiliated with it when the struggle we carried on during the revolution was still fresh in my mind and I thought it my solemn duty to form part of a political organization to defend the very same ideals for which the soldiers of the Revolution fought and fell.

The Nacionalista Party and the entire Filipino people know how faithfully I have served my party colleagues. Everybody knows how I fought for them within and without the ranks and that I never hesitated to come to the fore to defend the party's ideals and its men. I want to recall at this moment, with satisfaction and without regret, how I have always supported and defended hints with all sincerity and even as strongly as his strongest supporters could have done. I defended the party at least as much as the staunchest Nacionalista and the most dyed-in the wool Unipersonalist.

But the party never has been and never will be the people. My loyalty to my party ends where my loyalty to my country begins. Even if it were not the Nationalism Party, let it be any other party, from the moment that my convictions do not coincide with the ideal For which the party stands, I consider it my duty to leave it. A man to be worthy of the name should put his conviction into practice, profess them with faith, defend them with courage, happen what may.

My colleagues of the Nationalism party know that rumor has been spread and broadcast that the disagreement in the party is due to personal ambitions, jealousies and envies. Those who are more intimately linked with the march of events know full well that it is due to nothing else but a difference in opinion that grew wider as days went by.

I did not look for the conflict. The conflict was thrust on me. A recent arrival from the United States, the Filipino people know that I *had* to undergo medical treatment, that my health was broken, that I needed rest. I tried to avoid it because I knew that it was going to mean a fight, and I did not want conflict, I wanted harmony, peace.

The conflict came in spite of myself. Confronted by it, I had to defend the principles which I sincerely believed were just. After the reorganization of the Lower House, on a more liberal basis than it has ever been in the past, I invited peace. I was answered that the fight has not ended. On another occasion again I asked for peace, and again I was answered that the fight was on, and then I was told that the issue was going to be presented to the convention and that those who shall refuse to abide by the decision of the majority shall be expelled from the party.

You will agree with me, gentlemen, that those who believe with me in the principles of collective leadership because it is their honest conviction were not going to retreat nor surrender. It was a question of principle and conviction and there is no pity on earth that can make them change their views.

The convention met. The principles of the collective group were accepted. They were accepted so as to avoid the split, a split that at first they wanted to force but Mach Lee they exerted all efforts to prevent.

The independence question was brought forward as argument against the reorganization of a new party. Resignations were tendered. Sacrifices were offered or made in order to maintain the union in the party. The collective theory of leadership and other collective propositions were accepted and incorporated at the party platform. Nothing was taken advantage of for the sake of the unity of the party. Ideas and principles were sacrificed. The motto of the Unipersonalists was: *Sacrifice all principles, but save the party at all cost!* The motto of the Collectivists is: *Save the principles and sacrifice everything, even the party itself!*

We did not look for the division. I did not favor the split. But it exists now, fatal to the country, perhaps, but necessary for the health of the country. My Collectivist colleagues know how much I tried to avoid this conflict especially so when the collective principles were accepted by the Unipersonalists. I was opposed to a division in the party. That is why you must have noticed how the papers spoke of union one day and the next day of a possible split, union the next and a division the following day and so on.

The positive fact is that nobody can prevent the split in the Nacionalista Party. It is divided because men who were once united, now disagree on fundamental questions that vitally affect the country. While some are *conservatives*, others are liberal. *and while* some are

Unipersonalists others are Collectivists. The Nacionalista Party might have incorporated the collective principles but this was because those who are in it saw that it as the only salvation for its men, during the coming elections. The one who over A month ago was *an out-and-out* Unipersonalist and overnight mined a complete somersault and changed into a Collectivists, cannot profess that faith with sincerity. It is a conviction for convenience, and it cannot and should not be taken at its face value.

It is said that there is no difference between the Unipersonal and Collective theories. It is a question of mere form, they say. The Unipersonalist who thinks that the present conflicting tendencies are not a sufficient foundation to differentiate one from the other does not either understand the real question at issue or in accepting the Collective principles, accepted them inching sincerity The difference is fundamental

The Collectivists believe in a true government of democracy, not only in form, but also in fact, not the people's rule without the expression of popular will, but a government by the people by means of a voluntary expression of the sovereign will of that people. The Collectivists want a government of opinion, not a government that solves questions without the country's knowledge or how or when the solution was made.

One of the greatest arguments used against us by our American critics is that we do not have here a government of opinion. But is that a more conclusive proof of the fact that there is public opinion here than the present triumph of the Collective principle of leadership? Is there one who doubts that this question has already been decided by the people? When this question was dismissed for the first time, almost all the papers, with very few exceptions, were in favor of the unipersonal theory and against the collective principle. What was the effect on the people? Nothing, absolutely nothing. The people decided for themselves. And this shows beyond the shadow of a doubt that here we have public opinion, courageous, independent, unbiased. Those who followed this question with interest must have seen that the Filipino people is interested in matters that vitally affect its government, and that is capable of forming its own opinion, without the need of tutors or mentors. I repeat, the entire press of the Philippines was against the collective principle, and when I say press, I refer specially to the so-called independent papers. and yet the country declared itself in favor of Collectivism, and such is the force of the avalanche that the Unipersonalists are afraid to own that they are what they say.

The question now is: after the acceptance and inclusion of the collective theory in the Nacionalista platform, should we remain in the party? I have given this subject much thought. I spent sleepless nights pondering over it and this I say in all the seriousness that step such as the one were taking deserves. There are those who believe and affirm that personal ambition and personal interest are the main consideration in the fight. They said that the one who will head it is there, because he wants to scale the heights of power, and that those who follow him do it not because of principles, but for personal convenience. In all sincerity I want to tell you now that

lest our action be translated in that thwarted way, and there are many who are interested in presenting it thus, I tried my very best to prevent the split because I do not want that political struggles in this country should be taken as animated by personal motives.

Listen to this: The politician who does not have any patriotic purpose but his personal aggrandizement in entering politics, who is only after personal convenience and nothing else is surely after a job, a position. Can I find a position in the Philippine Government and in the gift of the Filipino people higher than that of President of the Senate, the highest position to which a Filipino could be sent by his countrymen? If I wanted to perpetuate myself in power, is there anything better for me than to remain in the Nacionalista Party?

But no! I prefer to take the risky side. I prefer to be in a new party that must be organized, that will mean sacrifice, work, fight. And the same is true with those who are with me. There is nothing more comfortable for them than to remain a powerful party to ensure their victory at the polls. But they sustain a principle. They are fighting for their conviction, not for their convenience. One should not belong to a party only to occupy a position so that he may better defend the ideals of the party by means of his position.

There are no bad feelings against our former colleagues of the Nacionalista Party. We harbor no grudge against them. We give them the same affection. There is no reason in the world why we cannot consider ourselves as brothers. Unless they consider that only who belong to one party can be called brothers, and if that is their conception of unity on a party, I say that is destructive, suicidal. It is not the unity of the party that should be sought. It should rather be the unity of the people. Partisan struggles should never involve bad feelings and personal hatred. We can and we should remain as we have been, the brothers that we are.

What a beautiful spectacle for the country to behold political fights limited to discussion of principles eliminating personalities! What a magnificent spectacle for the people to see political opponents eating on the same banquet tables, united by the same links of affection and friendship! Much as I regret it, this seems to be something unknown yet here. Everytime that the people saw the Speaker and myself together, immediately the talk goes the rounds that our political differences have been patched up. When we had toasted each other at a banquet in the Ayuntamiento. All the papers said there was peace between the two, not knowing that the next day a big bomb is going to explode.

People may ask why it is that this break only takes place now. The reason is simple. When the Nacionalista Party was organized, it was an organization with the sole purpose of coordinating the forces of the country together for Philippine Independence. It was not called upon to solve political, social, economic matters. All the Filipinos affiliated as Nacionalistas; in time the Nacionalista Party came into power. It found itself then confronted by political, social, and economic problems. It was invested with legislative power. From that time on differences in

opinion began to spring up. You must have noticed that our Senate is liberal and our Lower House, conservative. This is the only country where such a phenomenon takes place with the exception of Australia. The reason is simple and it needs no further comment. That fact exists. There are two tendencies, the conservative and the liberal, and it is for the welfare of the country that there should be two parties organized and based on those opposing tendencies.

Laws do not make a government democratic or autocratic or have autocratic laws and have democratic government. We have England for example where there is a king and it is a monarchy, yet the workings of its government are democratic. And we have: on the other hand some Latin American countries where their government can be summarized in three points: 1. The government resides in the people; 2. The people delegate their power to a President; 3. The President does what he pleases.

I want to tell you, gentlemen, that we have done all that we could to avoid this split. Our efforts failed, the Collectivists believe that union in a party does not mean union of men. It means unity in principles professed and practised. We believe that the organization of a new party does not mean the bankruptcy of our National cause, because we hold the Nacionalista Party is not the people. Even if there is a split, we shall work together for our complete political emancipation. We have faith in our people, blind, sublime faith in them and we know that no Filipino will be recreant to the legacy bequeathed to him by his forefathers and that all of us to a man will stand in favor of Philippine Independence, immediate, absolute and complete. We know that the Filipino people, irrespective of party, creed, or religion, will force the issue and compel all party men to work for the realization of our sacred ideals.

We divided, but divided in ideas, united in sentiment, united in love of country, divided in the procedure of serving her best. The Unipersonalists are antiquarians: the Collectivists are modern. Even if I wanted to remain in the party, I cannot very well do it. For it would be like mixing oil and water in a glass. We shall need a new house now that we leave our old one. Now we have two strong parties that our hope shall fight ideals and ideals alone, eliminating personalities.

**Speech of Senate President Manuel Quezon accepting his nomination as President of the Philippines, July 20, 1935.**

**Source:**<https://www.officialgazette.gov.ph/1935/07/20/speech-of-senate-president-manuel-quezon-accepting-his-nomination-as-president-of-the-philippines/>

This excerpt is from the speech delivered by Manuel L. Quezon, who was serving as then Senate President in June 1935, and accepting his nomination as President of the Philippines by his political party, Nacionalista Party. His running mate, then Senator Sergio Osmena. Both Quezon and Osmena were rivals in securing the passage of a law in the US Congress for Philippine Independence. Quezon eventually won. He defeated former President Emilio Aguinaldo and bishop Gregorio Aglipay of the Philippine Independent Catholic Church in the elections held in September of the same year.

His speech provided his platform of governance and key programs pertaining to issues such as economy, education, infrastructure, relations with the United States, foreign relations, and independence. This excerpt shows the issues on administration of justice and social problems, warning that these issues may be used to stir-up discontent among the masses. This issue of social unrest and discontent among the masses was evidently seen in the Sakdal uprising that year.

**Speech**  
**of**  
**Senate President Manuel L. Quezon**  
**Accepting his nomination as President of the Philippines**

[Delivered on July 20, 1935]

Mr. CHAIRMAN, GENTLEMEN OF THE COMMITTEE, FELLOW-CITIZENS:

It is with a profound sense of gratitude that I received in the presence of this vast multitude the formal notification of my nomination for the Presidency of the Commonwealth. A party nomination for the highest office within the gift of the people is in itself a great distinction, but when the nomination comes under such auspicious circumstances as have attended that which is now proffered to me, I regard it as the greatest honor that can be accorded to any public man short alone of his actual election to the Presidency.

Ever since the approval and acceptance of the Independence Act there has been growing among the people a feeling of deepest concern over the difficult problems and impending responsibilities which will confront us upon the inauguration of the Commonwealth. While the

Constitutional Convention was in session, partly fostered by the spirit of national solidarity exhibited by the members of that body, the anxiety to prepare the country adequately to meet these problems and responsibilities became articulate in an increasingly popular demand for national unity, that political parties give pause to partisan strife, that the leaders of the vital forces of the nation join in their efforts for the attainment of the common goal, and that the entire country resolve to support loyally the man who may be entrusted with the national leadership so that through the Government of the Commonwealth the foundations of the future Philippine Republic may be solidly and firmly established.

Resolutions were passed by municipal councils as well as by civic and social organizations, including labor unions, demanding a coalition of the two great political parties as the most practical means of obtaining this unity of effort. Before the Constitutional Convention adjourned the cry of national unity was taken up by the League of Provincial Governors Without regard to party affiliation and voicing the prevailing sentiment in their respective provinces, these spokesmen of our local governments unanimously joined in the general appeal for unity.

Lastly, prominent Filipino business men, professionals and leaders in agriculture, industry, and labor formally submitted to the directorate of the two political parties a concrete proposal that the two parties nominate jointly the candidates for President and Vice President and thus insure the cooperation of all the vital forces of the nation during the first and trying the years of the Commonwealth. When the two parties held their respective national conventions they readily responded to this popular clamor and forthwith agreed to form a coalition and to nominate the same candidates for President and Vice President.

Neither Senator Osmeña nor I sought these nominations. We made no preconvention campaign nor did we have any desire to secure them. We entered public life about the same time thirty years ago both pledged to the cause of independence. The vicissitudes which have been our lot during these years are not now to be recounted but as I look back upon our joint efforts in the attainment of the goal which we set out before us I feel happy that at the end of the long struggle we can face our people standing on the same platform, our pledge fulfilled, our mutual friendship and regard enhanced, and still enjoying, I hope, their continued confidence and support.

With the approval of the Independence Act and its acceptance by the country we believed that our extended public service could at last come to an end. We would have been content as private citizens to lend our unstinted support to the new Government. But it seems that our fellow-citizens have once again chosen to place upon our shoulders the new responsibility of organizing the Commonwealth and leading the nation during the early years of its existence. The nomination that has been proffered to us attains the category of a call to duty which no public-spirited citizen may evade or disregard. I, therefore, Mr. Chairman, make public announcement that I accept the nomination for the Presidency which has been tendered to me, deeming it my bounden duty to do so, and I accept it with the most profound sense of the responsibility that it entails and the deepest feeling of gratitude.

Having been nominated under the circumstances I have mentioned, I cannot afford to speak in uncertain terms. The need of the hour is for fixed orientation, clear statement of policies, and a definition of the national purposes. In the course of the present campaign I shall have the opportunity to discuss all the important questions before the country. For the present I have to limit myself to a few of them.

### **THE PLATFORM**

The Coalition platform meets with my wholehearted approval. I took part in the drafting of that document and I make my own every commitment contained therein.

### **THE CONSTITUTION**

I look upon the Constitution of the Philippines as the expression of the sovereignty and of the aggregate will of the Filipino people. I shall abide by its provisions. I shall uphold the democratic principle underlying the institutions that it establishes. I am opposed to a dictatorship. I maintain that no man who believes in a dictatorship can with safety be entrusted with the reins of executive power under our Constitution. Democracy can only survive if those at the helm of the Government believe in the people's right to rule and have faith in their inherent capacity to decide rightly important public questions.

I will hold inviolate and will defend to the utmost the individual rights and liberties. I shall safeguard free speech, the freedom of the press, and the equality of every man before the law however poor or ignorant. I shall insure for every citizen of the Philippines, from Luzon to Mindanao and Sulu, the right to worship God as his own conscience dictates.

### **THE GOVERNMENT OF THE COMMONWEALTH**

We are entering a new era. We are on the threshold of free nationhood. The Government of the Commonwealth that we shall establish derives its powers from a constitution approved by the people themselves. It may truly be said that it is a government of our creation to be administered for our own welfare.

Except in a few specified cases, it will be free from American control in the conduct of domestic affairs. Only in our foreign relations do we remain subject to American supervision, and this because of the continuing responsibility of the foreign aggression during the life of the Commonwealth. Hence, the Government of the Commonwealth will be, in fact not in name, an independent government under the protection of the United States.

The immediate task before us is to set up the new Government,—a task that will require all the foresight, the wisdom, and the courage of the people. Then we must adopt such measures as will insure the stability of our national economy, and provide for the honest and efficient administration of the affairs of the government. Equally important is to make adequate provision for the defense of our country against external aggression or internal disorders.

I favor a simple and economical government, one in keeping with the limited resources of our country but which is capable of ministering to the needs of the nations.

I shall be unsparing in my efforts to carry out the mandate of the Constitution regarding the civil service. Merit and character alone will be the qualification for office or promotion. For the highest responsible posts I shall call on the most capable, honest, and patriotic citizens, regardless of political affiliation or religious belief. This is no time for placing party considerations above the common weal. In fact, one of the main purposes of the coalition is to secure the cooperation and help of the best available men to insure the success of the Commonwealth. I shall tolerate neither corruption nor inefficiency in public office.

### **FINANCIAL POLICY**

The financial stability of the Government depends upon our ability to keep expenses within our income. At the time when other governments are resorting to loans in order to meet their obligations we can take pride in the fact that we have been able to maintain a balanced budget. Under our Constitution the responsibility for maintaining a balanced budget falls mainly upon the executive. I pledge myself to maintain the credit of the Government and at all times to balance the budget and keep our finances in a sound condition.

I shall keep our present currency system in all its integrity and will allow no change that will affect its value. If new conditions should require such a change it will be done only after the most careful study and consultation with competent experts. For the present I can see no reason for any radical modification in our monetary system.

### **TAXATION**

Irresponsible demagogues have tried to arouse in the hearts of our people the hope that under an independent Philippines there shall be no taxes except upon the rich. It is my duty to warn the credulous against such misrepresentation Governments can be supported only through taxation. It is a primary duty of citizens to contribute to the support of the Government, but taxation that does not take into consideration the relative financial ability of the taxpayer is unjust. I favor a complete revision of our system of taxation with the best technical advice available. I advocate that the burdens of the state be equitably distributed in proportion to the means and possibilities of the taxpayer. We shall make a general reduction of the assessed value of real property in accordance with present prices.

### **PUBLIC WORKS**

The so-called pork barrel system, as known in the United States and as sometimes practiced in the Philippines, must definitely be discarded. It is a waste of public funds. I am in favor of continuing the building of roads and schools, in accordance with a carefully-prepared plan to be followed systematically in the order of their relative importance to the general public.

### **PUBLIC INSTRUCTION**

I stand by the educational policy enunciated in the Constitution. The principle underlying this policy is the training for useful, well-disciplined, self sacrificing citizenship that draws its breath of life from Filipino patriotism. Our system of education should be revised so as to accomplish that aim still more effectively. The State is in duty bound to maintain a complete and adequate system of public education, providing at least free public primary instruction and citizenship training to adult citizens.

My attention will be especially devoted to making it possible for every child to go to school. Adult citizenship training will be carried out in accordance with a broad and systematic plan. To the end that poverty may not prevent gifted young men and women from developing their talent, the Government should create the largest possible number of scholarships for them in all branches of learning. Our educational objective should fit in with our economic policy. I am for greater emphasis on vocational and agricultural training in the intermediate and high schools, but the instruction should always be in keeping with the economic conditions of each region and of the country as a whole.

### **ADMINISTRATION OF JUSTICE**

An independent judiciary administering justice without fear or favor promptly and impartially to rich and poor alike is the strongest bulwark of individual rights and the best guaranty against oppression and usurpation from any source. Equally important is the maintenance of the confidence of the people in the courts. I will appoint no man to the bench without having satisfied myself, after a thorough investigation, of his character and ability.

To strengthen the faith of the common people in our courts, it is necessary that the utmost care be exerted in the selection of justices of the peace. These courts are often the only tribunals accessible to the larger portion of our population and it is essential that they be maintained Worthy of their confidence. If the disinherited cannot obtain redress of their grievances or vindication of their rights in these courts, they have no further recourse, for the Courts of First Instance and the Supreme Court are often beyond their reach. By the impartiality and integrity of the justices of the peace, therefore, the judiciary of the Philippines is judged by the millions of our countrymen who live in the barrios and distant places. I pledge myself to do everything in my power to maintain these courts free from political or other extraneous influence and to appoint thereto only men of proven ability and integrity and of the broadest human sympathies.

### **SOCIAL PROBLEMS**

The welfare of the people should be the concern of the Government. The helpless and the needy, the jobless, as well as the workers in the factories and in the field have a claim upon the Government to safeguard their health and well-being. The contentment of the masses is the first insurance against social and political disorders. It is the duty of the Government to protect the working men against social and political disorders. It is the duty and exploitation to secure to them fair wages and return for their labor.

Let us beware of men who deliberately, for political or selfish aims, stir up discontent among the masses. They preach subversive doctrines, speak of evils and abuses that do not exist, or magnify those which often are inevitable in democracies. These men are those worse enemies of society, more dangerous to the community than ordinary criminals. They have no sympathy for the people, but are mere self-seekers, intent only in securing either pecuniary or political advantage for themselves. If as a result of their preaching disorders occur, they cowardly disclaim all responsibility for that which none other than themselves had brought about. He who tries to carry favor with the masses by appealing to the passions of the people, stirring up their prejudices, or capitalizing discontent or human suffering, is unworthy of public trust.

### **LANDED ESTATES**

The ownership of big landed estates by corporations or absentee landlords have invariably caused discontent and unrest among the tenants or occupants of such estates. The discontent among the tenants of the Friar lands contributed to the causes which led to the rebellion against Spain. Those Friar lands have been acquired by the Government and sold in small lots but there are still a few large haciendas particularly in Luzon that are the hotbeds of discontent and unrest among their tenants. Not only for the sake of these tenants, but also in the interest of peace, every effort should be made to acquire these haciendas, at a fair and just price to be sold in small lots to the tenants.

There are complaints in certain places that the tenants are the victims of unfair practices on the part of their landlords. These abuses must be stopped and the tenant protected in his rights.

### **LABOR**

Fortunately for our country, we have had no sharp cleavages between labor and capital. Strikes have been few and far-between, and they have never been long-drawn-out or general. That we have so far been spared the extremities of class warfare, is no proof that we shall forever be exempt. Our good fortune should rather teach us to seek the means to preserve the country against such conflicts by the only method which experience has shown to be effective; namely, by taking steps designed to prevent the exploitation and oppression of the working men and thus assure their happiness and contentment.

Filipino laborers, compared to those of other oriental countries, receive higher wages and are much better protected in their rights by legislation. We have enacted many laws protecting labor. In all earnestness, however, I must say that we must go further in this direction. The experience of centuries shows that the one sure way to protect society against class war is to secure to wage-earners their due.

I am against communism. I am a firm believer in the institution of private property. I contend, however, that whenever property rights come in conflict with human rights, the former should yield to the latter.

If we would preserve the institution of private property, we must hold fast to this principle, in the determination of conflicting rights between man and man. It is thus that we may draw the line between the rights of labor and capital and erect an economic structure based on the Principle that human life is the measure of all other values, that considerations of possession and profit must give way to the supremacy of human existence.

### **CAPITAL**

A change in the political status of a country always gives rise to fear and misgivings. Not only among Americans and foreigners, but even among a few Filipinos, the impending political changes have caused anxiety as to the future.

There is no justification for these fears. I give assurance that peace, order, law and justice will reign supreme under the Commonwealth, and that the rights of foreigners and nationals alike will be safeguarded. Existing investments, whether foreign or national, will receive every inducement to stay, and outside capital will be welcomed. We especially desire that new American capital should come and help in the development of the country.

### **NATIONAL DEFENSE**

I believe in the efficacy of the instrumentalities of peace, such as the League of Nations or treaties of neutrality. In due time we should apply for admission to the League and urge the negotiation of a multilateral treaty for the neutralization of the Philippines. However, we cannot ignore present-day realities. We cannot rely exclusively on these implements of peace for our national defense.

I favor preparedness for national defense. We cannot afford to have, nor do I approve of, a large standing army or costly military establishments, but we must have a regular army of sufficient size for our requirements and a trained citizenry ready to be drafted into service in any emergency. For the proper planning of our defenses and organization and training of our regular and citizen army I shall secure the best expert advice.

### **OUR RELATIONS WITH AMERICA**

It should be our constant endeavor to maintain the most friendly relations and closest collaboration with the United States. We owe much to America and we are grateful to her. Our present economy is tied up with the free American market. Many of our industries depend for their existence on our reciprocal free trade relations with the United States, and we should try to maintain these trade relations if possible, even after independence. I shall spare no effort to obtain the elimination of the export tax provided in the Independence Law. I shall work for the repeal of the excise tax on coconut oil. I shall endeavor to take such action as may be required to place our trade relations with the United States on a truly reciprocal basis, so that they may be continued after independence for the mutual advantage of both countries.

### **FOREIGN RELATIONS**

As already stated, our foreign relations will be under the control and supervision of the United States during the Commonwealth; but there is nothing in the Independence Act which prevents the Commonwealth from beginning to lay the foundations for our future relations with foreign nations. Indeed, the period of transition having been provided to give to the Filipino people time to prepare themselves for the responsibilities of an independent government, it can be rightly assumed that the United States meant to give us the opportunity, under the Commonwealth of initiating both political as well as trade relations with other countries, subject to its supervision and control.

We shall request the State Department at Washington to permit the Commonwealth to send men as attaches to American legations or embassies as well as to American consulates in order that these men may acquire the knowledge and experience in the diplomatic service and provide our government with needed information concerning foreign trade.

It will be necessary and to our advantage besides to win the good-will of, and maintain friendly relations with, other nations. But to accomplish this aim, mere protestations of good purposes are not enough. We must deal fairly with all nations and respect their rights. We must secure to every foreigner who lives with us full protection of our laws. His life, his property, must be as safe among us as they are in his own land.

During the transition period we shall endeavor to find new markets for our products so that if and when the market of the United States shall no longer be open to us except on a competitive basis, we may not be left without outlet for our products.

### **PHILIPPINE INDEPENDENCE**

The question of Philippine Independence has been settled. The Independence Law sets the day for independence and prescribes the process leading to its consummation. We accepted the Independence Law, we have approved a Constitution pursuant to its provisions, and the people by ratifying it with practical unanimity have agreed to the grant of independence under the terms and conditions prescribed by the Congress. Independence, therefore, is no longer an issue either in the United States or in the Philippines. Insofar as the terms and conditions of independence are concerned, we made it plain when we accepted the Independence Law that we reserved the right to petition Congress for their modification with a view to making them less burdensome for our people and more adapted to the attainment of the purpose for which Congress intended them.

We consider the economic provisions of the Independence Law not entirely fair to the Philippines. We regard legislation recently passed by Congress imposing greater restrictions on our free imports to the United States or authorizing the collection of exorbitant taxes on some of our products sold in that country, not only discriminatory, but a virtual violation of the solemn covenant between the two countries. We shall exert every effort to secure the repeal of those discriminatory measures and to obtain amendments to the Independence Law looking to a more equitable trade arrangement between the United States and the Philippines during the Commonwealth.

In relation to the transition period, the Congress of the United States fixed the term of ten years considering it necessary to allow the Philippines gradually to adjust their national economy to the conditions which will obtain when independence should eventuate and to permit the Filipinos to prepare themselves adequately for the responsibilities of independent nationhood. It was, therefore, chiefly for the benefit of the Philippines, rather than of the United States that the intermediate period of ten years was fixed. While there may be differences of opinion as to whether this period is too long or too short all must agree that if our trade relations with the United States during the Commonwealth should prove more injurious to our country than they would under complete independence, the Philippines would then do well to hasten the date of separation from America. This fact will not be revealed to us until after the first years of the Commonwealth and we have known the result of the economic conference between representatives of the United States and the Philippines which, I trust, will be called by the President of the United States at an early date.

Meanwhile, I consider it a most disturbing influence which will retard our work of economic readjustment and reconstruction, for anyone to advocate now the shortening of the transition period. What the country direly needs to-day is a period of stability and business confidence so that we may proceed unhampered in the task of erecting our new Government and building up the national economy to increase the wealth of the nation, promote commerce, agriculture, and industry; improve the condition of our wage-earners, and create economic opportunities for all our citizens. We need to give capital reasonable certainty as to those conditions which affect investment; we need to assure the industries that are dependent upon the free American market that no radical changes will take place which will bring about a sudden loss of the market on which they depend; we need above all to provide economic security for the masses of our people which can only be accomplished through the maintenance of stable business conditions.

I yield to no one in my fervent desire to see the Philip-pines independent as soon as possible, but I cannot close my eyes to the fact that a difference of a few years may mean a great deal to the well-being of our people and the permanence of our national liberty. Besides, we should not be deluded into believing that it is possible for anyone at this time to obtain from Congress the shortening of the transition period. All the pleas that may now be submitted in support of this action had already been considered and passed upon by that body. No new reason can be advanced that had not been already submitted. Therefore, making an issue of the shortening of the transition period is unfair to our people and most injurious to their interests.

I am anxious to see our independence established at the earliest possible date. I look upon it as the most precious reward for the many years of ceaseless efforts that I have spent in its quest. I pledge myself anew resolutely to take all necessary steps leading to the advent of independence, and to do everything in my power to make the Philippine Republic strong and enduring, and the blessings of liberty not only the cherished possession of this generation but the priceless heritage of the Filipino people for all the time.

**“Commonwealth Act No. 1 An Act to Provide for the National Defense of the Philippines, Penalizing Certain Violations Thereof, Appropriating Funds Therefor, And for Other Purposes” Accessed December 4, 2020.**

**Source:** <https://www.officialgazette.gov.ph/1935/12/21/commonwealth-act-no-1/>

One the first laws passed by the National Assembly and enacted by the Philippine Commonwealth was the National Defense Act of 1935. The Commonwealth Act No. 1 aimed for the creation of an independent military for the Philippines. Prior to the creation of this act, the Office of the Military Advisor to the Commonwealth Government under the U.S. General Douglas MacArthur heeded the call of President Quezon to form a system of national defense towards the independence of the Philippines.

The section of the law provided shows the articles on the personnel such as enlistment, the creation of the military academy, and provision for a reserve force with reserved and noncommissioned officers. The law provided for the drafting of Filipino men, between the ages of 21 and 50. The Philippine Military Academy would provide the training of selected candidates for permanent commission in the Regular Force while the Reserve Units would come from colleges and universities in the Philippines.

**EXCERPT:**

ARTICLE III

Enlistment and Reenlistment

SECTION 27. Any male citizen of the Philippines between eighteen and thirty years of age, able-bodied, free from disease, of good moral character and habits, of average intelligence, and possessed of such educational attainments as may be prescribed, may be enlisted in the Regular Force under the following restrictions:

- (a) Enlistments shall be for a term of three years, and may be made by the recruiting officers at stations of the Regular Force.
- (b) Unmarried minors between eighteen and twenty-one years of age may be enlisted only on the written and duly attested consent of the father, the mother when she is the only surviving parent, or the publicly known guardian.
- (c) Enlistments for service in any province, except for the Regular Division, the Artillery Corps, and Air Corps, shall be from among residents thereof. In so far as practicable, enlistments in these forces shall be apportioned among the various provinces of the Philippines.

SECTION 28. Regulations applying to the reenlistment and to the retirement privileges of noncommissioned officers of the Regular Force shall be prescribed by the President.

SECTION 29. An enlisted man who shall have served honorably at least three years and does not reenlist shall be exempt from further military service except in a national emergency. He shall be required, however, to register his address at the military headquarters nearest to his place of residence.

#### ARTICLE IV

##### Military Academy

SECTION 30. There shall be established a military training school to be named the Philippine Military Academy, for the training of selected candidates for permanent commission in the Regular Force. The student body in the Military Academy shall be known as the Cadet Corps of the Army of the Philippines.

SECTION 31. The President is authorized to appoint to the Military Academy annually, subject to such physical and mental examinations as he may prescribe, the number of cadets necessary to maintain the Cadet Corps at a strength of not to exceed three hundred and fifty. Cadets shall be selected from among qualified candidates as hereinafter provided. Candidates for admission shall be single, in good physical condition, not less than seventeen nor more than twenty-two years of age, and shall be nominated by the Members of the National Assembly, each of whom may nominate any number of candidates. The President shall appoint from among those who pass the physical and mental examinations with the highest ratings the number or numbers necessary to fill the existing vacancies: Provided, That a quota of three members of the Cadet Corps shall be allotted to each Assembly district: Provided, further, That in case no candidates from a given Assembly district attain the required minimum ratings, a second examination shall be given during the same year to nominees from that district. If on the second examination no candidate shall attain the required minimum rating, the vacancies in the district quota shall be filled by the President from successful candidates at large.

The pay and allowances of students at the Military Academy shall be fixed by the President.

Any student who shall, after entrance to the Academy and before completion of the prescribed course of training, be found to be physically unfit for military duty by reason of injury or disease incident to the service, shall be retired with the rank of cadet and shall be entitled to the retired pay and allowances of a third lieutenant of the Regular Force.

Upon satisfactory completion of the course of instruction at the Military Academy candidates shall be commissioned third lieutenants in the Regular or Reserve Forces with relative rank in the order of final general standing as determined by the Faculty Board and Commandant of the Academy, and approved by the Chief of Staff.

## ARTICLE V

### The Reserve Force

SECTION 32. The Reserve Force shall consist of such number of Infantry Divisions located as the President may direct; of such additional separate regiments, battalions, companies, and similar separate units as the President may authorize; of all reserve classes not assigned to the above units, and of the Reserve elements of the Offshore Patrol.

The organization of reserve land and air units shall, in so far as practicable, be that of corresponding tactical units of the Regular Force.

SECTION 33. The Chief of Staff may detail or assign to duty with Reserve units such enlisted men of the Regular Force as he deems necessary.

## ARTICLE VI

### Reserve Officers and Noncommissioned Officer

SECTION 34. Any person who shall have completed his trainee instruction and who is selected for training as a commissioned officer shall pursue a theoretical course of training of not less than six months to be prescribed by the Chief of Staff, upon completion of which he shall be assigned to duty with a Regular unit as probationary third lieutenant for another period of six months. At the end of this service those who have displayed qualities of leadership and who have demonstrated their fitness to command may be appointed and commissioned third lieutenants of the Reserve Force and assigned to an organization thereof. Those who fail to complete the course of training shall be transferred to the Reserve Force as enlisted men and shall be assigned to an organization thereof.

SECTION 35. At such colleges and universities as the President may designate there shall be established and maintained Reserve Officers' Training Units of such arms and services as he shall specify, where every physically fit student shall be required to pursue a course of military instruction designed to qualify him for a commission as a third lieutenant of Reserve. In so far as may be practicable, the student shall be permitted to choose the arm or service in which he wishes to train. This course of military instruction, if pursued to completion, shall exempt students from trainee instruction. It shall not exempt them from registration.

SECTION 36. The Chief of Staff shall, by mutual agreement with the head of the institution, designate the senior military instructor and such commissioned and enlisted personnel as may be necessary for each institution. He is authorized to issue to such institutions the arms, equipment and other property which he deems essential to the conduct of this instruction.

SECTION 37. Each year the senior military instructor shall submit to the Chief of Staff the names of those members of the graduating class whom he recommends for further training. These graduates may be ordered to organizations of the Regular Force for a six months' probationary period. At the end of this service those who have displayed their fitness for Commission may be appointed and commissioned third lieutenants of the Reserves and assigned to an organization thereof.

SECTION 38. Graduates who are not recommended for training as third lieutenants and those who fail to qualify for appointment as such shall be assigned to the nearest age group in the Reserve and assigned to an organization thereof as private or noncommissioned officers as recommended. Students of military age who do not complete their courses of study at an institution of learning provided with a Reserve Officers' Training Unit shall be liable for trainee instruction immediately upon severing their connection with the institution. If more than 20 years of age, they shall be assigned to the trainee class next to be called.

SECTION 39. The President shall appoint and commission, upon the recommendation of the Chief of Staff, such reserve officers as shall in his opinion be needed.

SECTION 40. In so far as may be practicable, original appointments by the President in grades above third lieutenant shall be made from among those formerly holding Reserve commissions in the United States Army and from former officers of the Philippine Scouts and Constabulary.

SECTION 41. Noncommissioned officers of the Regular Force between the ages of twenty-one and thirty years who are recommended for appointment as third lieutenants shall pursue the course of instruction of six months prescribed for those who have completed their trainee instruction, and who are recommended for training to qualify as reserve officers. Upon satisfactory completion of this course they may be appointed and commissioned third lieutenants of the Reserves and assigned to an organization of the Reserve Force. Except upon mobilization, no service as a reserve officer may be performed by an enlisted man of the Regular Force.

SECTION 42. Medical reserve officers shall be procured from graduates of medical colleges and universities under such regulations as may be prescribed by the President.

SECTION 43. Reserve officers shall be physically examined upon each assignment to active duty. Any reserve officer found physically unfit for active field service shall be discharged.

SECTION 44. Young men who complete their trainee instruction and are selected for additional training to qualify them as noncommissioned officers of the Reserve Force shall pursue a prescribed course of three months. Upon satisfactory completion thereof they shall be warranted in the noncommissioned officer grade for which they shall have qualified, and then transferred to the Reserve Force and assigned to an organization thereof.

SECTION 45. The Chief of Staff shall be empowered to organize and establish such special and advanced school units as he may deem proper for the special training of officers of the technical and supply sections and services, and for the advanced training of selected officers for field, staff, and command duties.

SECTION 46. All candidates for appointment as reserve officers, except medical officers, shall be required to qualify for appointment as third lieutenants of the line before being permitted to pursue any special course pertaining to the technical and supply services.

## ARTICLE VII

### Active Duty Training of Reservists

SECTION 47. Periods of active duty training in the Reserve Force shall be as prescribed by the Chief of Staff. In so far as may be practicable, the active duty periods for the three echelons shall be as follows: First Reserves, annually, not less than ten days; Second Reserves, annually, not less than five days; and Third Reserves, every third year, not less than seven days.

During such periods of active duty training the reservist shall be amenable to the laws and regulations prescribed for the Regular Force. Except with his own consent, no enlisted reservist may be required in time of peace to serve more than thirty days on active duty in any calendar year.

SECTION 48. Any reservist who fails to report for active duty training as directed by the Chief of Staff shall be punished as a court-martial may direct.

SECTION 49. Any employee of the Government called for trainee instruction, or for regular annual active duty training, shall not be compelled to lose his position or to suffer a loss of pay due to his absence in the fulfillment of his military obligations.

SECTION 50. Mobilization centers shall be constituted as follows:

(a) Mobilization centers shall be established for the purpose of providing storage for the arms, equipment, clothing, and records of units, other than those of the Regular Force, to be mobilized in a national emergency, of making provision in advance of mobilization for the necessary shelter for men and animals of such units during mobilization, and of reducing to a minimum the period necessary for mobilization.

(b) One mobilization center shall be established for each battalion or similar unit or, when for the best interests of the Philippines, for regiments or larger units.

(c) Provincial Commanders, acting under the Chief of Staff, shall be responsible that all arms, equipment, and other material stored in such buildings within their respective provinces are properly cared for and secured, and that all records turned over to the chief caretaker by military units are preserved intact.

The Constabulary shall, whenever practicable, be charged under the Provincial Commanders with the care of the arms, equipment and other materials, and of the records at mobilization centers.

**United States. High Commissioner to the Philippine Islands. 1936. *Annual Report of the United States High Commissioner to the Philippine Islands Commissioner to the Philippine Islands Covering the Calendar Year 1935-1936.* Washington: U.S. G.P.O. Accessed December 4, 2010.**

**Source: <https://catalog.hathitrust.org/Record/100145145/Home>**

By the Commonwealth period, the highest position held by an American official in the Philippines is the High Commissioner to the Philippine Islands. This is an excerpt from the annual report sent by Frank Murphy, the first High Commissioner, to the United States government.

The excerpt below shows a reporting of the Sakdal demonstration in Manila on October 3, 1936. The Manila demonstration was part of the series of activities of the Sakdal Party. Founded by Benigno Ramos in 1930, the Sakdal Party was a populist movement that advocated for Philippine nationalism and independence and agrarian socialism. Most of their activity revolved in Central Luzon such as the provinces of Laguna, Rizal, Bulacan, Nueva Ecija, and Pampanga.

Excerpt:

## VI. PUBLIC ORDER

26. Two minor disturbances.—Public order was good during the period under report, except for two minor disturbances.

The first of these was an outbreak of brigandage in the mountains of Laguna, which began a short time before the end of the former regime. The Commonwealth President went to Laguna soon after his inauguration and gave this matter his personal attention to such effect that the outbreak was suppressed in a very short time.

A terroristic demonstration in the city of Manila on the evening of October 3, 1936, was the subject of an inquiry from the Bureau of Insular Affairs. This inquiry and the reply by the Acting High Commissioner were as follows:

[Extra priority radio no. 740]

WASHINGTON, October 21, 1936.

UNITED STATES HIGH COMMISSIONER,

Manila:

Press dispatches of 19th instant report terrorist plots to create disturbances through assassinations, bombings, etc. Please radio brief summary of the facts as developed to date.

COX.

[Extra priority radio]

OCTOBER 22, 1936.

SECRETARY OF WAR,

Washington (Cox):

Reference your no. 740 October 21, an outbreak occurred October 3 shortly after 8 o'clock p. m. in the city of Manila. Four explosions were heard, eight fires started, and there were four attempts at arson, all within a period of 3 hours. Parsons Hardware near the Ayala Bridge and nearby buildings were damaged to the extent of 1,000,000 pesos. One water main in Santa Mesa was broken by explosives, shutting off the water supply to a large section of Manila for several hours.

Theodoro Navarro and Lorenzo Galang, said to be leaders of Sakdals, were arrested October 5. They denied having participated in the acts of October 3, but news stories later indicated they were involved in confessions reported in the press October 20. Many of the news stories are vague and give the impression of reportorial guesswork.

Since October 3 police have found bombs in several Manila buildings and seven bombs were reported found upon the arrest of five members of Sakdal party at Malabon October 18. Newspaper of October 20 carried stories that "Sakdal terror plot spreading." These stories followed the arrest of the five Sakdal leaders mentioned above. Confessions as reported by the press were to the effect that Sakdals planned to set fire Manila on the night of October 3 and then sweep the five nearby Provinces and take control of municipal and provincial governments. According to press reports leaders stated in confessions that they lost their nerve when they entered Manila and heard the explosions on night of October 3.

Philippine Army officials report that there is no truth in the statement that a plot was unearthed to assassinate Government officials including the Archbishop and the High Commissioner, but rather that the persons questioned denied there was any such plot. They report that no communications have been received by local Sakdalistas from Ramos for about 1 year and there is no organized opposition to any activities of the Government; that such acts of terrorism that have occurred have been sporadic and not a part of a general plan; that the present unrest is confined to the city of Manila and the provinces of Rizal, Bulacan, Nueva Ecija, and Pampanga, and that there is peace and order in all other parts of the Philippines including Laguna, Cavite, and Batangas Provinces. The reports received today indicate a plan for an uprising in the vicinity of Manila on November 1. The general public seems very little disturbed. United States Army officials, Philippine Army officials, and police officials are alert but not apprehensive. They believe that disorders are local in character, poorly led, poorly financed, and loosely organized.

They report that labor groups in Manila are restive because of the failure of wages to be advanced in the face of advances in prices of commodities and more prosperous times among manufacturing, shipping, and commercial interests. The recent typhoons did considerable damage to the rice crop which has caused suffering in Central Luzon and the Cagayan Valley. This suffering, according to reports, was quite acute but is being rapidly alleviated. Tenant farmers are complaining because landlords have insisted upon advance payments of cash rent when customarily they have been content to receive rents on installments. Dissatisfaction with authorities is attributed by some as a protest against announcement by President Quezon that on account of present unrest he did not intend to release political prisoners on November 15 as previously announced. Others believe that the Government is magnifying reports of violence as justification for building up the Philippine Army. Philippine Army officials however deplore the publicity given to reports of disorders as they say that such reports are frequently erroneous and nearly always exaggerated. Bulletin this morning has eight-column headline, "Fear New Sakdal Outbreak", this being based on a rumor that "a big haul of rifles and ammunition was smuggled into one of the coast towns of the Philippines." The Bulletin story goes on to say "the tense situation is further aggravated by the flight of the Sakdal leaders to the mountains, the reported burial of all "red" documents and the seething unrest among the radical followers of the political prisoners who lost their chances of early freedom when President Quezon decided not to give them amnesty." The Philippine Army officials state that there is no truth in the statement that rifles and ammunition were smuggled into one of the coast towns nor has there been a flight of Sakdal leaders to the mountains. There are very few political prisoners as Governor Murphy pardoned the majority of all those convicted for participating in the disorders of May 1935 and since that time President Quezon has pardoned a number. I believe there is no cause for apprehension here. The Government is in strong hands and I believe the Philippine authorities are doing everything in their power to relieve the suffering and to improve the lot of the poor and unemployed. President Quezon is in very close touch with the situation and with all classes of people. He has visited devastated areas and has come in contact first hand with the sufferers. The

Assembly has just appropriated \$ 1,500,000 to relieve the situation. United States Army and Navy authorities see no reason to be alarmed.

My weekly reports sent by air mail to High Commissioner Murphy give all details as I get them from press and from other sources. This radio is based upon reports received from military authorities of the United States Army, naval authorities, and Philippine Army authorities, inquiries made from numerous individuals and reports in the press and personal observation of myself and staff

JONES

**Letter of President Quezon on Three-point Policy for Mindanao and Sulu, October 08, 1937**

This document was crafted by Jorge Vargas, and serves as a reply of President Quezon to a letter sent by Sultan Ombra Amilbangsa, an assemblyman representing Sulu. Amilbangsa sent a letter expressing his concerns over the policies defining the Commonwealth government's administration over Mindanao and Sulu. Jorge Vargas (1890-1980) was a lawyer and diplomat, who served in Quezon's cabinet as the executive secretary from 1936 to 1941. Later on, he became the secretary of national defense in 1941.

Ambilbagsa agreed with the policy to give a broader power to the Commissioner of Mindanao and Sulu as overseer of administrative affairs, However, he laments the nonrecognition of the various existent titles across different areas in Mindanao, asks for consultation on the appointment of army officers as governors in the Moro provinces, and concludes with identifying himself as belonging to group of the supporters of his administration not as passive yielders but as engaging allies offering constructive criticisms and suggestion to policy and programs.

**Letter of President Quezon on Three-point Policy for Mindanao and Sulu, October 8, 1937**

**Letter\***

**of**

**His Excellency Manuel L. Quezon**

**President of the Philippines**

**On Three-Point Policy for Mindanao and Sulu**

[Released on October 8, 1937]

Sir:

I have the honor to inform you that your letter of the 2nd instant, addressed to His Excellency, the President, in which you comment on his "three-point policy" on the affairs of Mindanao and Sulu, has been received. In this connection permit me to call your attention to the fact that in his memorandum to the Secretary of the Interior dated September 20, 1937, His Excellency does not seek to interfere with the use of titles by Moro sultans or datos so long as it is clearly understood that a title carries with it no official rights or privileges. What the President desires to emphasize is that there are no privileged classes under this Government and no authority vested on any

individual not occupying an official position. In other words, the President is determined to consider and to act towards the Mohammedan Filipinos as he considers and acts towards the Christians, precisely because he agrees with you that the so-called Moro problem is a myth.

His Excellency appreciates your kind interest in his administration, particularly in matters affecting your district, and he wishes me to inform you that your recommendation for the retention of Major Leon Angeles as Provincial Governor of Sulu for the time being, will be given due consideration.

Very respectfully,

Jorge B. Vargas

*Secretary to the President*

Hon. Ombra Amilbangsa

National Assembly

Manila

\* This is a reply to a letter of Assemblyman Ombra Amilbangsa, which is as follows:

NATIONAL ASSEMBLY

MANILA

*October 2, 1937*

His Excellency

The PRESIDENT OF THE PHILIPPINES

Malacañan Palace

Manila

Dear Mr. President:

1. In recent issues of the local dailies, I read with deep interest the released copy of Your Excellency's Memorandum, addressed to the Honorable, the Secretary of the Interior, in which Your Excellency's "Three-Point Policies," defining how affairs in Moroland are to be

administered, was embodied. As Your Excellency's loyal supporter, I cannot let the news pass without commenting on the policies, especially in their relations to my district.

2. The policy of giving a free hand to the Commissioner of Mindanao and Sulu on all plans he may deem fit to execute is indeed plausible and commendable, and it could not have been otherwise. As a matter of fact, I joined Assemblymen Fortich and Cabili in endorsing that policy to Your Excellency when the measure was yet pending the action of the National Assembly.

3. As to the non-recognition of the various titles, a practice still adhered to by the various Mohammedan elements in Mindanao and Sulu, I think, Mr. President, the policy as released covering this subject was most unnecessary, as the non-recognition has already taken effect since the abrogation of the Bates Treaty and the implantation of the Civil Government in the regions referred to. In the agreement concluded between the Sultan of Sulu and Frank Carpenter, then Secretary of the Department of Mindanao and Sulu, the former is recognized as a temporal head of that region and as such his office is confined to religious activities. In the light of these facts the Government, I think, Mr. President, has no right to interfere with them so long as no law or order is infringed. The religious titles ever since in vogue in the Mohammedan regions are akin to religious titles enjoyed and practiced by the different Christian sects.

4. The policy of suppressing the practice of appointing army officers as governors in Moro provinces is one thing about which I beg to be allowed to discuss at length and with liberty. The administration dating back to the early American administrators, had initiated various policies principally intended to maintain peace and order, but lamentably never promulgated policies to effect universal improvements in those regions. As a result of this uncomprehensive plan, the accomplishments were nothing more than the blowing out of the Moro cottas and enactment of other bloody dramas. Judging from the records of the past, it seems that questions of efficiency of administration in Moroland depend in a large measure, upon the personal ability, integrity and far-sightedness of the local administrator rather than by imposing rigid obedience to mutable policies.

5. Regarding the present incumbent, Major Leon Angeles, his administration since his appointment is one worthy of praise and commendation. His experience and adeptness in understanding conditions obtaining in the province, make him the most logical man to remain in the position for sometime until Your Excellency think otherwise. He is the most capable Filipino governor ever appointed to that position. I believe that in justice to the incumbent, Your Excellency should allow him to remain for sometime in order that he could accomplish the projects he has just started.

6. Talks of Moro problems, both of the past and the present, have been the topics deafening the ears of the public. The Moros, myself included, are ignorant of the so-called Moro problems, and we emphatically deny its existence.

7. In passing, I beg leave to state that in Mindanao Your Excellency has two groups of supporters: the first are those who readily yield assent to what Your Excellency say, and the second, those who study Your Excellency's policy and offer constructive criticisms and suggestions to the end that the country may be benefited. I am happy that I belong to the second group so that if I express myself openly and frankly, it is because it is my honest and sincere belief that in doing so, I am helping and coöperating with Your Excellency to perfect a policy conducive to the general welfare of my people.

Respectfully yours,

(Sgd.) SULTAN OMBRA AMILBANGSA

*Assemblyman for Sulu*

**Alzona, Encarnacion. 1937. "The Significance of the Women Suffrage Referendum" in *Encarnacion Alzona: An Anthology*. edited by Maria Luisa Camagay. Quezon City: Office of Research Coordination, University of the Philippines, 1996.**

Encarnacion Alzona (1895-2001) was one of the revered women historians and educators in the twentieth century Philippines. She was awarded as one of the National Scientists of the Philippines in the field of History in 1985.

In this article, she wrote the importance of having a suffrage referendum that grants women the right to vote. Alzona, who was the first woman to receive a doctorate degree in history, studied the history of education, specifically the women's education in history. Her study, *The Filipino Woman: Her Social, Economic and Political Status (1565-1933)*, attested the inherent equality of Filipino women to men despite being deprived of education and political rights. Along with prominent women, she championed support for women's suffrage through her writing such as this published in periodical, *The Woman's World*. Filipino women obtained the right to vote in 1937.

**EXCERPT:**

On April 30 Filipino women throughout the Archipelago will vote on the question of woman suffrage. The referendum will determine whether or not the Filipino woman shall exercise the right of suffrage. Considering the large number of registrants, the support of influential men led by the President of the Philippine Commonwealth, and the earnestness of women leaders, the coming referendum promises to turn in favor of the suffragists.

We ardently hope that more than half a million women registrants will vote favorably on the question on April 30. Let no task on that day, women of the Philippines, deter you from going to the nearest precinct to cast your affirmative vote. To discharge this duty will require only a few minutes of your time, yet you will be taking away in a momentous event, unique in the history of our country. By referring to the Filipino women the question of suffrage, which affects not only themselves but the entire nation, is in itself an unequivocal admission on the part of the framers of our constitution of their confidence in the ability of Filipino woman to decide a national question. True to the Filipino tradition, our women would not impose a right and responsibility upon the women unless women themselves desire it. They have therefore given us the privilege of expressing our wishes on the subject.

Women of the Philippines, if you participate in the coming referendum your name shall be written indelibly on the pages of our history, and your descendants will be proud of you and call you emancipators of the women of your country.

Once you become an elector, you shall attain the same political status as the men. You can help directly elect to public office a worthy candidate; you can help defeat a dishonest and incapable aspirant. In a democratic country, the ballot is the most effective instrument in the hands of the average man. Without it the average man is a forgotten man; but with it, the average man becomes the most powerful man in the country. Government officials listen attentively to his pleas or complaints, knowing that he is a voter, whose vote on election day must be reckoned with. To the average man the ballot is an insurance against oppression and injustice; and let this be borne in mind by our women who will soon be enfranchised. As women voters, we can wield a salutary influence on politics if we use our power to combat corruption, injustice, and oppression. Let us be judicious in the use of our newly acquired right, aware of the responsibility that goes with it.

We are familiar with the electoral abuses which had been committed in the past. They were a blot on our political life. As voters we can help the recurrence of such evils by refusing to be a party in an unlawful scheme or vigorously denouncing any flagrant defiance of the election law. Let none of us be guilty of giving our right to vote for a paltry consideration. We must use it to bring the utmost good to society as whole.

The system of voting used in our country is the Australian ballot or the secret method of voting. It assures every voter absolute secrecy and liberty in voting. Through this system he can vote as he desires and he need not fear the political bosses of his locality.

After the grant of woman suffrage, our next campaign should be directed to making our women intelligent and vigilant citizens. This task will devolve upon the thousands of educated women scattered all over the Islands. It will be their duty to enlighten the mass of women of low educational attainment whose knowledge about their new right is vague or confused.

## Topic 8: World War II

### List of Reading Materials:

1. 1943 Constitution
2. Memorandum in War Memoirs
3. Bataan Has Fallen
4. Excerpts from Recto's *Three Years of Enemy Occupation*
5. Executive Order No. 40
6. Excerpt from *1941 Report of the Philippine High Commissioner*
7. Excerpt from *Report of Philippine (Executive Commission)*
8. Letter of President Quezon to Douglas MacArthur, February 20, 1942
9. Message of General MacArthur to the Filipino people, January 1, 1946
10. Message of President Osmeña to Supreme Allied Commander Douglas MacArthur on the occasion of the signing of the Japanese surrender document, September 3, 1945
11. Instrument of Surrender of the Japanese and the Japanese-Controlled Armed Forces

### **World War II in the Philippines, 1941-1945**

In 1941, the Commonwealth government was interrupted with Japan's bombing of the US Naval Base at Pearl Harbor in Hawaii that started the Second World War. Following the attack of Pearl Harbor, the Japanese bombed Manila and the suburbs. In order to save Manila from destruction, General Douglas MacArthur declared it an open city. However, the bombing continued resulting in the destruction of Manila. Shortly after the occupation of Manila, the Japanese forces established their government in the country that lasted until 1945.

This section includes pertinent documents related to World War II in the Philippines such as the 1943 Constitution, memoirs of political personalities like Jose P. Laurel and Claro M. Recto and selected articles discussing different themes like public safety, health, education and public instruction. These references are invaluable source of information about the life and struggles of Filipinos during the Japanese occupation.

## **The 1943 Constitution**

At the outset of the occupation, the Japanese government formed the Philippine Executive Commission which was composed mainly of political leaders of the Commonwealth government. They also organized the KALIBAPI (*Kapisanan ng Paglilingkod sa Bagong Pilipinas*), the only political organization allowed in the country at that time.

On June 16, 1943, Japanese Prime Minister Hideki Tojo promised to grant Philippines its independence. The KALIBAPI then formed the Preparatory Committee on Philippine Independence (PCPI) which was tasked to draft a new Constitution for the Philippines. The PCPI approved the new Constitution on September 4, 1943 and was ratified by the KALIBAPI Convention on September 7, 1943.

The 1943 Constitution adopted 12 of the Articles from the 1935 Constitution with a powerful executive branch vested in the President who is to be elected by a majority of the members of the National Assembly. One notable characteristic of the 1943 Constitution is the absence of the Bill of Rights.

Excerpt:

### **PREAMBLE**

The Filipino people, imploring the aid of Divine Providence and desiring to lead a free national existence, do hereby proclaim their independence, and in order to establish a government that shall promote the general welfare, conserve and develop the patrimony of the Nation, and contribute to the creation of a world order based on peace, liberty, and moral justice, do ordain this Constitution.

### **Article I: The Republic of the Philippines**

SECTION 1. The Philippines is a republican state. The government established by this Constitution shall be known as the Republic of the Philippines.

SEC. 2. The Republic of the Philippines shall exercise sovereignty over all the national territory as at present defined by law.

### **Article II: The Executive**

SECTION 1. The Executive power shall be vested in the President of the Republic of the Philippines.

SEC. 2. The President shall be elected by a majority of all the members of the National Assembly at the place and on the date to be fixed by law.

SEC. 3. No person may be elected President unless he be a natural-born citizen of the Philippines, is forty years of age or over, and has been a resident of the Philippines for at least ten years immediately preceding the election.

SEC. 4. The President shall hold office during a term of six years and may not be re-elected for the following term.

SEC. 5. The term of the President shall end at noon on the thirtieth day of December following the expiration of six years after his election, and from such time the term of his successor shall begin. If his successor shall not have been chosen before such time, or if the President-elect shall have failed to qualify, then the outgoing President shall continue in office until his successor shall have been elected and qualified. In the event of the removal of the President from office or of his death, resignation, or inability to discharge the powers and duties of his office, the same shall devolve on the ranking Minister in the order of precedence established by law until a new President shall have been elected for the unexpired term. In the latter case, the election shall be held within sixty days after such removal, death, resignation, or inability.

SEC. 6. Before assuming the duties of his office, the President shall take the following oath, or affirmation:

“I do solemnly swear (or affirm) that I will faithfully and conscientiously fulfill my duties as President of the Republic of the Philippines, preserve and defend its Constitution, execute its laws, do justice to every man, and consecrate myself to the service of the Nation. So help me God.” (In case of affirmation, the last sentence will be omitted.)

SEC. 7. The President shall have an official residence and receive such compensation as may be fixed by law which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the government or any of its subdivisions or instrumentalities.

SEC. 8. The President shall have supervision and control of all the ministries, bureaus or offices, all local governments, and all other branches or instrumentalities of the Executive Department, and take care that the laws be faithfully executed.

SEC. 9. The President shall be commander-in-chief of all armed forces of the Republic of the Philippines and, whenever it becomes necessary, he may call out such armed forces to prevent or suppress lawlessness, invasion, insurrection, or rebellion. In case of invasion, insurrection, or

rebellion, or imminent danger thereof, or when the public safety so requires, he may suspend the privilege of the writ of habeas corpus, or place the Philippines or any part thereof under martial law.

SEC. 10. The President shall appoint the Ministers and Vice-Ministers, and with the advice of his Cabinet, shall appoint ambassadors, diplomatic ministers and consuls, heads of bureaus and offices, officers of the Army from the rank of [colonel, of the Navy and of the Air forces from the rank of] captain or commander, provincial governors, city and municipal mayors, and all other officers of the government whose appointments are not otherwise provided for by law.

SEC. 11. There shall be a Council of State to advise the President on matters of national policy. It shall be composed of not more than twenty members to be appointed by the President from among citizens who may have rendered distinguished service to the Nation.

SEC. 12. The President, with the concurrence of two-thirds of all the members of the National Assembly, shall have the power to declare war and make peace, and, with the concurrence of a majority of all its members, conclude treaties. He shall receive ambassadors and diplomatic ministers duly accredited to the Republic of the Philippines.

SEC. 13. The President shall have the power to grant reprieves, commutations and pardons, and remit fines and forfeitures, after conviction, for all offenses, upon such conditions and with such restrictions and limitations as he may deem proper to impose. He shall have the power to grant amnesty with the concurrence of the National Assembly.

SEC. 14. The President shall from time to time give to the National Assembly information of the state of the nation, and recommend to its consideration such measures as he shall judge necessary and expedient.

**Laurel, Jose P. 1962. "Memorandum" in *War Memoirs of Dr. Jose P. Laurel*. (September 15 - November 16, 1945) Manila: Laurel Foundation. pp. 1-21.**

Jose P. Laurel is known for his distinguished career as a supreme court justice and as a politician. In 1925, he was elected to the Philippine Senate and would serve for one term before losing his re-election bid to Claro M. Recto. In 1934, he was again elected as delegate to the 1935 Constitutional Convention where he headed the committee on the Bill of Rights. He was the Secretary of Justice when Japan attacked Pearl Harbor in December 1941. In 1943, he assumed Presidency under the Japanese-sponsored independence.

After Japan's surrender in 1945, Laurel was arrested and was charged of treason but never tried due to an amnesty. This memoir was written while in Sugamo Prison in the outskirts of Tokyo, from September 15, 1945 to November 16, 1945. Because the Americans did not allow Laurel to have a writing paper, the memoirs were written across a book, *The World in 2030 A.D.* by the Earl of Birkenhead. This was published by the Jose P. Laurel Memorial Foundation which was founded after his death on November 6, 1959.

Excerpt

## MEMORANDUM

### I

Before the outbreak of the Pacific War I was Associate Justice of the Supreme Court of the Philippines — was successful law-practitioner and recommended for appointment to the Supreme Bench by the Filipino and the American Bar Associations (1935-36). Was appointed in the month of February, 1936.'

### II

When the Philippine Army was federalized and the Pacific War seemed imminent, I wrote a letter to Marshal MacArthur, then also military adviser to the Commonwealth Government, offering my services. He sent me a personal letter appreciating. I thought I could be useful in the Judge Advocate Department.

### III

Around September or October of 1941 President Quezon invited me to breakfast and requested me to be his Secretary of Justice. My first reaction was against it. I was thru with politics and I wanted to make a name in the juridical field and bring about the codification and integration of all our laws. I had already succeeded in the creation of a Code Committee of which Don Ramon Avancena was Chairman and I was a member. But I was prevailed upon and thus I became a member of the President's War Cabinet.

#### IV

After my induction into office (Secretary of Justice) I attended the meetings of the War Cabinet in the country Manila, March 9, 1962 house of the Quezon's under the shade of a big mango tree just a few feet up from an air-raid shelter. (See photo, opposite page —) I prepared (with former Speaker Roxas —then Lieut.-Col. and aide to Gen. MacArthur—and former Secretary Jose Abad Santos who had just been appointed Chief Justice of the Supreme Court) two radio speeches for President Quezon. The last speech was made inside the air-raid shelter in the presence of U.S. Naval officers, Chief Justice Santos, Secretary Vargas, Mrs. Quezon and children and myself. I think J. E. H. Stevenot and another American in charge of the radio connection were also present.

#### V

The Cabinet of Pres. Quezon met every day, frequently twice a day — morning and afternoon — up to the time I personally accompanied Pres. Quezon and family to the Presidential landing at the Luneta — from Malacanan bound for Corregidor. President Quezon was terribly nervous and as I shook hands with Doha Aurora she said to me, with copious tears from her eyes — "May God Bless all of you."

#### VI

It was in one of those hectic days of December (1941) that Gen. MacArthur, accompanied by Lieut-Col. Roxas (in full uniform with overseas cap), arrived at Marikina either while the war cabinet was in session, or I was there because I had an important official business to transact with the President. It was the anniversary of the marriage of President and Mrs. Quezon. I do not remember the exact date. Pres. Quezon and Gen. MacArthur embraced each other and a picture was taken in which I appear with Secretary Vargas and Lt. Col. Boxes (See photo opposite page —)

#### VII.

I recall that the call of Gen. MacArthur on President Quezon and the radio speech made by him — mentioned in the preceding paragraph, IV — took place after December 8, 1941 when Baguio and other places of the Philippines were bombed by the Japanese. President Quezon was in Baguio when this city was bombed on that date

#### VIII.

The daily or frequent meetings of the members of the Cabinet present in Manila continued (some prominent public officials at this time had evacuated Manila) until President Quezon was advised—according to him by Gen. MacArthur — that he might move to Corregidor. The reaction of the President was against it. He believed that the step might be interpreted as abandonment by him of his people. He dictated a letter addressed to Gen. MacArthur refusing to go. I went over this draft which he read at the meeting of his war cabinet in the afternoon of the same day or the following day. The following were present (if memory does not fail me) Vice-President Osmena, Chief Justice Santos, Sec. Vargas, Gen. Valdes, Gen. Francisco, Sec. Guinto and others. At this gathering, President Quezon looked sad but not broken in spirit. He moved from his seat and transferred to my right side, placing himself between Gen. Guillermo B. Francisco and me, and said to me: "What do you think, Secretary? I do not want to go to Corregidor because our people will think I am abandoning them." I replied: "I don't think so; they will understand," and he moved back to his former seat to hear the observation of the people present. The suggestion of all those present — except General Francisco—was that the President had better go. It was felt that the capture of the President would mean the overthrow of the Commonwealth Government and that the suggestion came after a deliberate decision of Washington. Secretary Guinto moved that the members of the Cabinet accompany the President to Corregidor. To this, President Quezon replied that there was not enough space in the island fortress for so many people, and that if he were to go, he should—according to the advice of Gen. MacArthur — pick the people who were to accompany him. He then observed that he would like to have Vice-President Osmena with him because in case anything should happen, Mr. Osmena could take his place, General Valdes, who was then the Secretary of National Defense and a physician-surgeon, Manoling (Manuel Roxas) who after all was already aide to Gen. MacArthur and one or two more members to give hint technical assistance. After adjournment of the meeting, Pres. Quezon said: "Laurel, please wait, I would like to see you." I waited and then followed him to the principal building (coming from the place of meeting behind, under the mango tree). Once in the small reception room where there was a Japanese painting of orchids (I say Japanese because of combination of strong colors peculiar to Japanese painters), first story or floor of the house, the President placed his arm around my waist and said: "Laurel, I would like you to go with me to Corregidor to help me prepare papers and documents there; are you in a position to come?" My reply was: "Yes, Mr. President, if you need me." "Then," he said "get ready, we may leave any moment" And I departed and went to my room in the Executive Building (Malacanan Palace) where I was installed as Secretary of Justice and legal adviser to the President According to my recollection, all this occurred on December 22, 1941. After transacting business in *my* office I went home, started to prepare my belongings, placing them in a suitcase. My wife was sick; she had cardiac ailment and my plan was to tell her on the eleventh hour and bid her and the children good-bye.

## IX.

The following day, Dec. 23, 1941, another meeting of the Cabinet was held in the same place under the mango tree in Marikina. President Quezon and Vice-President Osmena were present. I believe that Manuel Roxas was also present and members of the Cabinet and other important officials of the Government. It was at this meeting that he announced finally those who were to

go with him; that he would take along Chief Justice Jose Abad Santos, appoint me Acting Chief Justice of the Supreme Court at the same time, and leave me in Manila "to help Mr. Vargas" who became the Mayor of Greater Manila (words in quotation were President Quezon's). It was at this juncture that I raised the very important question pertaining to the conduct and behavior of those of us he was leaving behind; I said: "Mr. President, it is easy to say that you are leaving us to take care of the situation with a view to the protection of our civil population considering the fact that when the Japanese forces come we shall be performing neutral functions pertaining to municipal administration and the administration of justice; but the Japanese may require or compel us to do many things which are inimical to our Government or that of the United States. In my case, may I leave my position and go to the mountains. I am asking this question, because when you come back you might disapprove of our acts and accuse us of disloyalty. We would hate to be placed in that predicament." "George," said President Quezon in a loud voice; (calling for Secretary Vargas) "Secretary Laurel is raising a very important question *here*"—*he* restated it—"will you call up Gen. MacArthur and find out if I could talk to him?" I do not know whether Pres. Quezon was able to take up this matter with the General but he (Quezon) told me before his departure for Corregidor in the provisional air-raid shelter below the ballroom of Malacanan (with Chief Justice Abad Santos, Gen. Francisco and Secretary Vargas) that he (Quezon) had talked to Gen. MacArthur who told him (Quezon) : "What can you do under the circumstances? You have to do what they ask you to do except one thing—the taking of any oath of allegiance to Japan." In the various conversations that I had with Mr. Vargas—the last during our confinement at the Yokohama Prison—he informed me that he himself had submitted the question to Gen. MacArthur upon instruction of President Quezon, and that Gen. MacArthur's reply was transmitted to me by President Quezon. I must say that Vice-Pres. Clemens and other members of the Cabinet and others were present when I raised the question; and I reported the incident to Don Ramon Avancena and the Justices of the Supreme Court at the time.

## X

December 24, 1991. I accompanied Pres. Quezon and family from Malacanan Palace to the Presidential landing at the Luneta in the hour between 1 and 2:00 p.m. I saw Dr. Antonio Bison (whom I took in my car on my way home), Don *Vicente* Madrigal and also Col. Antonio Torres, Chief of the Manila Police, who was waiting to see the President. In this connection (*vide* paragraph V. *supra*).

## XI.

Before departure or already in Corregidor, President Quezon reorganized and simplified the Government setup but I was left as Secretary of Justice and at the same time Acting Chief Justice of the Supreme Court," with definite instruction to stay or remain in Manila "to help Mr. Vargas" in protecting the civilian population, bearing in mind the line of action embodied in the reply of Gen. MacArthur as transmitted to me by Pres. Quezon (See paragraph IX, above) and later confirmed by Mr. Jorge B. Vargas.

## XII

Since then (Dec. 24) I never had occasion or opportunity to contact Pres. Quezon or any of his companions. Mr. Vargas, I understand, was able to communicate with Pres. Quezon before the entry of the Japanese forces into Manila which took place on January 2, 1942.

## XII

After the departure of Pres. Quezon, Mr. Vargas, who was then the Mayor of Greater Manila, became the head and representative of the Commonwealth Government with me helping him. I was all the time practically with him in Malacanan and, when necessary, we transacted business by telephone.

## XIV

On December 31, 1941, we were informed that the advance unit of the Japanese forces were near Manila. Mr. Vargas called me to his office in Malacanan and told me that the plan was for a representative of the Commonwealth Government to go with the Japanese Consul-General, Jitaro Kihara, and meet the Zones coming from the south. Because of certain difficulties, I was not able to go but Consul Kihara, accompanied by his assistant (Mr. Okazaki) and General Arsenio Natividad went as far as the town of Began, Laguna, where they contacted the first contingent of the Japanese invading forces. They used a Cadillac-7 passenger or (also chauffeur) No. 6, that I was using then as Acting Chief Justice of the Supreme Court.

## XV

There was confusion, excitement and general consternation when the Japanese unit entered Manila in the afternoon of Jan. 2, 1942. Before this date, Manila and Cavite were bombed with many casualties. Sto. Domingo Church, Intendencia Building, the Philippine Herald Building and other important buildings in Intramuros were destroyed; the Cavite Naval area was razed to the ground; looting was rampant all over Manila; the Manila Police had to be disarmed; wild rumors were circulated — these and more contributed to the deplorable state of moral collapse of the people of Manila at the time of the occupation of that city by the Imperial Japanese forces.

## XVI

Among the first high ranking officials of the Japanese Army that entered Manila were Lt.-Col. Maeda and Maj. Gen. Hayashi. The name of the Commander-in-chief was kept secret, although somehow it was known that he was Gen. Homma. Gen. Maeda, who was the Chief of Staff, occupied the Manila Hotel. I think Gen. Hayashi went to the Army and Navy Club building. Around the 4th or 5th of that month of January (1942) several Japanese residents of importance in the Philippines began to contact prominent Filipinos in Manila. Mr. Imamura introduced Mr. Vargas to Gen. Maeda and Mr. Kanegae accompanied Messrs. Aquino, Recto and Alunan. I think that Mr. Paredes and I were also introduced to General Maeda but at different dates. There might have been other people who had seen Gen. Maeda. Later Consul Kihara and Mr. Morokuma arrived from Japan and contacted Vargas and the other Filipinos

who saw Gen. Maeda. They were told forthwith to organize themselves into what was called "central administration organ," ostensibly for the maintenance of peace and order and as instrumentality of the consequent military occupation of certain places by the Japanese forces.

## XVII

As the order of Gen. Maeda was imperative and urgent, Mr. Vargas, who was our representative and spokesman, suggested that a meeting be held at the call of former Speaker Yulo who at the time was President of the Nacionalista Party, the ruling party of President Manuel L. Quezon. This was done and for almost two weeks we met in the house of Speaker Yulo at Peñafrancia. In the beginning few were able to attend. Stenographic notes of the proceedings were taken but according to Mr. Yulo they were destroyed for fear of the Japanese. The reply to the directive of Gen. Maeda, addressed to Mr. Vargas asking us among other things to organize and to entirely cut or sever our connections with the Americans was the subject of a prolonged discussion. A temporary political expedient was the continuation of the Commonwealth Government and its officials. This was rejected, however, by Gen. Maeda on the ground that the Commonwealth was a creation of the United States and fought the Imperial Japanese Forces. After repeated conferences of Mr. Vargas (who, as observed, was the spokesman) and Gen. Maeda we were definitely told to organize an entirely new setup. Everybody wanted to be excused, considering that the American-Filipino forces were still fighting the enemy in Bataan and Corregidor. We were, however, made to understand that failure to organize in the manner indicated would be deemed a hostile act; that military administration would have to be established any way either by the Japanese themselves or other Filipinos. (About this time, Mr. Benigno Ramos and General Artemio Ricarte had come to the forefront and were active) and we were finally given 24 hours within which to act. Our conformity was thus obtained and Mr. Vargas sent a formal letter and a list of prominent Filipinos who became members of the Council of State. These Filipinos were invited to the U.S. High Commissioner's building and a photograph was taken.

## XVIII

The high command of the Javanese Army later selected the people who were to become members of what was known as the Executive Commission (Ad. Order No. 1, Jan. 23, 1943, addressed to Jorge Vargas). Mr. Jorge B. Vargas became chairman, Benigno Aquino, Commissioner of the Interior, Antonio de las Alas, Commissioner of Finance, Jose P. Laurel, Commissioner of Justice, Rafael Alunan, Commissioner of Agriculture and Forestry, Claro M. Redo, Commissioner of Education and Public Welfare, Quintin Paredes, Commissioner of Public Works and Communications, and Teafilo Sison, Auditor General and Director of the Budget. I pleaded to Mr. Vargas that I be retained in the Supreme Court, but he said that could not be done because the High Command of the Japanese Army had already decided. I forgot to state that Mr. Jute Yulo became the Chief Justice of the Supreme Court in this setup. I think that the Executive

Commissions was formally organized Jan. 23, 1942, although we received our appointments as commissioners several days later.

## XIX

In my capacity as Commissioner of Justice. I endeavored to retain everybody and to leave the organization undisturbed. But the military people began to interfere, to submit appointments and actions for approval; I was surrounded by a group of military advisers who were utterly incompetent and unfamiliar with the progress and development of juridical science in other parts of the work' and it soon became unbearable. Members of the *Kempeitai* (military police) would appear before courts and judges and ask for the dismissal of cases which were actually being tried. In one case, Judge Cervasio Diaz, of the Court of First Instance of Manila had to abide by the desire of the military people on account of fear. In another case, a fiscal of the City of Manila in the course of an investigation of a criminal case had to run away and hide under a table when an agent or officer of the military, accompanied by a *Japanese* interpreter who was apparently interested in the case, began slapping everybody in the mom. Other incidents occurred; and, in the prey-nee, it was worse. To give at least a semblance of regularity to the administration of Justice I issued a circular prohibiting dismissal of raw pending trial or investigation except in due course of legal procedure. For this circular. I *was* asked to report to Fort Santiago and detained for three hours and asked to repeal the circular. Mr. Emilio Abello who was my brilliant assistant commissioner *is* in a position to give the necessary information pertaining to the administration of justice during this time.

## XX

Each commissioner must have had his *bitter* experience this time. Mr. *Vargas* is in a better position to give an account of what had transpired during this period, he being the chairman of the Council of State and of the Executive Commission. The official acts of the Executive Commission are a matter of record. The government was reorganized, administrative orders issued by the Chairman of the Executive Commission on matters covering an extensive field, including city, provincial and municipal administration. What the Japanese military authorities wanted had to be done. Consul Kihara received the military orders and instructions for Mr. Vargas. We were made to send cables to President Roosevelt and President Quezon and a manifesto to the fighting Filipinos in Bataan and Corregidor. To save ourselves and avoid retaliatory measures from the Japanese, all these things had to be done. The cruelties in dealing with Filipinos since Japanese occupation and the very idea of "Fort Santiago" had stricken terror in the hearts of the Filipinos. We protested and demonstrated, but to no avail; they did what they warned. Perhaps the only consoling feature was our intervention in behalf of war prisoners. We were allowed to tile a petition for their release (after many had perished) ; we were able to intercede in behalf of Gen. Manuel Roxas who was a prisoner of war in Mindanao (I talked personally to Gen. Homma-- in behalf of Gen. Roxas and Chief Justice Abad Santos but the latter seemed to have been executed already). Aquino and I also talked to Gen. Hayashi in

behalf of these two Filipinos. We tried to help the prisoners of war by giving them what we could in the midst of antipathy of the Japanese. I had in the Department of Justice Gen. Alberto Ramos, Col. Poblete and Col. Sevilla and others, and in the Department of the Interior a special section was organized to give these ex-prisoners of war temporary employment or relief. They had to live: and there was nothing left undone in this direction. The same efforts were made in Malacanan and in all the departments, bureaus and offices of the Government

## XXI

Much more perhaps could be said of the Executive Commission but reference to the official records becomes necessary. The Executive Commission covers a period from Jan. 23, 1942 to October 14, 1943—about 1 year and 8 months announced that the policy with respect to the Philippines was to give her independence as early as possible upon tangible evidence of collaboration with Japan in the establishment of the Co-prosperity sphere. This policy was reiterated by him in a subsequent pronouncement and re-affirmed on the occasion of his first official visit to the Philippines. There was some kind of excitement but no spontaneous or genuine rejoicing on the part of the people in general. There was doubt as to what kind of independence it was going to be. The association with the Japanese was full of misgivings; the general impression being that the political education of the Japanese was inferior to the Filipinos and that their methods were feudal, cruel and inhuman. The more intelligent group recalled the experiences of peoples of *China*, Manchukuo, Korea and Formosa. On the other hand, the star being still in progress, it was felt that the granting of independence was not opportune. General Roxas and I discussed this point and we coincided in the expression of this view and of the precarious character of independence once obtained. He and separately transmitted this view to Gen. Wachi, the Chief of Staff of the Japanese Army in the Philippine. We became convinced that the granting of independence to the Philippines was part of the general plan of Japanese political propaganda "to emancipate the peoples of Greater East Asia" and could not be deterred; some Filipinos expressed the opinion that refusal to accept the offer of political independence would place the Filipinos in an awkward position many, on the other hand, said that any change from the 'military administration would be an advantage to our people; and all agreed that after all, in the end, the United States would understand the predicament in which the Filipinos (mind themselves).

## XXII

As early as January 21, 1941 December, 1942 *the* Kalibapi (Kapisanan sa Paglilingkod sa Bagong Pilipinas) was organized by the Executive Order of the Chairman of the Executive Commission at the instance of the military authorities (the idea was, I think Gen. Wachi's) patterned after the Yoko Sankai of Japan and the Concordia of Manchukuo. The fundamental idea behind it was the abolition of all political parties and the integration of all the Filipinos for purposes of an effective totalitarian government and the realization of the ideals expressed in the order. The Chairman of the Executive Commission *was* made the President and Mr. Benigno Aquino, then Commissioner of the Interior, made the Vice-President and Director-

General of the Organization. The military authorities offered all facilities, including financial, and a separate central office established in Manila with ramifications in the provinces and municipalities which *were* under Japanese control. Because of the transfer of Mr. Aquino to the Kalibapi I was moved from the Department of Justice and became the Commissioner of the Interior.' I requested Chairman Vargas to keep me in the Department of Justice but he told me that my transfer had been decided upon by the high command of the Japanese Army.

#### XXIV

Peace conditions were very bad; when I assumed office Gen. Jose de Ion Reyes was at the head of the Constabulary organized and "rejuvenated" by the Japanese military authorities; several constabulary academies were established by said authorities; and many Filipino war prisoners were made to enter these academies. Many of them entered because they had to live and had no other means of survival. Gen. Francisco, Col. Arsenio Natividad and Col. Alberto Ramos were later made director and assistant directors, respectively, of the organization. The provinces and municipalities being under my administrative supervision as well as the Constabulary, I was placed by Chairman Vargas at the head of the pacification campaign and each commissioner was assigned a district This pacification campaign was not only a requirement of the Japanese military administration but the only alternative, in the opinion of the members of the Executive Commission, if something had to be done to minimize the killing, among other things, of so many people. The Japanese, true to their announcement, (soon after the cremation of Manila) for every Japanese killed, wiped out men, women and children and even the inhabitants of an entire barrio. The Filipinos, on the other hand, were killing each other. Many styled themselves as "mientres" when in reality they were not, and had no political ideology whatsoever. Many of them robbed or killed to rob. Gen. Roxas told me that the idea of Gen. MacArthur was for the guerillas to "lie low" until the opportune time and that this had reference to genuine guerillas and not to groups devoted to rapine and banditry. This must be the case if the Filipinos were to have any chance of survival Hence in our pacification campaign in Davao, General Francisco who accompanied the party. and Major Batongmalaque who was the senior inspector of Constabulary in Davao, were in contact with guerilla leaders who assumed the obligation to protect the people outside the cities and towns. This information was confidentially transmitted to me by Gem Francisco in a hotel in Davao. It was here in Davao, when crossing a flooded river, that we almost lost our lives when the ferry-boat was carried by the current, hit a dynamited bridge and capsized. The principal members of our party were. Mr. Benigno Arstino, Asst. Commissioner Arsenio Bonifacio. Gem Francisco, and Adviser T. Shiohara. We returned to Manila about the end of May, 1943.

#### XXVII

As Commissioner of the interior, I also had supervision over games and amusements. The Department of the Interior had a separate division in charge of games and amusements. It was in this division that we were able to take care of many released prisoners of war. Upon arrival from Mindanao. I had to decide a case involving the fraudulent character of a horse race, held in the San Lazaro Hippodrome. I appointed Col. Telesforo Martinez, an honest and upright veteran, then Chief of the Public Order Division to make the inquiry immediately. He submitted a report upon receipt of which I ordered the dismissal of the judges, the disqualification of a jockey — the details I don't remember — and cancelled the race and ordered the devolution to the public of the amount or amounts involved in the controversy. This decision, I was informed, incurred the dissatisfaction of the persons adversely affected.

## XXVI

Early morning of June 5, 1943, while I was playing golf at the Wack Wack Country Club in Mandaluyong, with Dr. Nicanor Jacinto, President of Far Eastern University Nicanor Reyes, Dean Leoncio B. Monzon Liling Roces, Aurelio Montinola, Sr. and Enrique Katigbak in two groups. I was treacherously shot from behind just about 12 or 15 yards, from Tee No. 7 where I was standing by. With the help of Dr. Jacinto, Dean Monson and Pres. Reyes, I was taken to my car and moved to the Philippine General Hospital where I was attended by Drs. Antonio Sison, Nicanor Jacinto, Ramon Macasaet, Juan Estrada, Fortunato Guerrero, Col. Ishii and others. I stayed in the hospital for about two months.

## XXVII.

There was a great deal of discussion as to why I was attacked. I myself, to the present day, do not know. The current belief was because I was a pro-Japanese. The other version was because of the San Lazaro incident mentioned in the preceding paragraph. I, of course, deeply resented the cowardly and treacherous character of the attack, but I felt more the accusation that I was pro-Japanese was not pro-Japanese. Furthermore, I was in the government against my wishes and if I remained it was because of specific instruction of President Quezon and deeply my heart I could not love the Japanese more than my own people. The other reason (San Lazaro incident) was also possible but seemed to have been discarded by the Japanese military and Filipino civil authorities. Motive of personal character was likewise discarded because I had no personal enemies. Because of the position I held in the Executive Commission which was the civil agency created by the Japanese military authorities, the *Kentpeitai* (Japanese Military Police) arrested a number of people and after a few days published the photographs of some four or five persons said to have been killed or executed for alleged attempt against my life. I told the Military Police (through Captain Yanase) that I did not believe they were the authors of the crime and that the finding of the Manila Police under Col. Torres seemed more rational pointing to a certain "Little Joe" as the guilty party. He (Little Joe) had great physical similarity to the man who had assaulted me at the Wack Wack golf course. This Little Joe was later demanded by the *Kempeitai* but I told them that I was not certain whether he was the man and that they (the Japanese) having already found (according to them) and executed the guilty

parties without consulting me. this man (Little \*Joe) should not be executed. This attitude of mine reached the knowledge of some people and I received an anonymous letter admiring "my bigness of heart" The truth is that, having assumed the obligation to help my people to survive and to tide them over to better times I did not want to be in anyway responsible for the killing or suffering of any of my countrymen. I condemn. cowardice and treachery but I must respect the political ideology of people plunged into desperation in a situation in which I played an important role.

## XXVIII

Whatever the reason or motive behind the shooting at Wack Wack, I attracted considerable public attention. My survival was marvelous. The people who have known me, the sacrifice I was making, the instruction I had received from President Quezon. my own public record, my little reputation earned during more than 35 years of public service brought me more forcibly to the attention of the Japanese administrators. And so, when the preliminary steps had to be taken with a new to Philippine independence I was at the head of the list of the Filipinos who were to integrate the Preparatory Commission for Philippine Independence.' The members of this Commission were, it is true, named by the Kalibapi which had been specially called for the purpose. but the selection had to be made from the list informally submitted by the military police. I became chairman of the Preparatory Commission when I was still confined in the Philippine General Hospital; Don Ramon Avanceria, the first vice-president: Don Benigno Aquino. 2nd vice-president: and Messrs. Caro M. Recto, Quintin Paredes, Jose Yulo, Chairman Varga Emilio Aguinaldo, Sultan Sa Ramain., Pedro Sabido, Manuel Mons, Col. Osiers. Teofilo Sison, Antonio de las Alas, Melecio Arran; Vicente Madrigal, Rafael Munan, Miguel Unson, Manuel Briones, Emilio Tria Tirona and other members. We proceeded to organize accordingly to prepare a constitution. for the Philippine Republic as we were urged. The first two meetings were presided over by Don Ramon. Advancena. The third meeting I convoked in the Philippine General Hospital in a room opposite mine in Ward No. 20 or 22. I submitted a plan indicating two alternatives. After several meetings the firs: draft was approved and submitted to the Convention of the Kalibapi and approved. The discussion, incidents and difficulties are not here mentioned as reference to the record of proceedings and other documents is necessary. Judge Proceso Sebastian was the Secretary of the Preparatory Commission.

## XXIX

After the approval of the Cor.stitution of the Republic of the Philippines, the National Assembly had to be organized. The Executive Commission promulgated an election law under which an election was held in the manner provided. Most of the former members of the Legislature of the Commonwealth Government were returned. Hon. Benigno Aquino was unanimously elected Speaker and thereafter I was unanimously elected by the National Assembly President of the newly established Republic of the Philippines. The details, pertaining to the election, organization, etc. of the Assembly are omitted. But it should here be mentioned that Chairman Vargas participated as President of the Kalibapi.

## XXX

After my election and that of Speaker Aquino, we (Aquino, Vargas and I) were invited (requested) to go to Tokyo to pay our respects and to report. Mr. Vargas as the retiring chairman of the Executive Commission, and Speaker Aquino and I as newly elected Speaker and President of the impending Republic of the Philippines, respectively. I think we left the Philippines on or about September 29, 1943, by plane: passed the night at Fukuoka and arrived at Tokyo Haneda airport) the following day. We remained seven! days (3 or 4) in Tokyo; we paid respects to His Majesty, the Emperor and registered our names as visitors of other members of the Imperial family, a banquet was given in our honor by Premier Hideki Tojo in the latter's official residence and official calls were made on the Ministers of War, Navy Foreign Affairs and of Greater East Asia. The most transcendental event, however, was the invitation extended to us by Premier Tojo in the afternoon of the day following our arrival in Tokyo. After ordinary salutations, we were closeted in a conference room adjoining the reception room of his official Residence; Messrs. Jose G. Sanvictores and Leon Ma. Gonzales who accompanied us to Tokyo were not allowed to be present; and after Premier Tojo, Minister Shigemitsu (Foreign Minister) and Aoki (Minister of Greater East Asia), Ambassador Murata, Gen. Wachi and others had taken their seats around a rectangular table, Premier Tojo rose and read his instructions (translated by Mr. Hamamoto) asking us to declare war against the United States and Great Britain. I was seated in front of Premier Tojo and Mr. Vargas was seated on my right while Mr. Aquino, on my left. It was a shock to all three of us; we did not expect this instruction and we were not prepared to meet it on the spot. I silently prayed and said the Pater Noster. After the translation by Hamamoto of the speech of the Premier I got up to say as politely as I could that I could not comply with the request. I said that my people would not approve of it; that I could not carry them; that I have never been a popular leader, the three powerful leaders of the country being Messrs. Quezon, Osmeña and Roxas; that even if I should be willing to do what they wanted me to do, I would be a leader without any following because the Filipinos were opposed to such a step; and that it would not be "decent" for the Filipinos to declare war against the United States that was their benefactor and ally and that only unworthy people could be expected to do that. The unprepared reply seemed to have impressed Messrs. Vargas and Aquino and I was congratulated by them. Afterwards, I was given a copy of this speech of the Premier which I took along with me to the Philippines. After the meeting, I also met Messrs. Sanvictores and Gonzales who were waiting for us in the reception room. I reported confidentially all that transpired to my cabinet and council of state and, I understand, Speaker Aquino also gave an account to the members of the National Assembly. I realized that I was in a most difficult situation. The atrocities reported to us, the Japanese feudal and cruel methods had created a deep hatred against the Japanese and I wished I had not been in this predicament of leadership. When at this time (September 30, 1943) we were asked to declare war against the United States and Great Britain it was evident that independence was being granted with that price; but we could no longer back out. In the language of Tojo our choice. was between extermination or freedom. (Guest House visit). — Personal conf. - Jan., 1943 - Vargas Commission.

## XXXI.

We, (Vargas, Aquino, Sanvictores and Gonzales) returned to the Philippines in the early part of October and on the 14th of that month inaugurated the Republic of the Philippines with appropriate ceremonies. (The details of inauguration may be written later). In the afternoon of the same day--if I remember correctly—the Republic was made to sign a Pact of Alliance? – political, economic and military (military with reference to the defense of the independence and territorial integrity of the Philippines) and this was done by Claro M. Recto, the Minister of Foreign Affairs of the new Republic. The setup of the Republic was promptly accomplished by the retention of all the Commissioners of the Executive Commission and later the creation of one or two more departments; the retention practically of all those then in the Government service; the extra-legal creation of the cabinet at large in which the Speaker and the Chief Justice of the Supreme Court are ranking members, in the order mentioned, with the President; the formation of a Council of State as provided in the Constitution under the chairmanship of D. Ramon Avanceña; the creation of an Economic Planning Board under former Speaker Manuel Roxas; the reorganization of the *Naric* and the creation of the *Biba*; the establishment of a council of scientists to help, among other things, in the solution of the food problem and a board thereunder to undertake investigation in the field of medicinal plants; and other official activities which are a matter of record and may be verified.

## XXXII

The frequent change of command of the Japanese Army (from Homma to Tanaka to Kuroda -- to Terauchi — to Yamashita), the arrests, tortures and disappearance of good people; the inattention to and disregard of our pleas in behalf of our people; the commandeering of houses, animals, automobiles, trucks and properties of private citizens; the confiscation of food supplies; the complete disregard of human dignity; the conqueror's complex; the low non-christian civilization of the great mass of these conquerors; their domination of and dictation to our Government and Government officials -- the preaching contrary to actual deeds — these and more made it evident that the Filipinos were doomed under Japanese occupation or influence and that we were correct in simply trying to do what had to be done for the purpose of tiding our people over to better times; and that I was correct in repeatedly announcing that the primordial policy of the Government was that of national survival." It was during this time that as a matter of duty and personal admiration — to prevent liquidation — that I asked General Roxas to join the Government in any capacity. General Francisco had to transfer to Malacañan as my adviser on peace and order because I was told he would land in Fort Santiago because of his connection with the guerillas, and had on that account to appoint Gen. Paulino Santos as Commanding General of the Constabulary; I had to advise Gen. Mateo Capin pin to play safe and he realized the menace from the military police, and so with many ex-service men of our Philippine Army,

like Gen. Alberto Ramos, Gen. Simeon de Jesus, Col. Martinez, Col. Poblete, Col. Sevilla, Col. Castañeda and many others.

### XXXIII

Since I assumed the office of President in the midst of hardship and suffering of our people and after the attempt against my life, I became intensely religious. Everyday and evening, I would go down to the chapel of the Palace, unnoticed, to pray. After the prayer, I felt greatly relieved. Every Sunday morning I invited my colleagues in the Cabinet and other friends to hear Mass in the Malacañan chapel and thereafter to take breakfast with me and then play golf on the other side of the Pasig River. Those who frequently came were Gen. Roxas, Don Ramon Avanceña, Chief Justice Yulo, Minister Recto, Minister Arsenio Luz, Minister Sabido and Secretary Abello. My deep and sincere concern was the salvation of our people. I ordered that everything that Malacañan had be given to the people, especially to the poor and suffering masses. I prohibited social functions in Malacanan. I even prohibited people calling on me on my birthday. I prohibited the giving of gifts to me and to high Government officials for any occasion. And I imposed upon myself and the members of the cabinet the one-course meal service in banquets and regular gatherings. Even in official banquets which we had to give, only one course had to be served. I silently endeavored to share and feel the suffering of our people. I did not overlook the families of people who were away. Secretly and frequently without success I instructed Mrs. Pecson, superintendent of Malacañan Palace, to help Mrs. Osmeña, Mrs. Romulo, Mrs. Valdes, Mrs. Abad Santos and others. Mrs. Pecson is in a better position to state what had been accomplished in this humble, yet sincere attempt. By instinct or some kind of premonition, my wife refused to live in Malacañan, Aside from her aversion to social life she did not like the Palace. I had to go to our modest Peñafrancia home after office hours every day and spend the night there with my wife and children. It was only about three months after my inauguration that she came to visit me in Malacañan and joined Mrs. Trining Roxas (wife of General Roxas) and Mrs. Angela Zobel (wife of Major Jake Zobel) to view the exhibition of cinematographic films in the Palace's formal dining room.

### XXXIV.

. The days of my presidency were hectic days. Every day was a day of reflection and prayer. On my inauguration I wanted to visit the Sto. Tomas concentration camp and offer some material relief to my American friends. I wanted particularly to see Mr. Clyde C. DeWitt, my first American teacher in my native town, my lawyer in a case I had in my boyhood days and later my professor in law at the University of the Philippines; but I was sternly cautioned against it because it would be misunderstood by the Japanese. Instead, I visited the Philippine General Hospital where I saw and shook hands with Theo. Rogers (Business Manager of the *Free Press*) who whispered to me that he understood the situation; and also Mr. Heindenreich, formerly

superintendent of schools of Batangas. I was accompanied by Dr. Antonio G. Sison, Director of the Hospital on this occasion. I also visited the disabled Filipino war veterans in Calle S. Rafael, and the charitable and social welfare institutions all over Manila. God knows how deeply I sympathized with them.

### XXXV.

Bearing in mind the instruction I had received from President Quezon --- (with the approval of Gen. MacArthur) *vide* pars. IX-XI — after prayers and meditation, I boldly announced my *national policy*, my *political ideology*, and my *moral philosophy* in my speeches, interviews and conferences. The fundamental national policy, I said, was that of *national survival*. All around us was devastation and suffering. No food, no medicine -- not enough at least of the essentials of life. Means of communication and transportation disrupted; we could not drive away the Japanese because they proved stronger - but we must live and survive as a people, we must tide over our people to better times and for this purpose we must unite, love one another, stop killing one another because only the Filipinos can love the Filipinos. No foreigner can pretend to love the Filipinos more than the Filipinos themselves. As to the *political ideology*, I said that the dream and aspiration of Filipino heroes and patriots have always been complete and absolute political freedom for the Philippines and that all true Filipinos are pledged to the realization of that ideal. I therefore stood for a Government of the Filipinos, by the Filipinos and for the Filipinos exclusively and alone without the interference of, or injunction, or dictation from a foreign power. I announced that my *moral philosophy* - the deeper foundation of my administration was that of righteousness which is divine and is common to all religions worthy of the name; that man lives in the triple world, physical, intellectual and moral; that physical and mental vigor (*mens sana in corpore sano*) is not enough, but that man's life must be dominated by moral principles. I therefore concluded that *righteousness* was the foundation of genuine popular and political leadership (Service to the people on the basis of Righteousness)

**Lopez, Salvador P. “Bataan has Fallen” Presidential Museum and Library. Accessed October 28, 2020. <http://malacanang.gov.ph/1226-bataan-has-fallen/>**

A well-written but little-known broadcast piece about the struggle of the Filipino and American soldiers, "Bataan has fallen" is the surrender announcement of the Filipino and American forces against the Japanese forces during the World War II. It was radio broadcasted inside Malinta tunnel in the evening of April 9, 1942. This message was written by Captain Salvador P. Lopez, who later became the Philippine Ambassador to the United Nations and President of the Univeristy of the Philippines. The announcement was delivered by 3<sup>rd</sup> Lieutenant Normando Ildefonso "Norman" Reyes on the "Voice of Freedom" radio broadcast.

EXCERPT:

**RADIO BROADCAST MESSAGE, AS WRITTEN BY CAPTAIN SALVADOR P. LOPEZ,  
DELIVERED BY THIRD LIEUTENANT NORMANDO ILDEFONSO “NORMAN” REYES ON  
THE “VOICE OF FREEDOM” RADIO BROADCAST OF APRIL 9, 1942 FROM MALINTA  
TUNNEL, CORREGIDOR:**

Bataan has fallen. The Philippine-American troops on this war-ravaged and bloodstained peninsula have laid down their arms. With heads bloody but unbowed, they have yielded to the superior force and numbers of the enemy.

The world will long remember the epic struggle that Filipino and American soldiers put up in the jungle fastness and along the rugged coast of Bataan. They have stood up uncomplaining under the constant and grueling fire of the enemy for more that three months. Besieged on land and blockaded by sea, cut off from all sources of help in the Philippines and in America, the intrepid fighters have done all that human endurance could bear.

For what sustained them through all these months of incessant battle was a force that was more than merely physical. It was the force of an unconquerable faith—something in the heart and soul that physical

hardship and adversity could not destroy! It was the thought of native land and all that it holds most dear, the thought of freedom and dignity and pride in these most priceless of all our human prerogatives.

The adversary, in the pride of his power and triumph, will credit our troops with nothing less than the courage and fortitude that his own troops have shown in battle. Our men have fought a brave and bitterly contested struggle. All the world will testify to the most superhuman endurance with which they stood up until the last in the face of overwhelming odds.

But the decision had to come. Men fighting under the banner of unshakable faith are made of something more than flesh, but they are not made of impervious steel. The flesh must yield at last, endurance melts away, and the end of the battle must come.

Bataan has fallen, but the spirit that made it stand—a beacon to all the liberty-loving peoples of the world—cannot fall!

All of us know the story of Easter Sunday. It was the triumph of light over darkness, life over death. It was the vindication of a seemingly unreasonable faith. It was the glorious resurrection of a leader, only three days before defeated and executed like a common felon.

Today, on the commemoration of that Resurrection, we can humbly and without presumption declare our faith and hope in our own resurrection, our own inevitable victory.

We, too, were betrayed by Judases. We were taken in the night by force of arms, and though we had done wrong to no man, our people were bound and delivered into the hands of our enemies. We have been with mock symbols of sovereignty, denied by weaklings, lashed with repeated oppression, tortured and starved. We have been given gall to drink, and we have shed our blood. To those who look upon us from afar it must seem the Filipino people have descended into hell, into the valley of death. But we know that the patient and watching men who said their simple prayers in the hills of Bataan, have not lost faith, and we know that the hushed congregations in the churches throughout the land, drew from the gospel as Mass renewed hope in their resurrection. To all of them we give today the message of the angel of Easter morning: “Be not afraid, for He is risen.”

We, too, shall rise. After we have paid the full price of our redemption, we shall return to show the scars of sacrifices that all may touch and believe. When the trumpets sound the hour we shall roll aside the stone before the tomb and the tyrant guards shall scatter in confusion. No wall of stone shall then be strong enough to contain us, no human force shall suffice to hold us in subjection, we shall rise in the name of freedom and the East shall be alight with the glory of our liberation

**Recto, Claro M. *Three Years of Enemy Occupation, The Issue of Political Collaboration in the Philippines*. Manila: People's Publishers. 1946.**

Claro M. Recto held positions under the Laurel administration during the Japanese occupation. He was the Commissioner on Education, Health and Public Welfare from 1942-1943 and the Minister of State for Foreign Affairs from 1943-1944. After the war, he was arrested and tried for collaboration. In 1946, he wrote a defense and explanation of his stand in his book, *Three Years of Enemy Occupation* which narrated the views and actions of the Filipino elite during World War II. Known for his academic excellence and nationalist ideas, Recto fought his legal battle in court and was acquitted.

In this excerpt, Recto highlighted the different views of the Americans and the Filipinos on the issue of collaboration. According to him, the Americans who remained in the security of their homes and were miles away from the brutality of the Japanese forces cannot appreciate the courage of the Filipinos who faced the brutality of the Japanese conquerors. The Filipino leaders on the other hand were more aware of the nature and character of events in the Philippines and should not be “judged by standards of post-liberation thinking.”

**EXCERPT:**

*Differences in points of view between Americans and Filipinos on the question of collaboration*

Three and a half years under the Japanese rule the Filipinos suffered a living death. They came to expect that each day would be their last upon this earth. They went through, 111 nameless tortures and indignities. Hunger was to them a physical, gnawing pain, to which hundreds succumbed daily in the streets, in the internment and prison camps, in the filthy dungeons of the military police. The American planes that began to come in September 1944, sweeping and irresistible, caused damage to civilian properties and casualties among the people. Later, more of them were to meet death on the beaches bombed and shelled by Americans, in contested areas in the path of their advancing forces and, finally, in the terrible holocaust that reduced Manila and other cities and towns into rubble and ashes. Still, the Filipinos kept their faith. For their loyalty to the United States they paid the supreme price in countless innocent men, women and children abused and butchered by the Japanese, in thousands of homes destroyed; but even that was not too much to pay for redemption and, they hoped, for the peace that was to follow.

However, it seems that peace and concord are not for them. Openly or behind the scenes, forces are selfishly at work pulling wires that may plunge the country into more suffering and more misery. Now that the Filipinos need more than ever to be united, they hurl accusations and

recriminations against one another, the bitterness of which is in no way assuaged by the American leaders who, having expressed concern for their present situation, should be among the first to deplore the existence of internal dissension here. These men against whom principally the accusations are made have so far kept their silence; their hearts they still preserve the solicitude that, during all their years of public service, they have felt for the country and for the people; and in the spirit of true leadership that those years have instilled in them, they did not wish to make matters worse by accepting their accusers' challenge to a public discussion, which would be unavoidably fraught with passion and prejudice.

Those who alone can pass is easy to defy the enemy if one is thousands of miles away.

They have unquestioning faith in the judgment of their countrymen who remained here with them under the Japanese rule and saw at first hand their acts and inner motivations. The man in the street, the humble farmer in the field, the employee in the government, the true guerrilla who fought and suffered a thousand hardships not because of ambition for personal glory and postliberation political power, but because of pure desire to help the American cause; yes, the American prisoner of war and civilian internee—these are the ones who are in a position to pass correct judgment upon these leaders, because together they inseparably underwent, bore the brunt of, and pulled through three long years of Japanese hell on earth. Not those who were able to escape abroad to engage in profitable undertakings or who fled to mountains not to fight the enemy but for reasons of personal safety, and lived there in comparative comfort and ease of mind, coming out of their self-exile and hiding enriched and acclaimed as heroes and superpatriots, only after the Japanese had all but surrendered to the returning victorious American armies. And certainly not those who are without that virtue of humility which is the beginning of wisdom—those pharisees who themselves served in the two puppet governments and their instrumentalities if only in a subordinate capacity and then retired when they found that the buy-and-sell mart was more profitable, and now appear, after the Japanese have been driven out, in heroes' and patriots' clothing, because in their peacock's vanity they fail to perceive that they too have feet of clay.

At this juncture, it seems opportune to remind ourselves of the words of a French physician, a member of the French underground. to Demaree Bess, who quoted the statement in his article 'Which Way Will France Go?' appearing in the Saturday Evening Post's issue of November 18, 1944: 'Frenchmen who lived abroad came back here with preconceived notions about so-called collaboration, notions which are nosy being altered. It was easy, in New York or London, to be openly defiant of Germans, and it was tempting for the emigres to be self-righteous when they first returned home. But as they talk with those of us who stayed here, they are beginning to understand better what it meant to live under German occupation. The overwhelming majority of Frenchmen never left France, and their judgments about who were and who were not collaborators are beginning to prevail.'

*The American point of view*

Washington high officials and the rest of the American people who throughout the war remained in the security of their homes thousands of miles away cannot begin to appreciate the utter misery and defenselessness of the Filipinos in the face of the unexampled brutality and lack of principle of the Japanese conqueror. They cannot truly understand the bargainings, the evasions, the temporizings and the show of apparent cooperation with which the Filipinos had to placate the ruthless invader until America could organize and bring back here her mighty armed forces. At best, the American point of view with respect to the Philippines could not but be purely objective, so much so that according to Admiral Richardson, former Pacific Fleet Commander, in his recent testimony before the Pearl Harbor Investigating Committee. President Roosevelt told him in 1940 that he (the President) doubted whether the United States would enter the war even if Japan attacked the Philippines, but that the Japanese could not always avoid making mistakes. That mistake was the attack on Pearl Harbor. At the hearings before the Congressional Committee investigating Pearl Harbor it has been disclosed that in the high command conference held in February 1941, General George C. Marshall, then and until recently Chief of Staff, made the following statement: 'We really have two active defense issues—the Panama Canal and Honolulu. They are the two great outposts of our defense. We have some troops in the Philippines but the Philippines are so weak they could not be defended against any first class power. They would have to be sacrificed.' General Marshall testified also before the committee saying that "he knew of no agreement before the Pearl Harbor attack committing the United States to war unless she was attacked."

After these meaningful revelations, paradoxical though it may sound, we Filipinos should feel happy that the Japanese made the mistake of attacking Pearl Harbor. That mistake decided the fate of Filipino democracy and civilization. Had the Japanese attack been directed against the Philippines alone, the Filipinos, out of their loyalty to America, would probably have been in the tragic situation of fighting America's war without America even being a belligerent. That, as the Americans would say, would have left the Filipinos hanging out on a limb. And with America out of the war, the Philippines, after a futile resistance which could have lasted month only, would have been definitely incorporated into the Japanese empire, not even as an ostensibly sovereign member of the co-prosperity sphere, because such propaganda stunt would have been superfluous, but as a mere colonial possession like Korea and Formosa.

But Pearl Harbor was attacked and America entered the war. It was not America, however, but the Philippines that became the gory battlefield of the war, and for over three years was virtually converted into one big prison camp. It was not American cities that were destroyed, American homes burned, fields laid waste, food supplies confiscated, private belongings looted, population

decimated by the action of the ruthless enemy. No American in the United States was deprived of his home and thrown into the street; or ever lived in stark, abiding fear of the Japanese spy and military police; or found himself between "non-cooperation" and the enemy torture-chamber; or felt the sting of a slap in his face, the cold steel of a bayonet in his entrails, the pain of burning flesh, or any of the countless torture methods employed by the Japanese. It was only natural that the primary concern of the United States should be to win the war and to save as many American lives as possible in the process. The retaking of the Philippines was not an end in itself but part of an overall strategic plan. And when it came to the final execution of that plan, the objective approach toward the plight of the Filipinos had to be maintained, even at the cost of almost completely obliterating Manila and other cities and towns and killing thousands of civilians as a result of the intense bombing and shelling.

### *The Filipino point of view*

On the other hand, the Filipino leaders who were left here. During the occupation could not, for the very reason that they are Filipinos, adopt the same detached attitude toward their country. They had to tax their ingenuity and make the most of their practical wisdom to meet the grave implications of the enemy invasion and occupation, in the face of the defenselessness and bewilderment of the people. They had to feign cooperation and pretend to play into the hands of the wily enemy because the latter was not only suspicious but already convinced that the Filipinos were just waiting for the opportune moment to strike back. True they wished, as fervently as did the Americans themselves, an American victory. But at the same time, while they could not plan to bring about that victory they had to face perplexing problems that were immediate and no less urgent. While their faith in the ultimate triumph of American arms never faltered, they had to plan not for a month or two of enemy rule but for a protracted period that might well drag for many years. For America was, by her own admission, hopelessly unprepared and the prodigious scientific achievements and productive power that were to turn the tide eventually in her favor were not then reasonably foreseeable in the near future. In the midst of those terrible realities this handful of Filipino leaders was entrusted with the task of looking after the well-being of their own people and trying to save the country from abject misery, even possible extinction. How well and effectively they went about that task, only those whom they served are competent to judge, not those in whose very selfishness the enemy found comfort and assistance. President Osmena himself, in his Leyte speech, said that there were those among the men who held public office during the Japanese occupation who were prompted by a desire to protect the people and comfort them in their misery, and to prevent the Japanese from governing directly and completely or utilizing unscrupulous Filipino followers capable of any treason to their people.

So, while the Filipinos who headed the government under the Japanese occupation, intent as they were upon speeding up the liberation of the Philippines, were exultant over the formation of

guerrilla units, because these meant so much to the American war strategy, they could not, on the other hand, feel so happy when the unwitting exploits of some of the guerrillas brought about reprisals and death to whole communities of innocent people. And while the Americans, unaware of the real nature and character of the events here, could close their eyes to the countless robberies, rapes and murders committed by lawless elements in the name of the resistance movement but really prompted by lust and personal vengeance, if not from motives of banditry pure and simple, these Filipino leaders could not so callously ignore them but, being powerless to repress them effectively, at least had to morally condemn them, because such horrible crimes and abuses had for their victims thousands of Filipinos and in the end weakened the power of resistance of our people against the common enemy.

The conduct and actuations of the Filipino leaders cannot be judged by standards of post-liberation thinking.

Some would say that for all their good intentions the efforts of these Filipino leaders were of no avail, as they were not able to prevent the enslavement of the people. Considering the implacable enmity and bitter resentment between the Japanese and the great masses of the people, which was daily coming to a crisis, and the deep distrust professed by the Japanese toward the Filipino officials, it is doubtful whether any group of men could have done better in the interest of their people. It is a matter of public knowledge that there was at the time a current saying among the Japanese to the effect that with the exception of Ricarte and Ramos and their followers, the Filipinos were ninety-five per cent pro-Americans and five per cent liars. Under those circumstances their efforts to protect the people could not meet with eminent success. But that fact does not make them criminals; and it is unfair to judge their actuations at the time, when the nation was dazed by defeat and everything was chaos and confusion, through the perspective of victory and by the present standards of post-liberation thinking. They started with hopefulness in the efficacy of what they had expected to do, but they could not then know the relentless character of Japanese bestiality and double-dealing they had to put up with later on, progressively became worse as the Japanese realized more and more the hostility and double-crossing tactics of the Filipinos, officials and masses alike. At any rate the events of the last four months of the occupation have shown that if there had been no pretense of co-operation the indiscriminate slaughter of the Filipinos would have been carried out from the beginning and there would have been only a handful of them left to liberate in the end.

*What would the Americans have done?*

It would be interesting, from the academic point of view, to know what would have happened if the Japanese had pressed their initial success at Pearl Harbor and actually occupied Hawaii or some part of the American mainland along the Pacific coast. Would the Americans in those

places have shown an absolutely uncompromising stand and resisted the enemy to the last unarmed and defenseless man? Or while biding their time would they have also temporized and bargained for terms that would give them at least a reasonable chance of survival? The Americans in the Philippines, both soldiers and civilians, who surrendered to the Japanese or were captured or interned, did exactly this. Self-preservation, individual or national, is an instinct common to men of all races and to all countries of the world. If the war had been between the Philippines and Japan as the principal belligerents the Filipinos would probably have found some measure of protection in that very status. But the war was between the United States and Japan, and the Philippines became involved only because it was under American sovereignty. It was a situation that was exploited to the fullest extent by the Japanese and made the basis of their propaganda that the Filipinos were not their enemies but brother Orientals whom they had come to free. At the same time it was used to justify the measures of coercion and punishment they employed, because if the Filipinos were not enemies they could not plead their pro-Filipinism as an excuse for openly refusing to cooperate with the Japanese. Such refusal meant, in the Japanese eyes, only one for and attachment to the Americans, and this in turn meant certain torture or death.

Not only the Americans in the Philippines at the time of Pearl Harbor but also the Filipinos were sacrifice to America's unpreparedness.

The problems thus faced at the time by these Filipinos now accused of political collaboration were, from the subjective point of view, much more difficult than those faced by the Americans who were concerned exclusively with the conduct and strategy of the war. The difference is so patent officials and certain sectors or the American press, is perhaps unconsciously fortified in its condemnation of these so-called political collaborationists by the belief that the moral fiber of a Filipino is weaker than that of an American, so that where one would be betraying his country by certain acts under a given situation the other would be incapable of intending such betrayal by similar acts under a similar situation. Nothing else can explain why those brave American soldiers who surrendered to the Japanese in the Philippines and who were forced to make statements plainly pro-Japanese or tending to give comfort to the enemy. should be lionized and acclaimed as the heroes they really are, while the Filipinos who were forced to make similar statements are now accused of having given aid and comfort to the enemy and are condemned in the eyes of the world even before they are accorded a trial. There is somewhere the purpose of exacting a higher measure of loyalty from the Filipinos than from America's own nationals. No other explanation can be conceived of why General Wainwright, and the other American generals and officers under his command, for instance, were, as President Truman said, a sacrifice to America's state of unpreparedness, while the Filipinos who perforce had to deal and bargain with the Japanese on account of that very unpreparedness should now be called traitors. While it is

true that these Americans were prisoners of war, from the standpoint of freedom to act, both they and the Filipinos were not free agents; they were both under pressure, taking orders. In a sense the pressure exerted on them from the erstwhile conquerors. Filipinos was greater, because while an American could not be properly requested to make a pro-Japanese or an anti-American statement, a Filipino who would decline to make not an anti-Filipino but a pro-Japanese or an anti-American statement would appear in the eyes of the Japanese as pro-American and, therefore, an enemy of Japan.

**“Executive Order No 40: Initiating A National Campaign For The Cultivation Of Idle Lands To Produce Food Crops.”** *Presidential Museum and Library*. <http://malacanang.gov.ph/6369-executive-order-no-40-s-1942/>

Jorge B. Vargas was designated to be the executive secretary of President Laurel during the Second Republic. He issued this executive order on a national campaign that will enforce local officials to produce food in idle land in the midst of food shortage brought by the war.

The document showed which food was prioritized for cultivation. Among these prioritized foods were rice, corn, camote, cassava, gabi, cowpeas, soybeans, mungo. The document also allowed local officials such as governors and mayors to distribute uncultivated public lands within their respective jurisdictions to preferably unemployed for one year.

EXCERPT:

OFFICE OF THE CHAIRMAN OF THE EXECUTIVE

COMMISSION

MALACAÑAN PALACE

BY THE CHAIRMAN OF THE EXECUTIVE COMMISSION

EXECUTIVE ORDER NO. 40

INITIATING A NATIONAL CAMPAIGN FOR THE CULTIVATION OF IDLE LANDS TO  
PRODUCE FOOD CROPS.

WHEREAS, as a consequence of the present emergency, many farms are abandoned and the country is threatened with food shortage;

WHEREAS, the importation of essential food commodities is problematical under the present circumstances; and

WHEREAS, food crops must be grown in order to avert hunger and forestall famine throughout the land;

NOW, therefore, pursuant to the authority conferred upon me as Head of the Central Administrative Organization by Order No. 1 of the Commander-in-Chief of the Imperial Japanese Forces in the Philippines, and upon the recommendation of the Executive Commission, it is hereby ordered:

1. That a nation-wide campaign for the cultivation of rice, corn, camote, cassava, gabi, cowpeas, soybeans, mongo and other short-time food crops suited to local conditions, be started at once under the joint sponsorship of the Department of the Interior and the Department of Agriculture and Commerce.
2. That it shall be the duty of all city and municipal mayors to distribute uncultivated public lands within their respective jurisdictions among the citizens thereof preferably to those who are unemployed in order to enable them to plant food crops therein for a period of one agricultural year.
3. That if for any reason the owner or the one in possession of any private land is unable to cultivate the same, it shall be the duty of the mayor of the city or municipality where such land is located to turn it over to the citizens of such city or municipality preferably to those who are unemployed for the same purposes and under the same conditions prescribed in the next preceding paragraph.
4. That it shall be the duty of every person or persons to whom public or private land has been turned over for cultivation to carry into effect the national food production campaign by planting thereon the crops contemplated in paragraph 1 of this Order: Provided, That they may not alter or damage any permanent improvements existing thereon: And provided, further, That *kaiñgin* may not be resorted to without permission from the Director of Forestry and Fishery or of his representative in the locality. When a portion of public lands is found more suited for agricultural than for forest purposes *kaiñgin* shall be allowed.
5. That crops obtained on public and private lands distributed in accordance with paragraphs 2 and 3 of this Order shall belong to the grower and no rent for the use of the land shall be

collected: Provided, however, That a portion of the crops or so much thereof as may be necessary, not exceeding ten per centum, shall be set aside and the proceeds therefrom turned over to the Government as payment of the real estate tax corresponding to the year in which such crops are gathered or harvested.

6. That it shall be the duty of all provincial governors personally or through the agricultural supervisors, to inspect the activities of the mayors in this food production campaign. The governors and city mayors shall also submit a monthly report to the Commissioner of the Interior and the Commissioner of Agriculture and Commerce on the progress of the campaign in their respective provinces and cities.

7. That it shall be the duty of all provincial governors and city or municipal mayors who may receive seeds, seedlings, cuttings, shoots, or tubers from the Government in the furtherance of the national food production campaign to distribute such seeds, seedlings, cuttings, shoots, or tubers immediately to the farmers for planting, and it shall be unlawful for them to utilize the same for their own benefit, or to intentionally permit or give tacit consent to the diversion of the same for consumption purposes.

8. That any person who neglects or fails to perform any duty enjoined by this Order, or who performs any act which defeats or tends to defeat its purposes, or who otherwise violates any provision thereof, shall upon conviction be punished with imprisonment not exceeding six months, or by fine not exceeding two hundred pesos, or by both such fine and imprisonment, at the discretion of the court.

9. That the provincial governors and city or municipal mayors who infringe the provisions of this Order shall, in addition to the criminal responsibility to which they may be subject, also be liable to suspension or removal from office.

10. This Executive Order shall be printed in Japanese, English, and in the principal dialects of the Philippines for distribution in all cities and municipalities.

Done in the City of Greater Manila, Philippines, this 14th day of May, 1942.

(Sgd.) JORGE B. VARGAS

Chairman of the Executive Commission

**United States. High Commissioner to the Philippine Islands. 1941. *Annual Report of the United States High Commissioner to the Philippine Islands Commissioner to the Philippine Islands Covering the Calendar Year 1941.* Washington: U.S. G.P.O. Accessed December 4, 2020. <https://archive.org/details/annualreportofun4041unit/page/112/mode/2up>**

Prior to the Japanese occupation, several documents from the U.S. government and the Philippine Commonwealth had written on the conditions of preparedness in the Philippines should the Second World War encroach the Pacific. The US High Commissioner to the Philippines included in his reports the wartime preparations in various aspects such as public safety, relief and refuge from the attacks that would eventually ensue. Treatment from injuries in the several attacks during the wartime became difficult due to the scarcity of resources such as medicine and other supplies.

The excerpt below is taken from a section on public safety and health which were among several wartime instructions to armed forces and civilian troops. It highlighted the role of the Philippine Red Cross to be in-charge of first-aid units during the attacks. These instructions from the government show the immediate treatments during bombs as well as decontamination instructions from chemicals that was obtained in these attacks.

#### **EXCERPT:**

#### **FIRST-AID UNITS**

First-aid units will be organized on the basis of four persons and one automobile with driver to each party. Two ambulances with drivers and two attendants for each ambulance will form an integral part of such units. Where regular ambulances are not available, they should be improvised from suitable motor vehicles in the locality. A sufficient number of these units will be organized in each community so as to provide a minimum of one such unit to each 3,000 of population or major fraction thereof.

The Philippine Red Cross will be responsible for the organization and training of all first-aid units.

The instruction of such units should include the treatment of shock, hemorrhage, fractures, unconsciousness, suffocation, electric shock, and burns and scalds, as contained in the usual first-aid course of instruction. In addition to this, instructions must be given in the proper treatment of gas casualties. Such instructions are briefly summarized below :

Localized areas of contamination on the body caused by blister gas (mustard) should be treated by removing the blister gas from the skin by using gasoline, alcohol, or naphtha as a solvent. To apply these solvents a small piece of cotton batting should be held between the finger and the thumb, only the end of it being dipped in the solvent. Rubber gloves, if available, should be worn while applying the solvent. It is important to avoid spreading the blister gas by rubbing or using an excess of solvent. Solvents only remove the blister gas — they do not destroy it. For this reason a succession of swabs should be used, and the contaminated swabs burnt or buried. If the above solvents are not readily available, the affected part should be thoroughly washed with soap and water. In all cases where there has been contamination it is advisable for the casualty to be washed completely with soap and water, in addition to the solvent treatment described above for the affected part. It must be emphasized that the success of any method of preventive treatment depends upon the promptness with which it is applied.

#### *Lung Irritant Gas*

Whether symptoms are present or not, any person who has been exposed to a lung irritant gas must, from the outset, be spared any further exertion. He must be kept lying down and be protected from chill. He should be removed as a stretcher case.

#### *Eye Irritant Gas*

Face the wind with the eyes open. Do not rub the eyes under any circumstances. If it is available, wash the eyes with a weak solution of boric acid. First-aid stations for the treatment of ambulatory cases will be established in each community. The personnel and equipment for these stations will be trained and furnished by the Philippine Red Cross. These stations will be located in such places and in such numbers as not to require an injured person to walk any great distance. Existing hospitals will be expanded, and buildings suitable for hospitals will be selected for use as hospitals whenever present facilities are inadequate. The Philippine Red Cross is responsible for the determination of the adequacy of existing facilities and for arranging for their expansion where deemed necessary. The Philippine Red Cross is also responsible for the securing of additional buildings suitable for hospitals whenever present facilities prove inadequate. Doctors, nurses, hospital attendants and other personnel will be procured by the Philippine Red Cross.

In each municipality rescue units will be formed whose duties are to rescue persons trapped in fallen buildings and in debris from such buildings. Each unit will consist of a leader and eight men, all of whom will be recruited from men skilled in the building trades. Rescue work requires a special knowledge of the method of handling and storing up debris in order to prevent injury to the persons being rescued and to the members of the rescue units. Rescue units will be organized by, trained by, and operate under, the district and city engineers. One such unit will be organized for each 6,000 of population or major fraction thereof. Tools and equipment for the use of these units will be provided by the local authorities.

#### DEMOLITION AND REPAIR UNITS

Units to handle demolitions and repair will, be organized in each community. The duties of such units are to clear streets of their wreckage, fill bomb craters, assist when necessary in the repair of damaged water and gas mains, sewers, electric transmission lines, etc. They also will cooperate with fire-fighting units when it becomes necessary to use explosives on or otherwise demolish structures in order to prevent the spread of fire and to bring a fire under control. The personnel of these units should be recruited from persons skilled in construction work, the handling and use of explosives, street and highway repair, and general utilities repair and maintenance. These units will be organized by, trained by, and operate under, the district and city engineers. The strength and composition of each unit and the number of units in each locality will be determined by the district or city engineer after consideration of the installations to be maintained in each case.

#### DECONTAMINATION UNITS

Units formed for the purpose of decontaminating areas in which poisoned gas has been used will be organized in each community under the direction of district and city engineers. Each unit will consist of a leader and six men. One unit will be formed for each 5,000 of population or major portion thereof. While such units should be trained in the approved methods of decontaminating gassed areas, they also should be trained to assist in rescue, demolition, or repair work. The first step taken by these units will be to work out, with danger signs and barriers, the contaminated areas. No unauthorized persons should be allowed to enter these areas. Decontamination work should then begin promptly. The following materials may be used for decontaminating work:

- a. Earth. Earth, sand, ashes, or sawdust may be spread over a contaminated area to provide temporary protection. The layer of covering material should be at least 3 inches thick and will be much more effective if wet down with water. The

chemical used in the gas is not destroyed by this procedure but the covering layer will prevent the escape of further poisonous vapors.

- b. Water. Some gases are readily decomposed by water, and a liberal wetting of the contaminated area is sufficient to destroy them. With some gases such as mustard, water has no neutralizing effect. Therefore, even long after an area has been washed with water it is dangerous to sit or lie down therein. If practicable, the area should be covered with a 3-inch layer of earth, sand, or ashes. Whenever it is available, chloride of lime should be used as indicated below.
- c. Chloride of lime. This is a white powder which readily gives up its chlorine content when exposed to the air or moisture. It should be kept in air-tight containers and used immediately after removal from them. It combines quickly with blister gases (mustard) and if it is mixed with sand or earth no violent reaction will occur. The proportions should be about one part of chloride of lime to three parts of sand or earth. One pound of chloride of lime is required for each square yard of gassed area. In decontaminating machinery, woodwork of buildings, etc., chloride of lime generally can be more easily and effectively applied in liquid form with rags, swabs, or brushes. The solution used should consist of one part of chloride of lime to one part of hot water.
- d. Fire. An area covered with high dry grass or brush may be decontaminated by burning it, provided this can be done without danger to nearby personnel or property. The heat in many instances will cause a heavy cloud of mustard vapor to be given off down-wind during the burning.

**Vargas, Jorge. *Report of Philippine (Executive Commission) to the Director, J.M.A. Jorge B. Manila: 1943***

As the designated executive secretary of President Laurel, Vargas was tasked to create annual reports on the activities of the Philippine Government to the Imperial Japanese forces. This report of the Executive Committee consists of activities ranging from economic programs to address scarcity of resources to wartime propaganda through public instruction and cultural activities

The excerpt below shows the efforts by the provisional government to use education and public instruction for propaganda. These areas included the expansive utilization of Japanese and Filipino as languages as the provisional government. Cultural activities such as lectures from different experts on Filipino and Japanese culture and propaganda films were also used to spread the idea of the wider imperial vision of Japan, the Greater East Asia Co-Prosperity Sphere to Filipinos.

**EXCERPT:**

For the purpose of giving spiritual and intellectual reorientation to ranking employees in the different bureaus and offices, a government employees training institute was organized on October 15, 1943, and the first term of training was started on October 19, 1942. The Supervision of the Institute was placed under the Executive Secretary to the Commission and its administration under the Chief of the Civil Service.

During the first term, October 19 to December 14, 1942, 199 trainees were enrolled; during the second term, January 10 to March 15, 1945, a total of 395 employees were graduated.

The curriculum of instruction approved for the Institute and consisting of the following studies was carefully followed: General Information Concerning Japan; Public Service Administration; Japanese Language; Philippine Culture; Music Japanese and Filipino songs; Physical culture; and Lectures on various topics to the New Order, the intentions of Nippon in waging the Greater East Asia War, the development of the Greater East Asia Co-Prosperity Sphere, the establishment of the New Philippines, and others. To supplement the regular classroom instruction there was provided a series of lectures by prominent and distinguished Nipponese and Filipino government officials and scholars, moving pictures shows consisting of both recreational and instructional files.

**“Letter of President Quezon to Douglas MacArthur, February 20, 1942.” *Official Gazette.***  
**<https://www.officialgazette.gov.ph/1942/02/20/letter-of-president-quezon-to-douglas-macarthur-february-20-1942/>**

During the war, President Manuel L. Quezon along with his several key official of the Philippine Commonwealth fled from the Philippines and remained in the United States until 1944. Quezon executed most of his duties and responsibilities as president.

Below is his letter to General Douglas MacArthur, the head of the United States Army Forces in the Far East. It contains personal words to General McArthur written in personal correspondence beyond his issuance of Executive Order No. I, series of 1942, which appointed General MacArthur as the Military Adviser of the Commonwealth of the Philippines.

**EXCERPT:**

Fort Mills, P.I.

February 20, 1942

My dear General MacArthur:

Although I have given official recognition to the services you have rendered to the government of the Commonwealth and to the Filipino people in my Executive Order No. I, series of 1942, I feel that I must write you this letter, which partakes of an official as well as private character, in order to tell you how grateful I am, my own family, and the members of my whole staff for the kindness and generosity with which we have been treated here; and to ask you to convey to all the officers within your command, particularly to General Moore, our deep gratitude.

As I have already told you, I would have remained here to the very bitter end, if you deemed it necessary for me to stay. I am going only because you and I have agreed that the cause for which we are fighting can be best promoted by my being in the unoccupied territory where I could render you help and assistance by keeping up the morale and determination of my people to stand by America. But I am leaving you with a weeping heart, for you and I have not only been friends and comrades; we have been more than brothers. My thoughts will always be with you and your dear wife and my godson. If better days should come to all of us, as I hope they will, I expect that the memory of these hectic days will strengthen our friendship and cooperation even more. I am leaving my own boys, the Filipino soldiers, under your care. I know that you will look after their welfare and safety and that, above all, you will see to it that their names may go down in history as loyal and brave soldiers.

With my love to you, Jean and the boy, in which all my family joins, I say good-bye till we meet again. May God ever keep you under His protection.

Sincerely yours,

(Sgd.) Manuel Quezon

**“Message of General MacArthur to the Filipino people, January 1, 1946.” *Official Gazette*.**  
<https://www.officialgazette.gov.ph/1946/01/01/message-of-douglas-macarthur-to-the-filipino-people-january-1-1946/>

Douglas MacArthur was the head of the United States Army Forces in the Far East or USAFFE from 1941 to 1946. In the Philippines during the Second World War, President Quezon appointed General MacArthur as the Military Adviser of the Commonwealth of the Philippines. MacArthur led the efforts for the defense of the Philippines at the onset of the Pacific War in 1941. Upon the defeat of US and Philippine forces in the early year of the war, he escaped the Philippines in 1942, and continued with efforts to defend Allied Forces in the Asia-Pacific.

In July 1944, MacArthur returned in the Philippines in the landing of Leyte Gulf, where he is quoted to have said, “I have returned,” one of his wartime promises to head the efforts liberate the Philippines from the Japanese forces. Below is his message to the Filipino people towards the end of the Second World War.

**EXCERPT:**

**Message  
of  
General Douglas MacArthur  
Supreme Commander for the Allied Powers  
To the Filipino People**

[Released on January 1, 1946]

*Tokyo, 1946*

*To the Filipino People:*

With the dawn of a new year—a year of peace following the ravage of war—I send you from Tokyo a message of my enduring affection. I can never forget the courage, the determination and the unity with which you fought your way to victory.

Confronted with the pressing problems of building anew amid the ruins left in war’s wake, and at the same time entering upon your destiny as a member of the Nations of the World, you face a

task the magnitude of which demands the dedication of all of your faith and all of your strength as a people.

Move forward to meet this challenge of the future as magnificently as you met that of the past. With continued help of Almighty God, in this noble purpose, I know you will not fail.

DOUGLAS MACARTHUR

**“Message of President Osmeña to the Filipino people on V-J Day, September 2, 1945.”**  
*Official Gazette.* <https://www.officialgazette.gov.ph/1945/09/02/statement-of-president-osmena-to-the-filipino-people-on-v-j-day-september-2-1945/>

Sergio Osmeña Sr. was the second President of the Commonwealth of the Philippines, who succeeded Manuel L. Quezon in 1944. President Osmeña accompanied U.S. General Douglas MacArthur, several ranking officers in the U.S. forces and key officials in Philippine Commonwealth in the liberation of the Philippines. Among his key priorities were the reorganization of the government and rehabilitation after war.

The document below shows the message of President Osmeña to mark the Victory over Japanese Day or V-J Day after the surrender of the Japanese Empire to the Allied Forces.

**EXCERPT:**

**Message of His Excellency Sergio Osmeña  
President of the Philippines To the Filipino People on V-J Day**

[Released on September 2, 1945]

With the formal surrender of the Japanese Empire today, September 2, 1945, the long and terrible war is at an end. President Truman, speaking on behalf of all the United Nations, has proclaimed this day as V-J Day.

The surrender of Japan marks the turning point for us and for the peoples of all the United Nations.

Our effort has been devoted toward the paramount task of winning the war. Today the task is done. We must now devote ourselves to the task of winning the peace.

On the indestructible democratic foundations laid under the tutelage of America we must reconstruct and build. The rehabilitation of our country demands all our energies.

We must prepare for the independence which will soon be ours and, as members of the family of nations, we must work with other peoples in the effort to assure the peace and welfare of humanity. For our people we may hope to achieve a greater and lasting happiness.

Today is a day of thanksgiving in the flush of victory. It should also be a day of dedication to the heavy tasks that lie before us.

**“Instrument of Surrender of the Japanese and Japanese-Controlled Armed Forces in the Philippine Islands to the Commanding General United States Army Forces, Western Pacific” *Lillian Goldman Law Library*. Yale University Accessed December 4, 2020. <https://avalon.law.yale.edu/wwii/j6.asp>**

Tomoyuki Yamashita was a Japanese general of the Imperial Japanese Army assigned to areas mostly in Southeast Asia. After being deployed to Malaya and Singapore, he was assigned to defend the Philippines from the Allied forces in 1944. Under his command, the Japanese army committed atrocities, some of which were basis for the U.S. Supreme Court's 1946 decision to execute him.

The document below shows the surrender of Yamahista to US Major General Edmond H. Leavy. Even after the formal surrender of Japan in August 1945, he was able to hold on to part of Luzon in September 1944.

**EXCERPT:**

INSTRUMENT OF SURRENDER

of the Japanese and Japanese-Controlled Armed Forces in the Philippine Islands  
to the Commanding General United States Army Forces, Western Pacific

Camp John Hay

Baguio, Mountain Province,

Luzon, Philippine, Islands

3 September, 1945

Pursuant to and in accordance with the proclamation of the Emperor of Japan accepting the terms set forth in the declaration issued by the heads of the Governments of the United States, Great Britain, and China on 26 July 1945; at Potsdam and subsequently adhered to by the Union of

Soviet Socialist Republics; and to the formal instrument of surrender of the Japanese Imperial Government and the Japanese Imperial General Headquarters signed at Tokyo Bay at 0908 on 2 September 1945:

1. Acting by command of and in behalf of the Emperor of Japan, the Japanese Imperial Government and the Japanese Imperial General Headquarters, We hereby surrender unconditionally to the Commanding General, United States Army Forces, Western Pacific, all Japanese and Japanese-controlled armed forces, air, sea, ground and auxiliary, in the Philippine Islands.

2. We hereby command all Japanese forces wherever situated in the Philippine Islands to cease hostilities forthwith, to preserve and save from damage all ships, aircraft, and military and civil property, and to comply with all requirements which may be imposed by the Commanding General, United States Army Forces, Western Pacific, or his authorized representatives.

3. We hereby direct the commanders of all Japanese forces in the Philippine Islands to issue at once to all forces under their command to surrender unconditionally themselves and all forces under their control, as prisoners of war, to the nearest United States Force Commander.

4. We hereby direct the commanders of all Japanese forces in the Philippine Islands to surrender intact and in good order to the nearest United States Army Force Commander, at times and at places directed by him, all equipment and supplies of whatever nature under their control.

5. We hereby direct the commanders of all Japanese forces in the Philippine Islands at once to liberate all Allied prisoners of war and civilian internees under their control, and to provide for their protection, care, maintenance and immediate transportation to places as directed by the nearest United States Army Force Commander.

6. We hereby undertake to transmit the directives given in Paragraphs 1 through 5, above, to all Japanese forces in the Philippine Islands immediately by all means within our power, and further to furnish to the Commanding General, United States Army Forces, Western Pacific, all necessary Japanese emissaries fully empowered to bring about the surrender of Japanese forces in the Philippine Islands with whom we are not in contact.

7. We hereby undertake to furnish immediately to the Commanding General, United States Army Forces, Western Pacific, a statement of the designation, numbers, locations, and commanders of all Japanese armed forces, ground, sea, or air, in the Philippine Islands.

8. We hereby undertake faithfully to obey all further proclamation, orders and directives deemed by the Commanding General, United States Armed Forces, Western Pacific, to be proper to effectuate this surrender.

Signed at Camp John Hay, Baguio, Mountain Province, Luzon, Philippine Islands, at 1210 hours  
3 September 1945:

TOMOYUKI YAMASHITA,  
General, Imperial Japanese  
Army Highest Commander,  
Imperial Japanese Army in the Philippines.

DENHICI OKOCHI,  
Vice Admiral, Imperial Japanese  
Navy, Highest Commander,  
Imperial Japanese Navy in the Philippines.

By command and in behalf  
of the Japanese Imperial  
General Headquarters

Accepted at Camp John Hay, Baguio, Mountain Province Luzon

Philippine Islands, at 1210 hours 3 September 1945:

For the Commander-in-Chief, United States Army Forces, Pacific:

EDMOND H. LEAVY,

Major General, USA

Deputy Commander, United States Army Forces,

Western Pacific.

**TOPIC 9: Post-War Philippines****List of Reading Materials:**

- 1. Sergio Osmena's SONA**
- 2. Republic Act No. 1400**
- 3. Carlos P. Garcia's SONA**
- 4. Magsaysay's Rizal Day Speech**
- 5. Magsaysay's Inaugural Address**
- 6. RP-US Military Agreement**
- 7. Quirino's Inauguration**
- 8. Recto's Economic Nationalism**
- 9. Romulo's Letter of Resignation**
- 10. Macapagal's Address on Agrarian Land Reform Code**

### **Introduction to the Post-War Philippines, 1945-1965**

The following section of historical sources includes documents and speeches from the term of presidents of the Philippines as well as noted statesmen under the postwar Philippines. Coming from the devastation of the Second World War in 1945, this period starts with the rehabilitation of the country alongside its independence of the Philippines from United States as a sovereign nation-state in 1946. The period which starts from year 1945 to 1964 with the presidencies of Sergio Osmena, Manuel Roxas, Elpidio Quirino, Ramon Magsaysay, Carlos Garcia, and Diosdado Macapagal. This period in Philippine history can be characterized with the issues that pressed on with the nation-state as it was rebuilding itself from the economic impact of the war, the political turmoil that occurred internally with the insurgencies, and the changing alignments within the diplomatic arena in time of the Cold War.

This section includes presidential inaugural addresses, the state of the nation addresses, and other landmark speeches that defined the presidencies of Osmena, Roxas, Quirino, Magsaysay, Garcia, and Macapagal. These selections offer the range of issues that can characterize the issues that were relevant during the period which include postwar rehabilitation, defense against insurgencies, diplomatic alignment with the United States and other countries, agrarian land reform, economic and cultural nationalism among others. Aside from these documents, documents from prominent nationalist statesmen such as Claro Recto and Carlos Romulo are included to show perspectives prevailing within the same issues that beset the nation-state. In reading these documents, it can provide an understanding of the continuities and changes that occurred during this time when the nation-state was rebuilding itself alongside its own nation-building as an independent sovereign state.

**Sergio Osmeña, State of the Nation Address, June 9, 1945**

Popularly known as the "Grand Old Man of Cebu," Sergio Osmeña (September 9, 1878 - October 19, 1961) served as the President of the Commonwealth of the Philippines succeeding Manuel L. Quezon after the latter's death in 1944. Osmeña returned to the Philippines with General Douglas MacArthur and his soldiers on October 20, 1944. He then headed the Commonwealth government that was re-established temporarily in Tacloban, Leyte on October 23, 1944.

In the wake of the Japanese defeat, Osmeña reorganized the government in response to the needs of the country. On March 7, 1945, he signed an Executive Order which provided the restoration of the executive departments before the war. On June 9, Osmeña called a session of Congress where he delivered his first and only State of the Nation Address at the provisional quarters in an old school building at Lepanto Street in Manila. Osmeña delivered a comprehensive report on the work done by the Commonwealth government for three years in Washington, DC. He also described the social conditions in the Philippines during the war and acknowledged the valuable help provided by the Filipino guerrillas to the American forces in the liberation of the Philippines.

Excerpt:

**Message  
of  
His Excellency Sergio Osmeña  
President of the Philippines  
To the Congress  
On the State of the Nation**

[Delivered on June 9, 1945]

GENTLEMEN OF THE CONGRESS:

Today, a moment of great historic significance, the voice of our people, muted throughout the long dreary night of enemy enslavement, is to be heard again in the halls of this Congress, through their duly elected representatives.

It has been a long lapse of time since that day in November, 1941, when you were elected, to this day when you gather in your first session. We can hardly recognize our country after the cataclysm that has engulfed it. The war has left its livid scars everywhere—on our buildings as

well as on men's souls. Probably nothing can more starkly summarize our present plight than the fact that the Executive and Legislative branches of our Government have to meet today in a borrowed house because our Legislative Building is a heap of rubble and ashes, mute witness to the savage desperation of the beaten enemy.

The tragedy that has afflicted our nation has lacerated our hearts. We all miss today many dear and familiar faces that are no more. But perhaps no sorrow has touched us more deeply than the passing of our beloved leader, Manuel L. Quezon. I know, however, that you feel as I do that his immortal spirit abides with us in this hour of trial and crisis, encouraging us to proceed with the arduous tasks that lie ahead. This great man, who dedicated his entire life to his country, died as he would have wanted to die—in line of duty. Soon his mortal remains, kept at the Arlington National Cemetery at Virginia, will be brought back to the Philippines, and we shall all have the opportunity of rendering him our last homage of admiration and affection. We shall erect him a monument so that we and our generations yet unborn may keep his memory enshrined in our hearts.

The Philippines is the one territory under the American flag which has suffered the most at the invader's hands. Not only are its war casualties the highest in proportion to population, not only have its cities and towns been destroyed and looted, its countrysides and farms laid waste, and its whole economic structure ruined, but its people have undergone more physical pain and mental anguish than in any other part of the United States. As early as December 8, 1941, a few hours after her felon attack on Pearl Harbor, Japan sent bombers and task forces to the Philippines. Unavoidably turned into a battlefield, our country suffered heavily in men and property, especially in Bataan, where the Filipino-American Army battled the Japanese forces for four long months.

Then followed a period of enemy occupation, cruel and humiliating. No sooner had the fighting in Bataan ended than the enemy began the systematic looting of our country. There was no limit to what he could requisition with his worthless money. Even our barest necessities were commandeered. And when we tried to stand by our rights, force, ruthless force, immediately intervened. With or without cause, people by the scores were arrested and sent to prison and concentration camps—some to be tortured, others to be executed. As time went on, we became more impoverished, while the enemy became still more cruel and arrogant. After undergoing three years of enemy domination, no people was a more pitiful sight than the Filipinos—lean, ragged and famished.

I wish to stress the fact that the extreme suffering of the Filipinos and the widespread destruction wrought on our country has been due, in a large measure, to their unwavering loyalty to the United States. No people, I believe, has given so much proof of fidelity to the cause of the mother country as the Filipinos.

... Unwilling to bow to the enemy, the Filipino people valiantly took up the struggle with all the strength they could muster. Patriotic groups soon sprang up throughout the length and breadth of the Archipelago. At first eluding the enemy, the guerrillas took to the mountains, but with the active support of the civilian population they quickly grew in number and strength to become a virtual challenge to the enemy. The story of the guerrilleros and of the civilian patriots who helped them, is an epic of heroism, loyalty and sacrifice. As far as possible they should be given recognition. Recognized guerrilla units have already been incorporated into the Philippine Army. As stated in Leyte, in praising the guerrillas we should not be forgetful of the loyal civilians who were left behind and, at the risk of their lives, supported the resistance movement. Included among these civilians were those who, at the beginning of the war, were civil service employees or holders of subordinate positions in the government, and who remained at their posts to protect the people and extend to them all possible aid and comfort. They should, as a general principle, be recalled as soon as their services should be needed; only for strong reasons should they be deprived of their privilege to serve. This policy applies as well to elected provincial and municipal officials who were chosen in the election of 1940, thus giving due consideration to the will of the people as expressed at the polls.

... But the tasks of peace are at times more exacting than those of war. We are administering the affairs of eighteen million people just delivered from three long years of enslavement. To them we owe justice, order and the means to live in contentment and happiness. I am aware that our means at the moment are inadequate. We are not able to provide our people with as much as they deserve. But we shall not falter in the line of duty.

Let us get together in one mighty effort. Let us set aside selfish considerations and forget petty differences. Only in unity can there be strength. To the experienced, I turn for advice. From the youth of the land, I ask for its enthusiasm and energies. My faith in our people is unbounded. Over the ruins of our cities and barrios we shall build anew. In this most crucial hour of our history, I look forward to our destiny unafraid, confident that, God willing, ours will be a happy, progressive and prosperous land.

In closing, permit me to congratulate you most heartily for being the first elective Congress to meet in a country liberated from the enemy, although the Philippines is among the last to be free from enemy occupation and control.

I wish you all success in discharging the tremendous responsibility that is yours during the present emergency.

**Republic Act No. 1400***Land Reform Act of 1955*

An Act Defining a Land Tenure Policy, Providing for an Instrumentality to Carry out the Policy, and appropriating for its implementation.

Ramon Magsaysay, the third President of the Third Republic announced during his first State of the Nation Address that agriculture would be a priority of his administration. He aimed for farmers' education particularly in modern agricultural methods and called for the improvement of irrigation systems to improve farm production. Known as the "People's President" and the "Champion of Philippine Agriculture," Magsaysay implemented programs and policies to improve agriculture and empower rural communities which are important to national recovery.

One of the enacted laws about land reform during the Magsaysay administration was the Republic Act No. 1400 also known as the Land Reform Act of 1955. This created the Land Tenure Administration (LTA) which has the the following functions: (1) make studies on the land tenure problems throughout the Philippines and prepare over-all long range plans to solve problems; (2) initiate immediate investigation in areas reporting land tenure difficulties and recommend appropriate action and; (3) prepare a plan for the systematic opening of virgin lands of the public domain for distribution to tenants.

**Excerpt:**

SECTION 1. *Short title.*—This Act shall be known as the “Land Reform Act of 1955.”

SEC. 2. *Declaration of policy.*—It is the declared policy of the State to create and maintain an agrarian system which is peaceful, prosperous and stable, and to this end the Government shall establish and distribute as many family-size farms to as many landless citizens as possible through the opening up of public agricultural lands and the division and distribution of private agricultural lands where agrarian conflicts exist, either by private arrangement with the owners or through expropriation proceedings.

SEC 3. *Creation and composition.*—For the purpose of carrying out the policy enunciated in this Act, there is hereby created a Land Tenure Administration, hereinafter called the Administration, which shall be directly under the control and supervision of and responsible to the President of the Philippines. The Administration shall consist of a Chairman and two members who shall be appointed by the President with the consent of the Commission on Appointments and shall hold office for a period of five years. They may be removed for cause or for incapacity to discharge the duties of their office.

SEC. 4. *Qualifications and compensation of members.*—No person shall be appointed Chairman or member of the Administration unless he is natural born citizen of the Philippines, at least thirty-five years of age, and not related by affinity or consanguinity within the fourth civil degree to any landowner who may be affected by this Act.

The Chairman shall receive an annual compensation of fifteen thousand pesos and the members shall each receive an annual compensation of twelve thousand pesos.

SEC. 5. *Functions.*—It shall be the responsibility of the Administration to:

- (1) Make studies on the land tenure problems throughout the Philippines, prepare over-all long range plans to solve such problems, and keep the President and the Congress of the Philippines full informed of the progress of the land tenure reform program;
- (2) Initiate immediate investigation in areas reporting land tenure difficulties and recommend appropriate action without delay;
- (3) Inform the President and the Congress of the Philippines of any deficiency of the other departments or agencies of the Government in the implementation of legislation bearing on or affecting the land tenure reform;
- (4) Prepare a plan for the systematic opening of virgin lands of the public domain for distribution to tenants, preference to be given to those tenants who are ejected by virtue of mechanization and to other landless citizens; and
- (5) To implement and carry out the expropriation and the resale or lease of urban lands already authorized by existing laws.

#### NEGOTIATED PURCHASE OF PRIVATE AGRICULTURAL LANDS

SEC. 11. *Lands subject to purchase.*—The Administration, acting for and on behalf of the Government, may negotiate to purchase any privately owned agricultural land when the majority of the tenants therein petition for such purchase.

SEC. 12. *Action on the petition.*—Upon receipt of the petition, the Administration shall:

- (1) Within thirty days, determine on the basis of the information contained in the petition, the suitability of the land for purchase, notify the petitioners and the landowner accordingly, and fix the date for preliminary negotiations;
- (2) Within sixty days from the preliminary negotiation, conduct investigations and technical surveys to determine title to the land and its real value, taking into account (a) the prevailing prices of similar lands in the immediate area, (b) the soil conditions topography and climate hazards, (c) actual production, (d) accessibility, and (e) improvements; and
- (3) Fix, within ninety days from the preliminary negotiation, the date for final negotiation.

SEC. 13. *Deposit by tenants.*—Before fixing the date for final negotiation under section twelve, paragraph (3), and in the interest of public welfare, the Administration shall require the tenants to form a cooperative to be affiliated with a government financing cooperative agency. Such cooperative agency shall deposit with the Administration an amount not exceeding twenty-five *per centum* of the annual gross produce of the principal crop or crops of such land on the basis of the average of harvest of the three years immediately preceding the year the petition was filed. This deposit shall be credited to the selling price to the tenants in accordance with the individual contribution of each said deposit.

SEC. 14. *Payment.*—In negotiating for the purchase of agricultural land, the Administration shall offer to pay the purchase price wholly in land certificates or partly in legal tender and partly in

land certificates: *Provided*, That the amount to be paid in legal tender shall in no case exceed fifty *per centum* of the purchase price: *Provided, further*, That the landowner, if he desires and the Administration so agrees, may be paid, by way of barter or exchange, with such residential, commercial or industrial land owned by the Government as may be agreed upon by the parties.

SEC. 15. *Outstanding debts of tenants*.—In cases where the landowner is willing to accept payment wholly in land certificates, the Administration is authorized to include in the price to be paid the landowner all the outstanding debts, evidenced in writing, of the tenants to said landowner, the Administration to be thereafter reimbursed in accordance with such rules and regulations as it may promulgate: *Provided*, That the resulting increase in price by virtue of such inclusion will not be more than ten *per centum* of the total cost of the land agreed upon in the negotiated sale.

Approved, September 9, 1955.

**Carlos P. Garcia, Third State of the Nation Address, January 25, 1960**

Carlos P. Garcia (November 4, 1896 - June 14, 1971) assumed Presidency after the sudden death of Ramon Magsaysay in 1957 and was elected for a full four-year term on the same year. Before becoming the President of the country, Garcia was concurrently the Vice President and the Secretary of Foreign Affairs from 1953-1957. He was the Representative of the Third District of Bohol (1925-1931) and was a Senator under the Roxas and Quirino administration.

Garcia's Presidency is known through its Filipino First Policy as a response to America's economic dominance in the Philippines during the postwar period. This policy aimed to assert Filipino role in the country's economy by prioritizing Filipino-owned businesses and patronizing Filipino-made products.

In this message of President Garcia on the State of the Nation in 1960, he explained the significance of the Filipino First Policy "to regain economic independence" which will lead to the country's economic progress. Garcia instituted the policy with the National Economic Council issuing Resolution No. 204 on August 21, 1958. Aside from economic nationalism, Garcia also mentioned other important focus of his administration which include: rural development; development of new foreign markets; education and science; National Defense; Public works; and health.

Excerpt:

**Message  
of  
His Excellency Carlos P. Garcia  
President of the Philippines  
To the Congress  
On the State of the Nation**

[Delivered on January 25, 1960]

Mr. Senate President, Mr. Speaker, Members of Congress:

In the light of what has been accomplished since I last had the honor to address you, it is with an uplifted spirit that today I call for further determined and courageous action toward the great national goals.

During the year 1959 we touched a few peaks in progress' highway. We piled up bigger surpluses in rice and corn, thus firming up our success in the campaign for self-sufficiency in food. We have achieved favorable balance of trade for the first time in postwar years which is a definitive index of our economic growth. The nation was thrilled by the discovery of oil in Cebu which, together with steel, will give revolutionary impetus to our agro-industrial economy. Oil will soon be a mighty pillar of our economy. We launched the first ship built by Filipino naval architects and engineers which established once and for all our capacity in this field. This is significant and inspiring when we consider that we are a country of 7,000 islands. We have successfully conducted a peaceful, free and honest election in which the Filipino people reiterated confidence in the present Nacionalista administration. It was an untrammled expression of the popular will and the overall result was the strengthening of the fabric of Philippine democracy. We have just laid the cornerstone of a Nuclear Center made possible by the United States granting us an Atomic Reactor. We have thus been ushered into the threshold of a spectacular industrial revolution with the use of atomic energy.

All of these achievements in the past year, to mention only the most outstanding, are at the same time pledges at a bigger tomorrow.

### **THE "FILIPINO FIRST" POLICY**

The "Filipino First" policy of this administration received a resounding popular indorsement in the last election. Politically we became independent since 1946, but economically we are still semi-colonial. This is especially true in our foreign trade. This policy is therefore designed to regain economic independence. It is a national effort to the end that Filipinos obtain major and dominant participation in their own national economy. This we will achieve with malice towards none and with fairness to all. We will accomplish this with full understanding of our international obligations towards our friends of the Free World. We will carry this out within the framework of our special relations with the United States to whose citizens we granted until 1974, by Constitutional provision, equal rights as Filipinos in the exploitation of our natural resources and public utilities, and to whom we also granted trading parity rights under the Laurel-Langley Agreement. Under this policy we will welcome friendly and understanding foreign capital willing to collaborate with us in the exploitation of our vast natural resources preferably on joint venture basis.

It is my hope that legislations under this orientation will be enacted this year.

### **ECONOMIC PROGRESS**

In vital matters related to the national economy, at the start of last year, we were facing serious difficulties. The international reserve stood at a dangerously low level and the financial position of the government was weak. So when I came before Congress to speak on the state of the nation, I proposed bold and decisive moves to stabilize the economy.

Congress in a historic special session patriotically responded by exacting a stabilization program the principal feature of which is the imposition of a margin fee on the sale of foreign exchange. In the middle of July a 25 per cent margin was put into effect.

It speaks highly of the courageous statesmanship of this Congress that in spite of a stormy opposition accompanied by gloomy predictions of the prophets of doom, it passed the measure even in an election year.

Now after barely five months of implementation thereof we find that we were able not only to halt the country's deteriorating balance of payments, but also to reverse it for the first time in postwar years from minus to plus. The 25 per cent margin on foreign exchange sales combined with the other disinflationary fiscal and credit restraint measures such as new tax laws, the cutback in bond financing, and such monetary instruments as the raising of reserve requirements, the raising of rediscount rates, selective rediscounting, the imposition of portfolio ceilings, and the continued effectivity of Central Bank Circular No. 79, have produced general salutary effects upon our national economy. Among these are: (1) the strengthening of the peso, (2) the strengthening of our international reserve to the tune of \$162.9 million, (3) the consolidation of the government's financial position, (4) the cutting down of excessive money supply, (5) the keeping down of excess bank reserves and credit, and (6), worthy of repeated mention, the attainment for the first time in postwar history of a favorable balance of trade and balance of payments to the tune of \$46.4 million. Moreover, we paid in 1959, \$84 million of our foreign loans and obligations.

### **Rural Development**

Greater efforts should be made to diffuse the benefits and balance the economic development among the rural regions of the country. During the past year, I consistently advocated the dispersal of industries to the provinces to halt the dangerous tendency of overcrowded population in cities and to stop inflation of monetary circulation in Manila and suburbs while there was scarcity of money in the provinces.

The success of our program of self-sufficiency may be gauged by the increasing surpluses of rice and corn. Such surpluses have not only introduced price and marketing problems but also necessitate the reorientation of our production policies along the following lines: (1) redirection of our research activities towards high-yielding varieties suitable to the needs of foreign markets; (2) further studies in the development of new industrial uses of agricultural surpluses and raw materials; (3) improvement in our management practices so as to increase the production per hectare and thereby reduce the cost per unit of output; and (4) attunement of production to market demands so as to avoid undisposable surpluses and achieve steady and fair income for farmers. For instance, some Virginia tobacco lands in the Ilocos provinces, in the face of a

soaring tobacco surplus, may be shifted to cotton production needed by our expanding textile mills.

## **EDUCATION AND SCIENCE**

We have continued to extend the benefits of education to an increasing number of children. Last year we were able to admit 119,000 new pupils by opening 3,000 additional classes.

However, because of budgetary limitations, the Government has had to fall back upon private institutions to supplement its educational efforts. To maintain the highest standards possible in these schools, an increase in the supervisory force would be desirable.

The teaching of science and mathematics as well as the improvement of the vocational curricula received greater impetus during the year. Radio broadcasts through a donation of 500 transistor radios from the Australian Government were started this year. The production of foodstuffs, as well as the promotion of home industries, has been pushed with greater vigor.

The creation of the National Science Development Board has given fresh impetus to the promotion of science and technology. Its research activities are geared to economic development and national health. For the first time all the research projects for the control of the dreaded kadang-kadang of coconuts have been consolidated in a Research Committee under the Board.

### **National Defense**

Aside from pursuing its primary mission, the Department of National Defense has supplemented the rural development program of the Administration. In this connection, I wish to inform you that plans for the implementation of the Armed Forces commission under the law to engage in public construction, food production, land resettlement, and rural development in addition to its inherent duties have been completed. In fact, several projects are already being actually undertaken.

Our Armed Forces, I am proud to say, has done well in the maintenance of peace and order and the enforcement try's defense structure. We have every reason to be proud of the laws. It was the principal arm of the Commission on Elections that conducted in 1959 free, peaceful, and honest national elections. Its civilian chiefs and its general staff have accomplished much in the way of improving the count of its officers and men. They will continue to be an invaluable asset to the life of the nation.

### **Public Works**

Under the retrenchment policy, the Government has confined itself to the construction and improvement of only essential public improvements which are supportive and promotive of agro-industrial development. Nevertheless, during the calendar year 1959 the Government undertook the construction of irrigation and water supply systems, flood control and shore protection works, airfields and airports, ports and harbors, and roads and bridges for which we invested One Hundred Sixty-Nine million pesos (P169 million). Worthy of note is the completion of national and communal irrigation systems and the installation of irrigation pumps, all of which can now irrigate about 45,000 additional hectares of agricultural land. The year 1959 also saw the virtual completion of the construction of 768 kilometers of development highways in Mindanao.

I invite the attention of Congress to the emerging need of legislation directed towards the multi-phase utilization and exploitation of the abundant water resources of the country not only for

power, but also for water supply, flood control and irrigation. In this way we can maximize the benefits for lowest cost.

In the case of other public works financed with dollar loans being extended both by the U.S. Export-Import Bank and the Development Loan Fund for transportation projects—air, land, and water—committed under the Eisenhower-Garcia communique on the occasion of my last state visit to the United States, legislative measures are necessary to make available sufficient peso support for projects already submitted to, or approved by, these lending institutions.

### **Health**

The health of the nation has been maintained at a satisfactory level. The birth rate has shown a considerable increase whereas the death rate has decreased. Mortality rates from the ten leading causes of death have been reduced. All of these facts indicate an improvement in the cleanliness and sanitation of our communities.

The policy of improving the rural health centers is being pursued without letup. To supplement the services which have been made available to the rural areas, the help of private persons and firms has been enlisted. Efforts are being exerted to expand hospital services in the rural areas.

**Ramon Magsaysay, Rizal Day Speech, June 19, 1956**

Recognizing the important role of Jose Rizal in the attainment of our country's freedom, President Ramon Magsaysay signed the Republic Act 1425 also known as the Rizal Law on June 12, 1956. Sponsored by Senator Claro M. Recto, the law requires "to include in the curricula of all public and private schools, colleges and universities courses on the life, works and writings of Jose Rizal, particularly his novels *Noli Me Tangere* and *El Filibusterismo*..." The enactment of the said law was Recto's response to the postwar social crisis of neocolonialism and colonial mentality. The reading of Rizal's novels according to him "would strengthen the Filipinism of the youth and foster patriotism."

In his speech on Rizal Day of 1956, a few days after he signed the Rizal Law, Magsaysay emphasized the need to remember Rizal on his birthday and the importance of "living for our country." He highlighted the idea of "positive nationalism" that Rizal showed by understanding the social problem and presenting solutions to these challenges.

**Rizal Day Speech  
of  
His Excellency Ramon Magsaysay  
President of the Philippines  
Before the Lions Clubs**

[Delivered at the Manila Hotel, June 19, 1956]

LION CHAIRMAN MARIANING DEL ROSARIO,  
DISTINGUISHED MEMBERS OF THE MANILA BAY AREA LIONS CLUBS,  
MY FRIENDS:

PERMIT me to thank the officers and members of the Bay Area Lions Clubs for this privilege of addressing you on this day. You are to be commended for stressing with this celebration the significance of the anniversary of the birthday of Jose Rizal.

Indeed, it is time perhaps that our people should give to the day of his birth the same attention and importance that we give to the day of his death, for there are many things about Rizal that we can learn by reflection on his life which we might miss in reflecting on the tragedy and the glory of his death.

The recent generations of our people have had many occasions in which to die for our country. When those times have come, it has been the heroism of Rizal in the face of death that inspired them in battle or in the face of the executioner.

Today, however, you will perhaps agree with me that we are mainly concerned with living for our country. We are concerned with giving life, a decent life, to the millions of our people. We

are concerned with giving life and strength to our national freedom and individual liberties. We are concerned with giving life to our Constitution and to the laws that our own free representatives have enacted for our welfare.

In implementing this concern the question that we ask about Rizal is not so much “how did he die?” as “how did he live?” And this day is a good day in which to seek the answer.

How did Rizal live? Perhaps we should first ask—What did he live for? Rizal lived for his country. How did he live for his country? He lived for it first by understanding the problems of the Philippines of his day. He faced the realities which the forces of his country had created around him. He singled out the enemies of his country’s freedom. And then he chose the most effective weapons with which to conquer them. He learned how to wield these weapons. And finally he used them effectively and decisively to defeat the enemy and bring freedom to his people.

What do we not find in Rizal’s life? We do not find him fighting the battles of Lapu-Lapu with 16th century swords or haranguing his countrymen with the rough, rustic eloquence of Dagohoy. We find him fighting the enemies of his time with the weapons of his time, with the polished satire of the 19th century, seeking thereby not only to awaken the spirit of his own countrymen but also to stir up the sympathy of the most cultured centers of Europe towards the cause of his country’s freedom. Such was the realism of Rizal. Such was the constructive bent of his patriotism. Such was the positive spirit of his nationalism.

Indeed, in every period of a country’s history, it is true nationalism that gives its people that necessary energy with which to conquer the problems of their times. It is the realistic, constructive, and the positive nationalism of Rizal which, by facing present problems with present solutions, will propel us in the right direction towards the security, the prosperity, and the happiness of our people.

What are our problems today? They are to permit the enjoyment of the fruits of our freedom by as many of our countrymen as possible, to harness our resources and gather economic strength with which to support that freedom, and to prepare ourselves to defend that freedom against the forces that threaten to destroy it.

We can inspire ourselves to solve these problems by recalling the principles of our dead heroes. But we cannot actually solve them by using obsolete weapons, recalling old hatreds and resurrecting buried enemies. We can, like Rizal, learn from the past without reviving the problems of the past and without shadow boxing with the spirit of the vanquished foe.

It would be wrong, for instance to approach our coming relations with Japan by recalling our hatred of the Japanese militarist even though it was barely ten years ago that we suffered under his yoke. Let us recall that Rizal himself had a high respect for the intrinsic humaneness of the Japanese people.

As with the ten year old hatreds, so must we deal with the older ones. Let us nourish in our hearts a love for our country that looks forward. Let us nurture a love that builds and will not destroy the very things that support our freedom. Rizal said “the glory of saving a country is not for him who has contributed to its ruin . . . . Hate never produces anything but monsters; and crime,

nothing but criminals . . . . Love alone realizes successful works; virtue alone can save . . . . Redemption presupposes virtue; sacrifice, love . . . .”

My friends, countless problems challenge our solution. They can be solved if we get together inspired with love for our country and for our countrymen and if we approach them with goodwill and without rancor or abuse.

A country can achieve lasting greatness only if that greatness is built on the sound constructive bases of virtue, sacrifice, and love. For countries, like persons, must also be judged by the moral code. Rizal said “If to make my country happy I should have to do evil, I would refuse to do it, because I am sure that what is built on sand must sooner or later fall to the ground.”

If we must build for the future, we must solve the present with the solutions of our time. If we must strengthen our freedom we must use the resources at hand. If we must defend that freedom, we must know who is its real enemy today and prepare to foil him with the weapons of today. If we want to help our country, we must be prepared to sacrifice ourselves. But to sacrifice ourselves we must be possessed of love—love for our God, our country, and our people.

If our devotion to Rizal is sincere and genuine, then we must remember, each and every one of us, that we owe it to ourselves and to our country to seek constantly to discipline ourselves and dedicate our efforts to our country. As Rafael Palma has said, we have a right to believe that there is in each one of us a possible Rizal; and that what he has done, we too could do within our reach and capabilities, if we would only apply to our tasks the same determination, the same resolute action, the same sense of duty that Rizal applied to the most heroic acts of his life.

Let, then, this commemoration of Rizal’s 95th birthday inspire in each of us a firm determination to dedicate ourselves anew with a chastened spirit and renewed vigor to this our beloved country which Rizal, blessing her with his blood, has bequeathed to us, for us to love, to dignify, and to serve.

**Inaugural Address of President Magsaysay, December 30, 1953.**

**Source:** <https://www.officialgazette.gov.ph/1953/12/30/inaugural-address-of-president-magsaysay-december-30-1953/>

This excerpt below shows President Magsaysay's inaugural address. During his campaign, Magsaysay's image to the electorate was focused on his roots as a candidate of the common man, and his accomplishment to put an end to the Huk rebellion. The address below resonated this image by committing to establish a government that treats everyone fairly and justly, both the rich and the poor. President Magsaysay made special mention to address the interest of the common people, particularly those in barrios and neglected rural areas as well as laborers and industrial workers through social justice programs. One of such promises in his inaugural was a reexamination of the land reform program. On the other hand, Magsaysay announced his commitment to the Mutual Defense Treaty with the United States as a way to uphold the international responsibilities of the Philippines, and the aid from this international economic cooperation with the United States shall be extended to the rural areas to aid the common people.

EXCERPT:

**INAUGURAL ADDRESS  
OF  
HIS EXCELLENCY RAMON MAGSAYSAY  
PRESIDENT OF THE PHILIPPINES  
[Delivered at the Independence Grandstand, Manila, on December 30, 1953]**

My Countrymen:

You have called upon me to assume the highest office within our gift. I accept the trust humbly and gratefully. My sole determination is to be President for the people.

The office of President is the highest in the land. It can be the humblest also, if we regard it – as we must – in the light of basic democratic principles. The first of these principles is the declaration of the Constitution that “sovereignty resides in the people and all government authority emanates from them.” This simply means that all of us in public office are but servants of the people.

As I see it, your mandate in the past election was not a license for the selfish enjoyment of power by any man or group of men. On the contrary, it was an endorsement of the principle – at times forgotten – that the general welfare is the only justification for the exercise of governmental power and authority.

Your mandate was a clear and urgent command to establish for our people a government based upon honesty and morality; a government sensitive to your needs, dedicated to your best interests, and inspired by our highest ideals of man's liberty.

We have a glorious past. Now we must build a future worthy of that past.

It is significant that we begin on this day and on this ground hallowed by the supreme sacrifice of Jose Rizal. We can find no finer example of dedication to country to light our way.

All too often, however, we speak of Rizal – and of Del Pilar, Bonifacio, Mabini, and our host of heroes – as if their work were done, as if today their spirit had ceased to have any meaning or value to our people. The truth is that we need their spirit now more than ever. We need it to complete the work which they began.

We need men of integrity and faith like Rizal and Del Pilar; men of action like Bonifacio; men of inflexible patriotism like Mabini. We need their zeal, their self-reliance, their capacity for work, their devotion to service, their ability to lose themselves in the common cause of building a nation.

I will have such men. From this day, the members of my administration, beginning with myself, shall cease to belong to our parties, to our families, even to ourselves. We shall belong only to the people.

In the administration of public affairs, all men entrusted with authority must adhere firmly to the ideals and principles of the Constitution.

I will render – and demand – uncompromising loyalty to the basic tenet of our Constitution; that you, the people, are sovereign. The rule of government must be service to you.

Accordingly, I pledge my administration to your service. I pledge that we shall extend the protection of the law to everyone, fairly and impartially – to the rich and the poor, the learned and the unlettered – recognizing no party but the nation, no family but the great family of our race, no interest save the common welfare.

The Bill of Rights shall be for me and the members of my administration, a bill of duties. We shall be guardians of the freedom and dignity of the individual.

More than this, we shall strive to give meaning and substance to the liberties guaranteed by our Constitution – by helping our citizens to attain the economic well-being so essential to the enjoyment of civil and political rights.

The separation of powers ordained by our Constitution – as an effective safeguard against tyranny – shall be preserved zealously. Mutual respect for the rights and prerogative of each of the three great departments of government must be observed.

The legislative power vested by the Constitution, in the elected representatives of the people will, I trust, operate vigorously to prosecute our common program of honest, efficient and constructive government. As Executive, I look forward to intimate cooperation with the members of Congress, particularly with those statesmen who have stood guard over the rights and liberties of our people.

The independence of the judiciary shall be strengthened. Our courts must be freed from political and other baneful influences, so that they may function with the same integrity and impartially which have made our Supreme Court the fortress of law and justice.

Heretofore, social justice has raised fervent but frustrated hopes in the hearts of our less fortunate citizens. We must not permit social justice to be an empty phrase in our Constitution. We must bring it to life – for all.

In consonance with this purpose, my administration shall take positive, energetic measures to improve the living conditions of our fellow citizens in the barrios and neglected rural areas and of laborers in our urban and industrial centers.

The land tenure system of our country shall be reexamined, to purge it of injustice and oppression.

“Land for the landless” shall be more than just a catch-phrase. We will translate it into actuality. We will clear and open for settlement our vast and fertile public lands which, under the coaxing of willing hearts and industrious hands, are waiting to yield substance to millions of our countrymen.

Democracy becomes meaningless if it fails to satisfy the primary needs of the common man, if it cannot give him freedom from fear and on which a strong republic can be built. His happiness and security are the only foundations on which a strong republic can be built. His happiness and security shall be foremost among the goals of my administration.

We must develop the national economy so that it may better satisfy the material needs of our people. The benefits of any economic or industrial development program shall be channeled first to our common people, so that their living standards shall be raised.

While I shall give priority to our domestic problems, my administration will not neglect our international responsibilities. We cannot escape the fact that, today, the destinies of nations are closely linked. It is in this spirit that we regard the goodwill and assistance extended to us through the various programs of international economic cooperation with the more developed

nations, chiefly the United States. Considering this aid to be primarily a means of speeding up our progress toward self-reliance, I pledge that every peso worth of assistance will be spent honestly and to the best advantage.

It is to our common interest that this Republic, a monument to mutual goodwill and common labor, should prove to the world the vitality of the democracy by which we live.

We shall continue to cooperate with the United Nations in seeking collective security and a just world peace.

No effort will be spared, no element of cooperation will be withheld in strengthening and safeguarding our physical security. We are prepared to live up to all our obligations under our Mutual Defense Treaty with the United States.

To our Asian brothers, we send our fraternal greetings. They are beset by problems of the same nature and complexity as those that confront us. We invite them to share our experience in finding solutions to those problems through democratic means. It is my hope that we can exchange experiences and information on methods that each of us has found most effective in subduing illiteracy, poverty, disease, under-productivity, and other common evils which have afflicted our countries of past generations.

The problems and opportunities ahead of us set the measure of the effort we must exert in the years to come. We must have unity to solve our problems, cooperation to exploit our opportunities. I urge you to forego partisan differences whenever the national interest clearly demands united action. We must not be distracted from our work. We have no time for petty strife.

Certainly we cannot temporize with armed dissidence. I therefore call upon the remnants of the Huk uprising still hiding in the hills to lay down their arms – and rejoin the rest of the nation in the ways of peace. I say to the rank and file of the Huks – who have been misled by the lies of the Kremlin – that they can win the economic security and social justice they desire only within the framework of our democracy. We shall welcome back the truly repentant with understanding and with sympathy.

But, to the leaders of the Communist conspiracy who would deliver this country and its people to a foreign power, this I say: I shall use all the forces at my command to the end that the sovereign authority of this government shall be respected and maintained. There can be no compromise with disloyalty.

I have been warned that too much is expected of this administration, that our people expect the impossible. For this young and vigorous nation of ours, nothing is really impossible!

Let us have faith in ourselves, the same faith that fired the heroic generation of revolution. They waged and won their struggle with nothing but bolos in their hands and courage in their hearts. Without political training and experience, they wrote a constitution comparable with the best, and established the first republic in Asia. Our own generation was told by doubters and enemies that we would never have independence from the United States. We live today under a free and sovereign Republic. Our faith was fulfilled.

Today, we are told anew that it is impossible to do what must be done. But our people, sustained by God, under whose protection we have placed our destiny and happiness, and strengthened by an abiding faith in His goodness and mercy – our people, united and free, shall shape a future worthy of our noble heritage if we but act; act together; act wisely; act with courage; and act unselfishly, in a spirit of patriotic dedication.

**"1947 RP-US Military Bases Agreement" Accessed November 21, 2020.**

**Source: <https://www.loc.gov/law/help/us-treaties/bevans/b-ph-ust000011-0055.pdf>.**

The agreement between the Philippines and the United States concerning military bases also known as the Military Bases Agreement was signed on March 14, 1947 by Manuel Roxas on behalf of the Philippine Government and by Ambassador Paul V. McNutt on behalf of the President of the United States. This agreement gave the US a 99-year lease on a number of military and naval bases in the Philippines. The two major facilities included Clark Air Base in Pampanga and the Subic Naval Base which included the whole city of Olongapo within its jurisdiction. This agreement placed no restrictions to which the US could put the bases nor the types of weapons it could store there. It also allowed US to recruit Filipino volunteers into the US Armed Forces.

Over the years, some of the provisions of the said agreement have been revised. Among the important changes included the returning of base lands to the Philippine government including the city of Olongapo. In 1966, the term of agreement was changed to expire in 1991.

EXCERPT:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND  
THE REPUBLIC

OF THE PHILIPPINES CONCERNING MILITARY BASES

**WHEREAS**, the war in the Pacific has confirmed the mutuality of interest of the United States of America and of the Republic of the Philippines in matters relating to the defense of their respective territories and that mutuality of interest demands that the Governments of the two countries take the necessary measures to promote their mutual security and to defend their territories and areas;

**WHEREAS**, the governments of the United States of America and of the Republic of the Philippines are desirous of cooperating in the common defense of their two countries through arrangements consonant with the procedures and objectives of the United Nations, and particularly through a grant to the United States of America by the Republic of the Philippines in the exercise of its title and sovereignty, of the use, free of rent, in furtherance of the mutual interest of both countries, of certain lands of the public domain;

**WHEREAS**, the Government of the Republic of the Philippines has requested United States assistance in providing for the defense of the Philippines and in developing for such defense effective Philippine armed forces;

**WHEREAS**, pursuant to this request the Government of the United States of America has, in view of its interest in the welfare of the Philippines, indicated its intention of dispatching a military mission to the Philippines and of extending to her appropriate assistance in the development of the Philippine defense forces;

**WHEREAS**, a Joint Resolution of the Congress of the United States of America of June 29, 1944,“ authorized the President of the United States of America to acquire bases for the mutual protection of the United States of America and of the Philippines; and

**WHEREAS**, Joint Resolution No. 4 of the Congress of the Philippines, approved July 28, 1945,“ authorized the President of the United States of America to negotiate with the President of the Philippines for the establishment of bases provided for in the Joint Resolution of the Congress of the United States of America of June 29, 1944, with a view to insuring the territorial integrity of the Philippines, the mutual protection of the United States of America and the Philippines, and the maintenance of peace in the Pacific;

**THEREFORE**, the governments of the Republic of the Philippines and of the United States of America agree upon the following terms for the delimitation, establishment, maintenance and operation of military bases in the Philippines:

## **ARTICLE 1**

### **GRANTS OF BASES**

1. The Government of the Republic of the Philippines (hereinafter referred to as the Philippines) grants to the Government of the United States of America (hereinafter referred to as the United States) the right to retain the use of the bases in the Philippines listed in Annex A attached hereto.

2. Philippines agrees to permit the United States, upon notice to the Philippines, to use such of those bases listed in Annex B as the United States determines to be required by military necessity.

3. The Philippines agrees to enter into negotiations with the United States at the latter's request, to permit the United States to expand such bases, to exchange such bases for other bases, to acquire additional bases, or relinquish rights to bases, as any of such exigencies may be required by military necessity.

4. A narrative description of the boundaries of the bases to which this Agreement relates is given in Annex A and Annex B. An exact description of the bases listed in Annex A, with metes and bounds, in conformity with the narrative descriptions, will be agreed upon between the appropriate authorities of the two Governments as soon as possible. With respect to any of the bases listed in Annex B, an exact description with metes and bounds, in conformity with the narrative description of such bases, will be agreed upon if and when such bases are acquired by the United States.

## ARTICLE II

### MUTUAL COOPERATION

1. It is mutually agreed that the armed forces of the Philippines may serve on United States bases and that the armed forces of the United States may serve on Philippine military establishments whenever such conditions appear beneficial as mutually determined by the armed forces of both countries.

**2. Joint outlined plans for the development of military bases in the Philippines may be prepared by military authorities of the two Governments.**

3. In the interest of international security any bases listed in Annexes A and B may be made available to the Security Council of the United Nations on its call by prior mutual agreement between the United States and the Philippines.

## ARTICLE III

### DESCRIPTION OF RIGHTS

1. It is mutually agreed that the United States shall have the rights, power and authority within the bases which are necessary for the establishment, use, operation and defense thereof or appropriate for the control thereof and all the rights, power and authority within the limits of territorial waters and air space adjacent to, or in the vicinity of, the bases which are necessary to provide access to them, or appropriate for their control.

2. Such rights, power and authority shall include, *inter alia*, the right, power and authority:

(a) to construct (including dredging and filling) , operate, maintain, utilize, occupy, garrison and control the bases;

(b) to improve and deepen the harbors, channels, entrances and anchorages, and to construct or maintain necessary roads and bridges affording access to the bases;

(c) to control (including the right to prohibit) in so far as may be required for the efficient operation and safety of the bases, and within the limits of military necessity, anchorages, moorings, landings, takeoffs, movements and operation of ships and waterborne craft, aircraft and other vehicles on water, in the air or on land comprising or in the vicinity of the bases;

(d) the right to acquire, as may be agreed between the two Governments, such rights of way, and to construct thereon, as may be required for military purposes, wire and radio communications facilities, including submarine and subterranean cables, pipe lines and spur tracks from railroads to bases, and the right, as may be agreed upon between the two Governments to construct the necessary facilities;

(*i.e.* to construct, install, maintain, and employ on any base any type of

facilities, weapons, substance, device, vessel or vehicle on or under the ground, in the air or on or under the water that may be requisite or appropriate, including meteorological systems, aerial and water navigation lights, radio and radar apparatus and electronic devices, of any desired power, type of emission and frequency.

3. In the exercise of the above-mentioned rights, power and authority, the United States agrees that the powers granted to it will not be used unreasonably or, unless required by military necessity determined by the two governments, so as to interfere with the necessary rights of navigation, aviation, communication, or land travel within the territories of the Philippines. In the practical application outside the bases of the rights, power and authority granted in this Article there shall be, as the occasion requires, consultation between the two Governments.

## ARTICLE IV

**SHIPPING AND NAVIGATION**

1. It is mutually agreed that United States public vessels operated by or for the War or Navy Departments, the Coast Guard or the Coast and Geodetic Survey, and the military forces of the United States, military and naval aircraft and Government-owned vehicles, including **armor**, shall be accorded free access to and movement between ports and United States bases throughout the Philippines, including territorial waters, by land, air and sea. This right shall include freedom from compulsory pilotage and all toll charges. If, however, a pilot is taken, pilotage shall be paid for at appropriate rates. In connection with entrance into Philippine ports by United States public vessels appropriate notification under normal conditions shall be made to the Philippine authorities.

2. Lights and other aids to navigation of vessels and aircraft placed or established in the bases and territorial waters adjacent thereto or in the vicinity of such bases shall conform to the system in use in the Philippines. The position, characteristics and any alterations in the lights or other aids shall be communicated in advance to the appropriate authorities of the Philippines.

3. Philippine commercial vessels may use the bases on the same terms and conditions as United States commercial vessels.

**4. It is understood that a base is not a part of the territory of the United States for the purpose of coastwise shipping laws so as to exclude Philippine vessels from trade between the United States and the bases.**

## ARTICLE V

**EXEMPTION FROM CUSTOMS AND OTHER DUTIES**

**No import, excise, consumption or other tax, duty or import shall be charged on material, equipment, supplies or goods, including food stores and clothing, for exclusive use in the construction, maintenance, operation or defense of the bases, consigned to, or destined for, the United States authorities and certified by them to be for such purposes.**

## ARTICLE VI

## **MANEUVER AND OTHER AREAS**

**The United States shall, subject to previous agreement with the Philip- pines, have the right to use land and coastal sea areas of appropriate size and location for periodic maneuvers, for additional staging areas, bombing and Nunnery ranges, and for such intermediate airfields as may be required for safe and efficient air operations. Operations in such areas shall be carried on with due regard and safeguards for the public safety.**

### **ARTICLE VII**

#### **USE OF PUBLIC SERVICES**

It is mutually agreed that the United States may employ and use for United States military forces any and all public utilities, other services and facilities, airfields, ports, harbors, roads, highways, railroads, bridges, via- ducts, canals, lakes, rivers and streams in the Philippines under conditions no less favorable than those that may be applicable from time to time to the military forces of the Philippines.

### **ARTICLE VIII**

#### **HEALTH MEASURES OUTSIDE BASES**

It is mutually agreed that the United States may construct, subject to agreement by the appropriate Philippine authorities, wells, water catchment areas or dams to insure an ample supply of water for all base operations and personnel. The United States shall likewise have the right, in cooperation with the appropriate authorities of the Philippines, to take such steps as may be mutually agreed upon to be necessary to improve health and sanitation in areas contiguous to the bases, including the right, under such conditions as may be mutually agreed upon, to enter and inspect any privately owned property. The United States shall pay just compensation for any injury to persons or damage to property that may result from action taken in connection with this Article.

### **ARTICLE IX**

#### **SURVEYS**

It is mutually agreed that the United States shall have the right, after appropriate notification has been given to the Philippines, to make topographic, hydrographic, and coast and geodetic surveys and aerial photo- graphs in any part of the Philippines and waters adjacent thereto. Copies with title and triangulation data of

any surveys or photomaps made of the Philippines shall be furnished to the Philippines.

## ARTICLE X

### CEMETERIES AND HISTORICAL SITES

1. The United States shall have the right to retain and maintain such United States military cemeteries and such sites of historical significance to the United States as may be agreed upon by the two Governments. All rights, power and authority in relation to bases granted under this Agreement shall be applicable, in so far as appropriate, to the cemeteries and sites mentioned in this Article.

2. Furthermore, it is recognized that there are certain cemeteries and historical sites in the Philippines revered in the memory of the People of the United States and of the Philippines, and it is therefore fitting that the maintenance and improvement of such memorials be the common concern of the two countries.

## ARTICLE XI

### IMMIGRATION

1. It is mutually agreed that the United States shall have the right to bring into the Philippines members of the United States military forces and the United States nationals employed by or under a contract with the United States together with their families, and technical personnel of other nationalities (not being persons excluded by the laws of the Philippines) in connection with the construction, maintenance, or operation of the bases. The United States shall make suitable arrangements so that such persons may be readily identified and their status established when necessary by the Philippine authorities. Such persons, other than members of the United States armed forces in uniform, shall present their travel documents to the appropriate Philippine authorities for visas, it being understood that no objection will be made to their travel to the Philippines as non-immigrants.

2. If the status of any person within the Philippines and admitted thereto under the foregoing paragraph shall be altered so that he would no longer be entitled to such admission, the United States shall notify the Philippines and shall, if such person be required to leave the Philippines by the latter government, be responsible for providing him with a passage from the Philippines within a

reasonable time, and shall in the meantime prevent his becoming a public responsibility of the Philippines.

## ARTICLE XII

### INTERNAL REVENUE TAX EXEMPTION

1. No member of the United States armed forces, except Filipino citizens, serving in the Philippines in connection with the bases and residing in the Philippines by reason only of such service, or his dependents, shall be liable to pay income tax in the Philippines except in respect of income derived from Philippine sources.

2. No national of the United States serving in or employed in the Philippines in connection with the construction, maintenance, operation, or defense of the bases and residing in the Philippines by reason only of such employment, or his spouse and minor children and dependent parents or either spouse, shall be liable to pay income tax in the Philippines except in respect of income derived from Philippine sources or sources other than the United States sources.

3. No person referred to in paragraphs 1 and 2 of this Article shall be liable to pay to the Government or local authorities of the Philippines any poll or residence tax, or any import or export duty, or any other tax on personal property imported for his own use; provided that privately owned vehicles shall be subject to payment of the following only: when certified as being used for military purposes by appropriate United States authorities, the normal license plate fee; otherwise, the normal license plate and registration fees.

4. No national of the United States, or corporation organized under the laws of the United States, resident in the United States, shall be liable to pay income tax in the Philippines in respect of any profits derived under a contract made in the United States with the Government of the United States in connection with the construction, maintenance, operation and defense of the bases, or any tax in the nature of a license in respect of any service or work for the United States in connection with the construction, maintenance, operation and defense of the bases

## ARTICLE XIII “

### JURISDICTION

**1. The Philippines consents that the United States shall have the right to exercise jurisdiction over the following offenses:**

- (a) Any offense committed by any person within any base except where the offender and offended parties are both Philippine citizens (not members of the armed forces of the United States on active duty) or the offense is against the security of the Philippines;
- (b) Any offense committed outside the bases by any member of the armed forces of the United States in which the offended party is also a member of the armed forces of the United States; and
- (c) Any offense committed outside the bases by any member of the armed forces of the United States against the security of the United States.

2. The Philippines shall have the right to exercise jurisdiction over all other offenses committed outside the bases by any member of the armed forces of the United States.

3. Whenever for special reasons the United States may desire not to exercise the jurisdiction reserved to it in paragraphs 1 and 6 of this Article, the officer holding the offender in custody shall so notify the fiscal (prosecuting attorney) of the city or province in which the offense has been committed within ten days after his arrest, and in such a case the Philippines shall exercise jurisdiction.

4. Whenever for special reasons the Philippines may desire not to exercise the jurisdiction reserved to it in paragraph 2 of this Article, the fiscal (prosecuting attorney) of the city or province where the offense has been committed shall so notify the officer holding the offender in custody within ten days after his arrest, and in such a case the United States shall be free to exercise jurisdiction. If any offense falling under paragraph 2 of this Article is committed by any member of the armed forces of the United States

(a) while engaged in the actual performance of a specific military duty,

or

(b) during a period of national emergency declared by either government and the fiscal (prosecuting attorney) so finds from the evidence, he shall immediately notify the officer holding the offender in custody that the United States is free to exercise jurisdiction. In the event the fiscal (prosecuting attorney) finds that the offense was not committed in the actual performance of a specific military duty, the offender's commanding officer shall have the right to appeal from such finding to the Secretary of Justice

within ten days from the receipt of the decision of the **fiscal** and the decision of the Secretary of Justice shall be final.

5. In all cases over which the Philippines exercises jurisdiction the custody of the accused, pending trial and final judgment, shall be entrusted without delay to the commanding officer of the nearest base, who shall acknowledge in writing that such accused has been delivered to him for custody pending trial in a competent court of the Philippines and that he will be held ready to appear and will be produced before said court when required by it. The commanding officer shall be furnished by the fiscal (prosecuting attorney) with a copy of the information against the accused upon the filing of the original in the competent court.

6. Notwithstanding the foregoing provisions, it is mutually agreed that in time of war the United States shall have the right to exercise exclusive jurisdiction over any offenses which may be committed by members of the armed forces of the United States in the Philippines.

7. The United States agrees that it will not grant asylum in any of the bases to any person fleeing from the lawful jurisdiction of the Philippines. Should any such person be found in any base, he will be surrendered on demand to the competent authorities of the Philippines.

8. In every case in which jurisdiction over an offense is exercised by the United States, the offended party may institute a separate civil action against the offender in the proper court of the Philippines to enforce the civil liability which under the laws of the Philippines may arise from the offense.

#### ARTICLE XIV

##### **ARREST AND SERVICE OF PROCESS**

1. No arrest shall be made and no process, civil or criminal, shall be served within any base except with the permission of the commanding officer of such base; but should the commanding officer refuse to grant such permission he shall (except in cases of arrest where the United States has jurisdiction under Article **XIII**) forthwith take the necessary steps to arrest the person charged and surrender him to the appropriate authorities of the Philippines or to serve such process, as the case may be, and to provide the attendance of the server of such process before the

appropriate court in the Philippines or procure such server to make the necessary affidavit or declaration to prove such service as the case may require.

2. In cases where the service courts of the United States have jurisdiction under Article **XIII**, the appropriate authorities of the Philippines will, on request, give reciprocal facilities as regards the service of process and the arrest and surrender of alleged offenders.

## ARTICLE XV

### **SECURITY LEGISLATION**

The Philippines agrees to take such steps as may from time to time be agreed to be necessary with a view to the enactment of legislation to insure the adequate security and protection of the United States bases, equipment and other property and the operations of the United States under this Agreement, and the punishment of persons who may contravene such legislation. It is mutually agreed that appropriate authorities of the two t3overnments will also consult from time to time in order to insure that laws and regulations of the United States and of the Philippines in relation to such matters shall, so far as may be possible, be uniform in character.

## ARTICLE XVI

### **POSTAL FACILITIES**

It is mutually agreed that the United States shall have the right to establish and maintain United States post offices in the bases for the exclusive use of the United States armed forces, and civilian personnel who are nationals of the United States and employed in connection with the construction, maintenance, and operation of the bases, and the families of such persons, for domestic use between United States post offices in the bases and between such post offices and other United States post offices. The United States shall have the right to regulate and control within the bases all communications within, to and from such bases.

## ARTICLE XVII

### **REMOVAL OF IMPROVEMENTS**

1. It is mutually agreed that the United States shall have the right to remove or dispose of any or all removable improvements, equipment or facilities located at or on any base and paid for with funds of the United States. No export tax shall be charged on any material or equipment so removed from the Philippines.

2. All buildings and structures which are erected by the United States in the bases shall be the property of the United States and may be removed by it before the expiration of this Agreement or the earlier relinquishment of the base on which the structures are situated. There shall be no obligation on the part of the United States or of the Philippines to rebuild or repair any destruction or damage inflicted from any cause whatsoever on any of the said buildings or structures owned or used by the United States in the bases. The United States is not obligated to turn over the bases to the Philippines at the expiration of this Agreement or the earlier relinquishment of any bases in the condition in which they were at the time of their occupation, nor is the Philippines obliged to make any compensation to the United States for the improvements made in the bases or for the buildings or structures left thereon; all of which shall become the property of the Philippines upon the termination of the Agreement or the earlier relinquishment by the United States of the bases where the structures have been built.

## ARTICLE XVIII

### **SALES AND SERVICES WITHIN THE BASES**

1. It is mutually agreed that the United States shall have the right to establish on bases, free of all licenses; fees; sales, excise or other taxes, or imposts; Government agencies, including concessions, such as sales commissaries and post exchanges, messes and social clubs, for the exclusive use of the United States military forces and authorized civilian personnel and their families. The merchandise or services sold or dispensed by such agencies shall be free of all taxes, duties and inspection by the Philippine authorities. Administrative measures shall be taken by the appropriate authorities of the United States to prevent the resale of goods which are sold under the provisions of this Article to persons not entitled to buy goods at such agencies and, generally, to prevent abuse of the privileges granted under this Article. There shall be cooperation between such authorities and the Philippines to this end.

2. Except as may be provided in any other agreements, no person shall habitually render any professional services in a base except to or for the United States or to or for the persons mentioned in the preceding paragraph. No business shall be established in a base, it being understood that the Government agencies mentioned

in the preceding paragraph shall not be regarded as businesses for the purposes of this Article.

#### ARTICLE XIX

##### **COMMERCIAL CONCERNS**

It is mutually agreed that the United States shall have the right, with the consent of the Philippines, to grant to commercial concerns owned or controlled by the citizens of the United States or of the Philippines such rights to the use of any base or facility retained or acquired by the United States as may be deemed appropriate by both Governments to insure the development and maintenance for defense purposes of such bases and facilities.

#### ARTICLE XX

##### **MILITARY OR NAVAL POLICE**

It is mutually agreed that there shall be close cooperation on a reciprocal basis between the military and naval police forces of the United States and the police forces of the Philippines for the purpose of preserving order and discipline among United States military and naval personnel

#### ARTICLE XXI

##### **TEMPORARY INSTALLATIONS**

1. It is mutually agreed that the United States shall retain the right to occupy temporary quarters and installations now existing outside the bases mentioned in Annex A and Annex B, for such reasonable time, not exceeding two years," as may be necessary to develop adequate facilities within the bases for the United States armed forces. If circumstances require an extension of time, such a period will be fixed by mutual agreement of the two Governments; but such extension shall not apply to the existing temporary quarters and installations within the limits of the City of Manila and shall in no case exceed a period of three years.
2. Notwithstanding the provisions of the preceding paragraph, the Port of Manila reservation with boundaries as of 1941 will be available for use to the United States armed forces until such time as other arrangements can be made for supply of the bases by mutual agreement of the two Governments.

3. The terms of this Agreement pertaining to bases shall be applicable to temporary quarters and installations referred to in paragraph 1 of this Article while they are so occupied by the armed forces of the United States; provided, that offenses committed within the temporary quarters and installations located within the present limits of the City of Manila shall not be considered as offenses within the bases but shall be governed by the Provisions of Article XIII, paragraphs 2 and 4, except that the election not to exercise the jurisdiction reserved to the Philippines shall be made by the Secretary of Justice. It is agreed that the United States shall have full use and full control of all these quarters and installations while they are occupied by the armed forces of the United States, including the exercise of such measures as may be necessary to police said quarters for the security of the personnel and property therein.

## ARTICLE XII

### **CONDEMNATION OR EXPROPRIATION**

1. Whenever it is necessary to acquire by condemnation or expropriation proceedings real property belonging to any private persons, associations or corporations located in bases named in Annex A and Annex B in order to carry out the purposes of this Agreement, the Philippines will institute and prosecute such condemnation or expropriation proceedings in accordance with the laws of the Philippines. The United States agrees to reimburse the Philippines for all the reasonable expenses, damages and costs thereby incurred, including the value of the property as determined by the Court. In addition, subject to the mutual agreement of the two Governments, the United States will reimburse the Philippines for the reasonable costs of transportation and removal of any occupants displaced or ejected by reason of the condemnation or expropriation.

2. Prior to the completion of such condemnation or expropriation proceedings, in cases of military necessity the United States shall have the right to take possession of such property required for military purposes as soon as the legal requisites for obtaining possession have been fulfilled.

3. The properties acquired under this Article shall be turned over to the Philippines upon the expiration of this Agreement, or the earlier relinquishment of such properties, under such terms and conditions as may be agreed upon by the two Governments.

## ARTICLE XXIII

### **CIVIL LIABILITY**

For the purpose of promoting and maintaining friendly relations by the prompt settlement of meritorious claims, the United States shall pay just and reasonable compensation, when accepted by claimants in full satisfaction and in final settlement, for claims, including claims of insured but excluding claims of subrogees, on account of damage to or loss or destruction of private property, both real and personal, or personal injury or death of inhabitants of the Philippines, when such damage, loss, destruction or injury is caused by the armed forces of the United States, or individual members thereof, including military or civilian employees thereof, or otherwise incident to non-combat activities of such forces; provided that no claim shall be considered unless presented within one year after the occurrence of the accident or incident out of which such claim arises.

#### ARTICLE XXIV

##### **MINERAL RESOURCES**

All minerals (including oil) , and antiquities and all rights relating thereto and to treasure trove, under, upon, or connected with the land and water comprised in the bases or otherwise used or occupied by the United States by virtue of this Agreement, are reserved to the Government and inhabitants of the Philippines; but no rights so reserved shall be transferred to third parties, or exercised within the bases, without the consent of the United States. The United States shall negotiate with the proper Philippine authorities for the quarrying of rock and gravel necessary for construction work on the bases.

#### ARTICLE XXV

##### **GRANT OF BASES TO A THIRD POWER**

1. The Philippines agrees that it shall not grant, without prior consent of the United States, any bases or any rights, power, or authority what-soever, in or relating to bases, to any third power.

2. It is further agreed that the United States shall not, without the consent of the Philippines, assign, or underlet, or part with the possession of the whole or any part of any base, or of any right, power or authority granted by this Agreement, to any third power.

#### ARTICLE XXVI

##### **DEFINITION OF BASES**

For the purposes of this Agreement, bases are those areas named in Annex A and Annex B and such additional areas as may be acquired for military purposes pursuant to the terms of this Agreement.

#### ARTICLE XXVII

#### **VOLUNTARY ENLISTMENT OF PHILIPPINE CITIZENS**

It is mutually agreed that the United States shall have the right to recruit citizens of the Philippines for voluntary enlistment into the United States armed forces for a fixed term of years, and to train them and to exercise the same degree of control and discipline over them as is exercised in the case of other members of the United States armed forces. The number of such enlistments to be accepted by the armed forces of the United States may from time to time be limited by agreement between the two Governments.

#### ARTICLE XXVIII

#### **UNITED STATES RESERVE ORGANIZATIONS**

It is mutually agreed that the United States shall have the right to enroll and train all eligible United States citizens residing in the Philippines in the Reserve organizations of the armed forces of the United States, which include the Officers Reserve Corps and the Enlisted Reserve Corps, except that prior consent of the Philippines shall be obtained in the case of such persons who are employed by the Philippines or any Municipal or Provincial Government thereof.

#### ARTICLE XXIX "

#### **TERM OF AGREEMENT**

**The present Agreement shall enter into force upon its acceptance " by the two Governments and shall remain in force for a period of ninety-nine years subject to extension thereafter as agreed by the two Governments.**

Signed in Manila, Philippines, in duplicate this fourteenth day of March, nineteen hundred and forty seven.

On behalf of the Government of the United States of America:

Paul V. McNutt

[SEAL]

*Ambassador, Extraordinary and Plenipotentiary of the  
United States of America to the Republic of the  
Philippines*

On behalf of the Government of the Republic of the Philippines:

Manuel Roxas [SEAL]

*President of the Philippines*

**ANNEX A**

Clark Field Air Base, Pampanga. Fort  
Stotsenberg, Pampanga.

Mariveles Military Reservation, POL Terminal and Training Area, Bataan. Camp  
John Hay Leave and Recreation Center, Baguio.

Army Communications System with the deletion of all stations in the Port of

Manila Area.

United States Armed Forces Cemetery No. 2, San Francisco del Monte, Rizal.  
Angeles General Depot, Pampanga.

Leyte-Samar Naval Base including shore installations and air bases.

Subic Bay, Northwest Shore Naval Base, Zambales Province, and the existing  
Naval reservation at Olongapo and the existing Baguio Naval Reservation.

Tawi Tawi Naval Anchorage and small adjacent land areas.  
Canacao-Sangle Point Navy Base, Cavite Province.

Bagobantay Transmitter Area, Quezon City, and associated radio receiving  
and control sites, Manila Area.

Tarumpitao Point (Loran Master Transmitter Station), Palawan. Talampulan  
Island, Coast Guard fi354 (Loran) , Palawan.

Naule Point (Loran Station) , Zambales.  
Castillejos, Coast Guard Q356, Zambales.

## ANNEX B

Mactan Island Army and Navy Air Base.  
Florida Blanca Air Base, Pampanga.

Aircraft Service Warning Net.

Camp Wallace, San Fernando, La Union.

Puerto Princesa Army and Navy Air Base, including Navy Section Base and  
Air Warning Sites, Palawan.

Tawi Tawi Naval Base, Sulu Archipelago. Aparri Naval Air Base.

## EXCHANGES OF NOTES

*The American Ambassador to the Secretary of Foreign Affairs*

EMBASSY OF THE UNITED STATES OF AMERICA

*March 14, 1947*

EXCELLENCY

I have the honor to state, in signing the Agreement of March 14, 1947, Between the United States of America and the Republic of the Philippines Concerning Military Bases, the understanding of my Government that the question of the adjustment of any rights and titles held by the United States pursuant to the provisions of the Act of Congress of March 24, 1934 (48 Stat. 456) as amended, specifically Section 10(b) thereof, the Joint Resolution of the Congress of June 29, 1944, and the Act of Congress of July 3, 1946, and Treaties and Agreements heretofore entered into between the United States and the Philippines, to real property in any of the bases covered by the aforementioned Agreement or any naval reservations or fueling stations not so covered is reserved and will be settled subsequently in accordance with the terms of the Acts and Joint Resolution of the Congress mentioned above.

I should be appreciative if I might be informed of the concurrence of Your Excellency's Government with the understanding above set forth.

Accept, Excellency, the renewed assurances of my highest consideration.

PAUL V. McNUTT

His Excellency

ELPIDIO QUIRINO

*Secretary of Foreign Affairs for the  
Republic of the Philippines*

*The Secretary of Foreign Affairs to the American Ambassador*

REPUBLIC OF THE  
PHILIPPINES DEPARTMENT OF  
FOREIGN AFFAIRS

MANILA, *March 14, 1947*

EXCELLENCY :

With reference to Your Excellency's note of March 14, 1947, the substantive paragraph of which reads:

[For text, see above.]

I have the honor to state that, without conceding the existence of any rights or titles to the real property therein referred to, my Government concurs with the understanding above set forth.

Accept, Excellency, the renewed assurances of my highest consideration.

ELPIDIO QUIRINO  
*Vice-President and concurrently  
Secretary of Foreign Affairs*

His Excellency

PAUL V. McNUTT  
*United States Ambassador  
Manila*

*The American Ambassador to the Secretary of Foreign Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA

*March 14, 1947*

EXCELLENCY :

I have the honor to state in signing the Agreement of March 14, 1947 Between the United States of America and the Republic of the Philippines Concerning Military Bases, the understanding of my Government that the garrisoning and development of the said bases shall be the concern of the Government of the United States of America.

I shall be appreciative if I may be informed of the concurrence of Your Excellency's Government with the understanding above set forth.

Accept, Excellency, the renewed assurances of my highest consideration.

PAUL V. McNUTT

His Excellency

ELPIDIO QUIRINO

*Secretary of Foreign Affairs for the  
Republic of the Philippines*

*The Secretary of Foreign Affairs to the American Ambassador*

Republic of the Philippines  
Department of Foreign Affairs

MANILA, *March 14, 1947*

EXCELLENCY :

In reply to your note of even date regarding the garrisoning and development of the bases covered by the Agreement of March 14, 1947, between the Republic of the Philippines and the United States of America concerning military bases, I have the honor to state that it is the understanding of my Government that the question of garrisoning and development of said bases shall be the concern of the Government of the United States.

Accept, Excellency, the renewed assurances of my highest consideration.

ELPIDIO QUIRINO

*Vice-President and concurrently  
Secretary of Foreign Affairs*

His Excellency

PAUL V. McNUTT

*American Ambassador to the Philippines  
Manila*

*The Secretary of Foreign Affairs to the American Ambassador*

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FOREIGN AFFAIRS

MANILA *March 14, 1947*

EXCELLENCY:

In the signing of the Agreement on March 14, 1947, between the Republic of the Philippines and the United States of America concerning military bases, I have the honor to state that it is the understanding of my Government that the existing national and provincial and other rights of way of the Republic of the Philippines running through the bases covered in Annex A and Annex B of the Agreements if tore particularly the

national road running through Camp John Hay and the naval reservation at Baguio, shall continue to be used as such by the public and that this understanding shall be administratively brought about in the enforcement of said Agreement.

I will highly appreciate it, therefore, if I can be informed of the concurrence of Your Excellency's Government with the understanding set forth above.

Accept, Excellency, the renewed assurances of my highest consideration.

ELPIDIO QUIRINO

*Vice-President and concurrently Secretary  
of Foreign Affairs*

His Excellency

PAUL N. McNUTT

*United States Ambassador*

*Manila*

*The American Ambassador to the Secretary of Foreign Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA

*March 14, 1947*

EXCELLENCY

With reference to Your Excellency's note of March 14, 1947, the substantive paragraph of which reads:

(For text, see above.)

I have the honor to state that without conceding the existence of any national or provincial or other rights of way of the Republic of the Philippines running through any of the bases covered in Annex A and Annex B of the Agreement and subject to such adjustments in rights of way as may be required by military necessity in accordance with paragraph 3 of Article III, my Government concurs with the understanding above set forth.

Accept, Excellency, the renewed assurances of my highest consideration.

PAUL V. McNUTT

His Excellency

ELPIDIO QUIRINO

*Secretary of Foreign Affairs for the*

*Republic of the Philippines*

**Official Program of the Inauguration of President Elpidio Quirino and Vice President  
Fernando Lopez. Accessed: December 8, 2020**

**S o u r c e : <https://ia801302.us.archive.org/13/items/OfficialProgramoftheInaugurationofPresidentElpidioQuirino/19491230-Quirino.pdf>.**

This document is a copy of the Official Program of President Elpidio Quirino's inauguration on December 30, 1949 at Luneta, Manila. Quirino was a Lawyer who entered politics as a Representative of Ilocos Sur from 1919 to 1925. He was then elected as Senator from 1925 to 1931. He was a member of the convention that drafted the 1935 Constitution and served as Secretary of Interior and Finance during the Commonwealth period. In 1946, he was elected as Vice President. In 1948, he succeeded the presidency after the death of Manuel Roxas. He won the Presidency in the 1949 elections and completed his term until 1953.

This program contains details with historical importance. The first interesting detail is the cover of the souvenir program designed by Fernando Amorsolo who then was a member of the Inaugural Sub-Committee on Program. In the cover is a young man holding the Filipino flag -- representing the young Philippine Republic and the people who are "ready and determined to serve, labor and produce in order to maintain, protect and defend the infant Republic." The Program also contains biographies of President Elpidio Quirino and Ms. Victoria Quirino, the President's daughter who served as the First Lady; and Vice President Fernando Lopez and his wife, Mrs. Marquita Lopez. There are also excerpts from speeches of the past Philippine Presidents and illustrations of different political personalities during important historical events.

Excerpt:

**Schedule of Events**

IN CONNECTION WITH THE INAUGURAL CEREMONIES

**Thursday, December 29, 1949—**

8:00 o'clock p.m.— Popular Inaugural Dance at Plaza Miranda, Quiapo, under the auspices of the City of Manila.

**Friday, December 30, 1949**

9:30 o'clock a.m.— Assembly of participants and the general public at the Luneta.

10:30 o'clock a.m.— Officials and distinguished guests will take their seats in the Inaugural Grandstand.

10:50 o'clock a.m.— The President and the Vice President will leave Malacañan Palace and will proceed to the Inaugural Grounds.

11:00 o'clock a.m.— Arrival of the President and the Vice President at the Inaugural Grounds.

1:05 o'clock a.m.— Salute to the National Flag.

11:10 o'clock a.m.— Military Parade begins.

11:65 o'clock a.m.— Inaugural ceremonies begin.

12:00 o'clock noon— Oath taking of the President.

12:05 o'clock p.m.— Oath taking of the Vice President.

12:10 o'clock p.m.— Inaugural address of the President.

5:00, o'clock—6:00 o'clock p.m.— Concert at the Inaugural Grandstand, Luneta, by the First Armed Forces Band, Major Antonino Buenaventura, conducting.

8:00 o'clock—10:00 o'clock p.m.—Fireworks at the Luneta.

9:00 o'clock p.m.—Inaugural Reception given by the President and Miss Quirino at Malacañan Palace.

[Page Thirty-four]

#### **Admission by Invitation Only—Vehicles**

Admission to the Inaugural Grandstand will be by invitation.

Only vehicles bearing a special automobile pass will be permitted to enter the Inaugural Grounds. All other vehicles will be excluded therefrom until after the conclusion of the ceremonies.

[Page Thirty-five]

**Place of Assembly**

9:30 o'clock a.m.—

Participants in the Military Parade will assemble at the places assigned to them.

The Inaugural Grandstand will be opened to the guests with admission cards.

The general public will assemble at the places designated for them.

10:00 o'clock a.m.—

Officials and distinguished guests with assigned seats will assemble at the rear of the Inaugural Grandstand.

10:30 o'clock a.m.—

Officials and distinguished guests will proceed to the Inaugural Grandstand to occupy their respective seats.

[Page Thirty—six ]

**PLACE OF ASSEMBLY...**

10:50 o'clock a.m.—

**ARRIVAL OF THE PRESIDENT**

The President and the Vice President-elect will leave Malacañan Palace, preceded by a military escort of the Armed Forces of the Philippines and will proceed to the Inaugural Grandstand.

11:00 o'clock a.m.—

The arrival at the Inaugural Grounds of the following officials will be announced by a bugle call which will be the signal for the public to rise:

The Vice President—elect of the Philippines

The President of the Philippines

*(Upon the appearance of the President of the Philippines four ruffles and four flourishes will be sounded, and a twenty-one gun salute rendered in his honor. )*

11:05 o'clock a.m.

**SALUTE TO THE NATIONAL FLAG**

*(Before the President and the Vice President—elect ascend the ceremonial platform, a salute to the flag will be rendered with the First Armed Forces Band playing the Philippine National Anthem.)*

11:10 o'clock a.m.—

**MILITARY PARADE**

A bugle call will be sounded to announce the start of the parade to be reviewed by the President of the Philippines.

**ORDER OF UNITS**

**GRAND MARSHAL**

Mai. Gen. MARIANO N. CASTAÑEDA  
Chief of Staff, Armed Forces of the Philippines

The Armed Forces of the Philippines

Philippine Military Academy

Philippine Ground Force

Philippine Constabulary

Philippine Air Force

Philippine Naval Patrol

[Page Thirty—seven]

**Inaugural Ceremonies**

11:55 o'clock a.m.—

1. Invocation by His Grace, Mons. GABRIEL M. REYES, D. D., Archbishop of Manila.

12:00 o'clock noon—

2. Administration of the Oath of Office to His

Excellency ELPIDIO QUIRINO, President of the Philippines,  
by the Chief Justice of the Supreme Court.

*(The public will rise and will remain standing throughout the oath-taking ceremonies of the President and the Vice President. The public will be seated upon the commencement of the President's inaugural address.)*

*The oath-taking of the President of the Philippines will be preceded by ruffles and flourishes, and the playing of the Philippine National Anthem.)*

3. Administration of the Oath of Office to the  
Honorable FERNANDO LOPEZ, Vice President—elect, by  
the Chief Justice of the Supreme Court.

4. Inaugural address by His Excellency ELPIDIO  
QUIRINO, President of the Philippines.

5. The Philippine National Anthem.

[ Page Thirty-eight ]

### **Recession**

12:45 o'clock p.m.—

Upon the conclusion of the Inaugural Ceremonies, the following  
officials will retire in the order indicated below:

*(The public will rise and will remain standing until after the officials named  
hereunder shall have left)*

The PRESIDENT, of the Republic of the Philippines

The VICE PRESIDENT of the Republic of the Philippines

The PRESIDENT and MEMBERS of the Senate

The PRESIDENT and MEMBERS of the House of Representatives

The CHIEF JUSTICE and ASSOCIATE JUSTICES of the Supreme Court of the  
Philippines

The MEMBERS of the Cabinet and the Council of State

The DIPLOMATIC CORPS and their Staffs

[ Page Thirty-nine ]

### **Address of President Macapagal on Independence Day, June 12, 1964**

**Source:**<https://www.officialgazette.gov.ph/1964/06/12/address-of-president-macapagal-on-independence-day-june-12-1964/>

Diosdado Macapagal (1910-1997) was a lawyer and statesman. He served as the president of the Philippines from 1961 to 1965.

One of his known actions under his administration was the shift of the observance of the date of the Independence Day from July 4 to June 12, the date when the first Philippine Republic proclaimed its independence. The excerpt contains Macapagal's view that an unrelenting struggle for freedom throughout the history of the Philippine nation was acknowledged in the change of the independence date and continued in the plight to seek the fullness of freedom through socio-economic development and agrarian reform.

Address of President Macapagal on Independence Day, June 12, 1964

#### THE FULLNESS OF FREEDOM

#### PRESIDENT MACAPAGAL'S INDEPENDENCE DAY ADDRESS AT THE

LUNETTA, JUNE 12, 1964

THREE years ago today, we commenced the celebration of our day of freedom on the 12th day of June. We made the change not out of a diminution of esteem for America but out of a sense of fidelity to the verities of history. We have since commemorated the 4th of July as American-Philippine Friendship Day, also out of a sense of reality and truth. For it is a reality and a truth, indeed, one of the marvels in the annals of colonialism that after the ties of sovereignty were torn asunder between the United States and the Philippines on July 4, 1946, following forty-eight years of colonial association, instead of the relations between the two countries since then suffering a loosening, the bonds of friendship and partnership between the United States and the Philippines in defense of their security and in support of common ideals have become firmer and stronger with the passing of time.

The history of the Filipino people is an epic of an unrelenting struggle for freedom. Centuries ago, our forebears sailed in frail vintas to settle in our islands in order to escape from the despotism of their rulers in their aboriginal homes. In 1521, the European navigators led by Magellan reached our shores. Upon learning that the strangers came to place our land under the rule of Spain, our people under the Filipino patriot, Lapu-Lapu, fought to resist foreign rule,

resulting in the death of Magellan in the hands of Lapu-Lapu in the battle of Mactan. Finally succumbing to the power of superior arms and brought under the rule of the Spanish crown, the people revolted intermittently and incessantly during the whole period of the one hundred and seventy-seven years of Spanish rule until finally a nationwide revolution led by General Emilio Aguinaldo and the founder of the secret revolutionary society, the Katipunan, Andres Bonifacio, under the inspiration of the Filipino hero and martyr, Dr. Jose Rizal, exploded and succeeded, resulting in the proclamation of Philippine independence in Kawit, Cavite, on June the 12, 1898, by General Aguinaldo and in the establishment of the Philippine Republic under a Constitution adopted in Malolos, Bulacan, with Aguinaldo as President of the Republic.

At about this time, war broke out between the United States and Spain. Defeated in the war, Spain ceded in the Treaty of Peace to the United States the Philippines over which it had lost physical control. Again, the Filipino people resisted the implantation of American rule but were subdued by superior arms with the capture of Aguinaldo in Palanan, Isabela, in 1901. Despite the magnanimity of American rule, the Filipino people continued the struggle for freedom for forty-eight years on the battlefield of peace under a new triumvirate of great Filipino political leaders, Manuel Quezon, Sergio Osmeña, and Manuel Roxas, until on July 4, 1946, the United States proclaimed, restored, and recognized the independence of the Filipino people as a free and sovereign nation.

With the recognition of political independence in 1946, the centuries-old struggle of our people for freedom did not come to an end. What has been won so far is political freedom, which carries the sovereign right to choose the way of life under which our people desire to live. Political freedom is not an end in itself but a means to a greater end, for which our people are now called upon to continue their unfinished struggle—their unfinished revolution—for freedom. That greater end is economic freedom which would extend political freedom to the economic life of the people and which requires the liberation of the national economy from foreign dominance and above all, which demands the freedom from bondage to poverty and misery of the greatest number of our people.

This is the new and continuing struggle for freedom in which our people are engaged today. It seeks goals different from those sought in the military revolution of Aguinaldo and Bonifacio or from those sought by the peaceful revolution for political independence of Quezon, Osmeña, and Roxas. It seeks the readjustment and rectification of those conditions created in our society during four hundred twenty-five years of colonial status that do not conform to the spirit, idealism, and soul of the Filipino nation, to the end that the bounty which God in His generosity showered upon our land shall not be a monopoly of a privileged few but shall be shared by the greatest number of our countrymen.

By its nature, this is a difficult endeavor as, indeed, all revolutions, violent or peaceful, are difficult endeavors. But it is a task that is inescapable and must be undertaken if we are to be faithful to the legacy of freedom for which our forebears paid with their sacrifice and their blood.

There is one condition *sine qua* in this continued revolutionary struggle for economic freedom. It must be sought only through the ways of freedom. It must be so because since it is freedom in its fullness which our people have sought and fought for through generations and centuries, it would be an unpardonable monstrosity to seek that economic freedom through totalitarianism and not through the processes of liberty.

Our national endeavor therefore is a search for the fullness of freedom through the medium of freedom. Thus, under the aegis of this freedom, we have striven with increasing effectiveness to eradicate the evil of graft and corruption that has held sway in our government and among our people during the last sixteen years since the war's end through a moral regeneration program that respects due process and the rule of law.

We have discarded a twelve-year system of economic controls to restore the freedom of our currency. By this step, we have strengthened and stabilized the value of the Philippine peso and, in addition, the measure has immediately raised the income of the exporters, producers, and dependents of sugar, copra, abaca, minerals, palay, and other products of agriculture, industry, and mining.

We have launched land reform to give freedom and land to the tillers of our farms after centuries of economic and social bondage. The implementation of the land reform program will commence this month in Plaridel, Bulacan, and thereafter will be expanded to other parts of Central Luzon and other affected parts of the country. In this measure, we have limited its applicability to land of at least 75 hectares in area, and we have provided for freedom of choice to the affected landowners to shift voluntarily their capital to industry.

We have launched a five-year socio-economic development program on the basis of free enterprise to extend freedom to our masses from the generations-old slavery to poverty by promoting investments and production in industry, agriculture, and mining which would provide inadequate measure the needs of our fast-increasing population.

Indicative of the effectiveness of this program, production in agriculture, industry, and mining in 1963 started to exceed the production in 1961 and continues to expand.

We have invigorated the execution of an extensive program of public works, including concrete highways, rural roads, ports, and airfields, to give support and impetus to the establishment of factories and other productive ventures by private enterprises.

We have given specific boost to tourism as a feature of our economic program. The successful prospect of this undertaking is shown by the establishment at least, after many years of futile encouragement in the past, of a ₱20 million Manila Hilton Hotel which will place our accommodations for tourists at par with the highest world standards.

Realizing that liberation from bondage to the poverty of generations through our socio-economic program will require some time, we have in the meantime endeavored to insure our people against critical want by assuring at all times the rice and corn which is their food at reasonable prices while assuring profits to the palay growers. We have assured that the people have ready access to low-cost fish and other prime commodities, and we have provided ready job opportunities for those in critical need of income.

We are selling the lots and houses of the People's Home-site and Housing Corporation to their occupants to which they previously only had leasehold rights, and we have built multi-storey tenements for the virtual indigents to give them freedom from a sense of homelessness.

We have given free lots to the inhabitants of a large part of military land to satisfy their aspiration to own the lots on which their homes are built, as their forbears had yearned to do for a hundred years.

We have given particular support and assistance to the textile and garments industries to provide decent and inexpensive clothing to our population.

We have sold a multi-million government textile factory to its workers to usher them to freedom from the drudgery of endless labor into the threshold of proprietorship.

We have joined in an earnest coalition with the Labor Party to insure the legitimate effort of the workers to safeguard their rights and pursue their welfare in the widest latitude of freedom and justice.

While giving our people these urgent services, we have at the same time moved towards stable abundance by seeking the establishment by statute of a Rice and Corn Authority to attain self-sufficiency in rice and corn by establishing the Fisheries Commission to increase our fish supply, and by effectively promoting basic investments that would create permanent job opportunities.

Among the investments which show the success of the program are the ₱450 million integrated steel plant in Iligan City, the ₱250 million pulp and paper factory in Bislig, Surigao, the ₱80 million banana establishment in Davao, the ₱80 million canned pineapple plant in Cotabato, the ₱60 million steel plate plant in Binangonan, Rizal, the ₱120 million fertilizer plant in Bataan, and others too numerous for exhaustive mention.

To assure to our youth freedom from ignorance we have avoided the recurrent school crises and have embarked on massive construction of new school buildings. We have likewise sought from Congress the establishment of a Workers' University to give an opportunity to the deserving children of the poorest families to acquire university education.

We have respected with full understanding and without reprisal the freedom of the press and other media to criticize the Administration to the verge of license because we espouse the

principle that, given a choice between licentious freedom and its regulation, we are for the former because freedom possesses a quality of self-discipline that can remove its excesses while regulation may amount to regimentation that can lead to tyranny.

We have cooperated in the freedom of our political adversaries not only to criticize the Administration but also to conduct investigations against the actions of executive officials believing that it is through free inquiries that the truth of the indictment can be established or its falsity exposed.

Without diminishing our ties with our closest ally, the United States, we have charted a wider course of freedom in dealing with other nations and in particular with our brothers in the Afro-Asian community.

To carry out our program of prosperous life for our people in freedom, we have set the basic requirement of peace in the country by dealing the communist uprising a mortal blow through the capture of its “brain,” Dr. Jesus Lava.

The final capture of Lava after eluding the authorities for eighteen years is not only a historic but significant event. Lava led a (movement that sought substantially the same economic freedom that we seek for our masses, but he sought his goals through the tactics of totalitarianism, tyranny, and violence that characterize communism. Upon his capture, he acknowledged that in our current efforts under our system of democracy, social conditions have improved and fresh hopes have been raised for the common man. It would not be far-fetched to believe that it was this dismay in the success of our democratic efforts for the welfare of our people which weakened the fervor of the communist cause and Lava’s own will to continue his violent uprising, thereby resulting in his capture after years of fugitive elusiveness.

The capture of Lava, therefore, should focus our minds on two things: firstly, that our struggle to achieve a better life for the multitudes of our people through the ways of freedom is proving to be the right course; therefore, thus encouraged, we can reassure our people that as long as we have the responsibility of steering the affairs and destiny of our nation, we shall endeavor to build a better country and a better life for our people not through any techniques of totalitarianism but through the established Filipino way of life—through peace, freedom, and the rule of law.

Secondly, it should be food for thought to those who now enjoy in greater measure than others the bounty of our land that for the sake of our country and for their own sake, they ought to view with greater understanding and even support our energetic efforts to provide effective opportunities to the greatest number to attain a better life through the ways of peace, freedom, and the rule of law because this is the course that will avoid the tragedy that has befallen other nations—including nations around us— in which the inescapable struggle of the masses to share in the wealth of their country has been accomplished in the manner in which Lava and his movement would wish it to be achieved, through totalitarianism, tyranny, and violence, under

which not only wealth and comfort but life itself stands in danger of being lost. The affluent in our society should not ignore or forget these early the warnings and lessons of our recent history, when the alternative of violent protest rather than peaceful reform pursued by the communists almost succeeded in overwhelming us and, destroying the sources of their wealth and fortunes.

To expand the area of basic peace upon which we pursue a prosperous and free life for our people, we have sought to use our good offices to prevent tension and conflict in our international neighborhood. To this end, after our independence ceremonies, much as I do not wish to leave our country at this time, I shall be constrained to fly to Tokyo to undertake this vital (mission. It is an hazardous mission that involves our national interest and that seeks for ourselves and our neighbors freedom from war. I need the good wishes of all in this momentous undertaking, for if it fails it will jeopardize the stability of our region; but if it succeeds, it will mean not only peace in our neighborhood but an initiative in international diplomacy that will bring honor to our entire nation.

In summation, our commemoration of our day of freedom is, therefore, not an empty ceremony but is a realistic ritual of rededication to the substance of our lives and our aspirations as a people which consists in the fullness of freedom. Our celebration and jubilation on the day of our independence is as essential a part of our lives, as individuals and as a nation, as the air that we breathe, the food that we eat, and the God whom we worship.

I need but make one more observation to end this speech. The struggle for freedom, whether political or economic, is truly a revolution. In other lands, it has become a violent revolution. In our country, we are lucky thus far that our revolution for a better economic life has been a peaceful one. But whether violent or peaceful, all revolutions demand sacrifice and fortitude in the face of transitory hardship. If we are worthy of freedom, if we are worthy of the sacrifice and fortitude of our heroes who left us a legacy of freedom, if we are worthy of the better life that we seek for ourselves, if we possess the manhood of a virile nation, let us not whimper in the face of transient hardship, let us not wail over inconvenience and difficulty. Rather, as good citizens, let us do our share in this common struggle ready to sacrifice and to undergo hardship; let us work hard together, for this is the way to build a richer nation in free enterprise; let us realize that it is necessary for us to undergo the cavalry of sacrifice and hard work in order to deserve and enjoy the redemption of a better and happier life.

I end with the proud declaration of the truth that the Philippines is irrevocably a land of freedom. The love for freedom is the outstanding trait of the Filipino. Democracy and the freedom on which our government is founded have taken firm and very deep roots not only in the soil of our earth but also in the soul of our people. Having espoused peace, freedom, and the rule of law as their way of life, the Filipinos will rather die fighting for freedom than live under any tyranny, foreign or native. Because freedom is his devout wish on this independence day, the Filipino feels inside him that his freedom is still incomplete. There will never be the fullness of freedom that the Filipino heart yearns for until it includes as a reality freedom from want, freedom from poverty, freedom from misery, freedom from a hopeless life of hardship and deprivation. As the

leaders of two preceding generations before us contributed their share essentially in the political sphere to the achievement of our people's goal of freedom in its fullness, its expansion to the freedom of our multitudes from social and economic bondage to poverty is the task of our own generation. This is the inescapable task of all of us. On my part, with God's benediction, I shall do my share of the enormous task the best way I know how.

May God bless our people on this our day of freedom so that it shall become full and shall last unto eternity.

**Romulo, Carlos P. "Crusade in Asia" pp. 125 – 127. in *Romulo Reader*. Edited by Liana Romulo. Makati: Bookmark, 1998. Excerpt also available on**

**Source: [https://archive.org/stream/crusadeinasiaphi006144mbp/crusadeinasiaphi006144mbp\\_djvu.txt](https://archive.org/stream/crusadeinasiaphi006144mbp/crusadeinasiaphi006144mbp_djvu.txt)**

Carlos P. Romulo (1898 – 1985) was an intellectual and the country's topmost diplomat, having served as the secretary for foreign affairs under the presidencies of Quirino, Macapagal and Marcos. His track record in the United Nations, serving as one-time president of its General Assembly, showed that he was among the few Filipinos during the postwar period who made an impact in setting an agenda for international relations and global cooperation.

This document is an excerpt from Romulo's resignation as the Ambassador of the Philippines to the United States, and concurrent the Permanent Delegate to the United Nations in 1953. The select sections of the document shows Romulo's reason that a change of leadership is needed within the government. As of the writing of this letter, President Quirino was considering running for a second term, and Romulo, after having conversations with Quirino and reflections on the state of the country, Romulo made his resignation to his post in order to address the clamor for a change in leadership. This letter shows Romulo's resolve to resign for his post as his personal way to preserve the future of the emerging newly independent state through a renewed change in moral leadership.

**Excerpt:**

My letter of resignation to His Excellency Elpidio Quirino, President of the Philippines, written on May 14, 1953, reads, in part, as follows:

DEAR MR. PRESIDENT:

On board the Apo on May 1, the evening following my return to Manila at your behest, you spoke to me frankly about the reasons why you have decided to seek the nomination of our party

for the second term. I informed you then that in my considered opinion it would be desirable in the national interest that you reconsider your decision

to seek another term.

This statement rests upon the sober, impersonal conviction which I have reached that a change in leadership would not only be a good thing for the country at this time but is indeed an essential condition for our future progress.

It also rests upon the equally sober realization that our people profoundly desire such a change. Our people today are weary and confused. If they are not demoralized, it is because of the inherent spiritual power and the unshakable faith -which has distinguished them throughout the ages, through which they have always been able to recruit renewed strength of purpose to overcome the mightiest obstacles to their progress.

Despite the restoration of a degree of economic stability, economic difficulties among our masses have been mounting. Economic inequalities have become more noticeable. These, with their natural concomitant's political confusion, social decay and above all, a noticeably growing lack of public confidence in government have created a situation of grave national peril that is unprecedented in our history, and that has brought deep concern to all thinking men who have been witnesses of these phenomena.

It has not been easy for me, Mr. President, to reach the conclusion that has been forced on me by factors and stresses visible to so many of our countrymen, that our people are in a deep discontent under a burden of woes and grievances.

These considerations have compelled me to the conclusion that the time has come for a salutary and necessary change in the leadership of our national life one which will remove from the palate of our people the stale taste of promises unfulfilled, or failures, and will provide the people with fresh resolve and inspiration, based on a reinvigorated faith in government.

And here lies the crux of the present specific political situation, the implication of which candor compels me to note for your consideration. It cannot have escaped you that bitter feelings have

been engendered: and it is my conviction, shared by many, that a supreme gesture by you a gesture not so much of self-abnegation as of a vision that rises above the level of the moderately enlightened would act to dissolve these feelings in a solvent of national good will and understanding, and would avert consequences which you would be the first to deplore.

Such an act on your part, all circumstances considered, would shine as an act of enlightened statesmanship and patriotism, would constitute a heartening recognition of our democracy's inherent capacity for renewal, and would establish you in a position of high moral leadership and influence 'which no mere political effort could give.

I have addressed this letter to you in complete candor, out of a sense of patriotic duty. To tell you the unvarnished truth is, I believe, the highest form of service that I can render the party now. What happens to me personally is a matter of little consequence. It is the future of our country that is paramount. On this, I am certain, we agree.

I am cognizant of the fact that by suggesting, as I do now, that you forbear, in the national interest, from seeking nomination or election for another term, I am creating

a situation in which you may feel that I no longer am capable of that complete meeting of minds which would make my continuance as your Ambassador to the United States, and Permanent Delegate to the United Nations, possible.

For this reason I hereby have the honor to place in your hands my resignation from both posts.

Sincerely yours,

CARLOS P. ROMULO

**Address of President Macapagal on Independence Day, August 8, 1963.**

**Source:** <https://www.officialgazette.gov.ph/1963/08/08/address-of-president-macapagal-at-the-signing-of-the-agricultural-land-reform-code/>

One of the most well-known accomplishments of President Macapagal is agrarian land reform through the enactment of the Republic Act No. 3844 or Agricultural Land Reform Code. The Agricultural Land Reform Code provided the establishment of a leasehold system between landlords and farmers which sought an end to the tenancy system that had been the prevailing system. The law also provided the authority to acquire and distribute agrarian land equitably as well as created a financial institution for such acquisition and distribution.

In this document, President Macapagal signed into law this agrarian land reform program with him proclaiming that this was the culmination of the freedom of farmers. Through a historical overview of the struggles of the farmers from the colonial times to the independent state, the land reform code, according to Macapagal, served as a triumph not only to free the farmer from the oppressive system but to enable him to invigorate productive agriculture for the economy of the nation-state.

EXCERPT:

**Address of President Macapagal at the signing of the Agricultural Land Reform Code  
August 8, 1963**

**Address  
of**

**His Excellency Diosdado Macapagal  
President of the Philippines**

**At the Signing of the Agricultural Land Reform Code**

**[Delivered on August 8, 1963]**

AN ACT OF EMANCIPATION

WE ARE GATHERED here to witness a very simple act. The act itself will take no more than a few seconds, no more than a brief moment to affix a simple signature on the last page of a printed document. It will take no more than a few quick strokes of the hand. Yet in this brief moment are packed many centuries. This unspectacular act of signing a piece of paper will bring to an end a long and at times bitter past of economic and human slavery which we now make bold to abolish, and it will launch a new and better future for those languishing in poverty from this bondage which we now make bold to build.

There have been times in human history when a short signature by a mortal hand could build or demolish empires, or send nations at war with one another. Today, a signature by a humble hand obedient to a million silent aspirations will give the toiling Filipino farmer his liberation from poverty and social degradation. Thus, we are gathered here not merely to observe a transitory ceremony; we are engaged in the formidable act of re-making history. We are presiding over the dismantlement of an institution that has plagued our land for longer than four and a half centuries. We are celebrating the initial step that will burst us under the forces and the institutions that have kept our tenants in silent bondage over a period of time that extends to long before the Spaniards came to our shores. We are returning to our toiling farmer the freedom that is his by God's grace, the dignity and security that come with the possession of his own land, and the natural right to enjoy the rewards of his own labors. We are launching the boldest program of land reform ever attempted in our country which shall bring redemption to the economic slaves tilling our farms.

In a few minutes, we shall sign an enactment of Congress proposed by us into law. But we are signing more than an ordinary code. We are signing a veritable proclamation of independence, a declaration of faith, a declaration of determination. By this we proclaim the independence of the shackled Filipino farmer, declare our faith in his ability to fulfill the responsibility that comes with his newly won freedom, and declare our determination to assist him effectively in rising to the proud status of an owner of his land and the equal in human dignity of any other citizen of the land.

This occasion is the culmination of more than four hundred and fifty years of history of tenancy in the Philippines. It was mostly a melancholy history; at times, it was a turbulent history. It was a continuous history of share-cropping and debt-peonage that bore down on the shoulders of the tenant, whether it be the mamamahay of pre-Hispanic times or the kasamahan farmer who emerged in the eighteenth century or the share tenant of the twentieth century. Some of the old Spanish governors-general tried to alleviate the plight of the mamamahay, but their attempts took the form of laws that were not honored in practice. In the eighteenth century Jose Basco y Vargas made another attempt at liberating the tenant from his servitude by prohibiting practice of kasamahan, except in the case of landlords who had some legitimate reasons for absenteeism; such as sickness or old age.

All through the American occupation of the Philippines and all through the Commonwealth period the problem of the tenant was a profound concern. Some advocates of reform sought the way of violent uprisings, strikes, or similar massive actions by tenants against landlords: Benigno Ramos led his Sakdals, and Pedro Abad Santos, his Socialists. Others, resorting to the methods of law, pushed the passage of measures to improve the lot of the tenants by increasing his share of the crop or by giving him tenure or by resettling him on friar or public lands. President Manuel Quezon announced and tried to pursue a program of social justice in an effort to pioneer in land reform.

In 1946, after the war and after the transfer of political sovereignty back to the Philippines, another tenancy law, Republic Act 34, was passed. Again it regulated sharing arrangements, protected the tenant from undue eviction, and defined the rights and obligations of tenants and landlords within a system of share-tenancy.

Still another attempt at land reform, and the boldest one before this new law, was taken by President Ramon Magsaysay. Under his administration Congress passed Republic Act 1400 in 1955. It was salutary in its intentions, but—in spite of its ambition—it suffered from the weaknesses of its predecessors: it attacked the tenancy system on the surface, not at the roots. The evidence of the failure of past intentions are all around us. Today we have more share-tenants than ever before. The trend is firmly established and shows no signs of levelling off, unless fundamental measures are implemented. Even in resettlement projects which have for their entire objective the establishment of farmer-operators tilling their own farms, the corrosive forces of share-tenancy have penetrated and are spreading rapidly.

This trend cannot be stopped except by bold and forthright action. We cannot cure a grave disease by simple palliatives. We cannot remove a growing social tumor by treating its surface. We can remove it only by a quick surgery. The failure of past attempts at land reform was always a failure of determination: they tried to alleviate the pains, the evils, the injustices of the share-tenancy system, rather than resolutely attacking the system itself. The result is that while some of the edges of the problem have been treated with some success, the disease remains as formidable and as threatening as ever.

It is thus not enough to deal with the bits and pieces of the problem. It is not sufficient simply to enlarge the tenant's share of the crop, or to give him stability of tenure, or to outlaw usury, or to provide alternative sources of credit, for the basic disorder remains. All the problems that plague the share-tenant—the death of his initiative, his vulnerability to usury, his weak bargaining position before the landlord and trader, his poverty—all these have one root cause, namely, the very institution of share of share-tenancy itself. This is the very disease that must be removed, decisively and with determination.

Today, with a few strokes of the pen, we shall perform the initial step in this surgery. This document before us, a bill which in a few minutes will become a statute to be known as the Agricultural Land Reform Code, will provide us with the legal powers to remove once and for all the system of share-tenancy that has plagued our agricultural countryside. In one statement it declares share tenancy as violative of the law of the land, a system which will be abolished and will no longer be tolerated by law. But the Code does not only provide us with the powers to remove an organic disease from our agricultural society; it also provides the means of injecting new health, new vigor, new muscles, and new strength into the new social order that will arise. Its first and immediate step is to destroy an oppressive and intolerable system; its ensuing objectives—which will constitute the sinews of land reform—is to nurse our agricultural economy into a state of healthy productivity. It not only aims to turn the Filipino tenant into a free man; it aims, most of all, to turn him into a more productive farmer.

Thus, after centuries of silent struggle and angry protests, the Filipino tenant finds in this movement his victory, finds in this pen a powerful scythe with which to harvest the fruits of a proud and productive future, finds in this gathering the jubilant witnesses of his triumph, finds on this stage a rampart from which to view the wide and spacious fields in the country which shall be his to till, to work, to cultivate, and to love as his own. This moment is only an initial triumph in that the law has torn down his prison. His task from hereon is to build: to build his own technical capabilities, to cultivate his farm efficiently and scientifically; his abilities to finance his operations in an orderly manner, his ability to market his produce effectively, and to invest the savings out of his increased incomes in the further improvement of his own farm. Most of all, his task is to change himself, his outlook, his spirit, his attitude towards work. Under the law he will cease to be a tenant; during a transitional period he will function as a leaseholder; and after a few years he will be a landowner. We call upon him to abandon his outlook as a tenant, and take on the vision of a new landowner.

In this transition the Filipino farmer will need help. As a transitional leaseholder and as an eventual landowner he will need manifold assistance, including technical, marketing, financial, and legal. The Land Reform Code provides the government with the resources and the machinery with which to give him all the help and support he needs. Among these are the Agricultural Productivity Commission which will extend to him technical assistance, the Agricultural Credit Administration which will give him operational financing and marketing assistance, the office of Agrarian Counsel which will provide him legal assistance, the Land Authority which will assist him to become the owner of the land he tills, and the Land Bank which will assist him to pay for the land that has become his own.

Under the Land Reform Program, the farmer will therefore have behind him a formidable battery of government agencies to insure that his transformation from a tenant into a lessee and eventually into a landowner will result in increased production from our farms, in increased incomes for our farmers, in better management of the farmer's financial affairs, and—most of all—in the enhancement of the dignity and the social position of those who now live under the burden of tenancy. Realizing that the implementation of the program is the crux to the realization of its noble objectives, we pledge all our power, all our fervor, and all our faculties to warrant the efficient operation of all these agencies in order to insure the rise of the poverty-enslaved tenant into a free and prosperous farmer.

The machinery for carrying out the Land Reform Program will soon be in full operation. We shall see that the implementation of the program thereby will not be haphazard but systematic; will not be hasty but orderly; will not be reckless but resolute. It will be pursued in manageable stages, rather than as a breathless and one-shot effort that will sweep the nation overnight. It will be managed prudently and well, with all due respect to the rights of all parties concerned.

In abolishing tenancy and launching a decisive and bold land reform program, we confront a huge and monumental task. We dare say that it matches the historic proportions of no other

achievement of our nation in the past, save the Philippine Revolution that began in 1896. Indeed, the Land Reform Program is a revolution in itself, part of the peaceful, ambitious, unfinished revolution which we are now waging to win for our people an adequate measure of prosperity and well-being. Land reform is not a separate and isolated program; it is a component, and a very crucial component, of our wide-ranging and integrated program to promote the rapid and sound social and economic development of our country. Land Reform will release the hitherto suppressed productive energies of our farmers, and will thus increase the capacity of our agricultural sector to provide our people with food and our industries with raw materials. Land reform will increase the incomes of our agricultural society, and will thus convert it into a large market for the produce of our industries. Land reform is not solely a program to help tenants; it is a program to uplift the whole nation, socially and economically. It is ultimately a proof and demonstration of the respect which our nation holds for the dignity and the rights which are attached inseparably to the human person.

It is meet to recall at this point that the Filipino has been associated with apathy and resistance to progress. Our national hero, Dr. Jose Rizal, has referred to this seeing trait as the indolence of the Filipino which must be overcome. For centuries, the Filipino tilling our farms seemed indolent because his creative and constructive qualities were overpowered and stifled by a sense of hopelessness as he languished in the dark prison of his unending poverty and misery. Since life was to him hopeless for advancement, his supreme ambition and recourse for human joy was to spend the occasional windfalls from his lengthening debt in order to drown his sorrows in tuba and basi or in a bet at a cockfight. This sense of hopelessness was a drug that kept him indolent and lukewarm to the charms of progress. Through this land reform program, which releases the tenants from endless darkness to the sunshine of new hopes, we can look forward to the day when the so-called indolent Filipino, after centuries, shall be no more, and in his place will arise a Filipino who shall work hard because he has a better life to work and hope for, who shall actively take part in community work that builds the nation because he has the dignity that makes him the equal of all his countrymen, who shall fight for his rights and do his duties because he has effective freedom for the discharge of this responsibility, and who, in the hour of necessity, will be happy to give even his life for his country because in his country he has land to call his own.

The Filipino farmer has waited century after century for this very moment and this very occasion. In a moment, as the elected President of this Republic, I shall sign the Agricultural Land Reform Code into a law of the land. By this act the nation shall put its indelible seal on this proclamation of the toiling farmer's liberation and his victory.

So let this signing be recorded in our annals as an Act of Emancipation of the toiling farmer from his slavery to debt, poverty, and misery and of his dignification as a human being and as a citizen. By this act of emancipation, a new revolution is on.

In fulfillment of the dream of centuries and in answer to the cry for liberation of the slaved Filipino tenant in our farms from his chains of want and misery, it is now my cherished privilege

and infinite honor to sign the Agricultural Land Reform Code into law as Republic Act No. 3844 on this memorable day of the Common Man.

**TOPIC 10: 1972-1986****List of Reading Materials:**

- 1. 1973 Constitution**
- 2. Address on Program of Economic Recovery**
- 3. Presidential Decree No. 2, s 1972**
- 4. Presidential Decree No. 27, s. 1972**
- 5. Proclamation No. 1081**
- 6. Proclamation No. 1102**
- 7. Proclamation No. 2045**
- 8. Report of His Excellency President Marcos to the Batasang Pambansa**
- 9. June 1981 Marcos Speech**
- 10. True Filipino Ideology**

## The Postwar Philippines 1972-2011

This section is divided into two periods namely, from 1972 to 1986 (Fourth Republic) and 1986 to the present (Fifth Republic). The first part spans the gamut of political, economic and military issues from the martial law and constitution to agrarian reform and amendments to the military bases agreement. To address these issues, it is deemed necessary to retrieve various types of primary sources ranging from the proclamations and presidential decrees and speeches to Philippine Constitution. Proclamation No. 1081 dealt with the proclamation of a state of martial law in the Philippines on September 21, 1972, whereas Proclamation No. 2045 had to do with the announcement of the lifting of martial law on June 17, 1981. In consonance with his administration's agrarian reform program, President Ferdinand Marcos issued Presidential Decree No. 2, s. 1972 and Presidential Decree No. 27, s. 1972. Pursuant to Presidential Decree No. 2, s. 1972, the "entire country" was "proclaimed" as a "land reform area." On the other hand, Presidential Decree No. 27, s. 1972 stipulated the "emancipation of tenant from the bondage of soil" by "transferring to them the ownership of the land they till." On December 1, 1972, the 1971 Constitutional Convention transmitted a copy of the Constitution to President Marcos. By virtue of Proclamation No. 1102, s. 1973, President Marcos announced the effectivity of the Constitution framed by the 1971 Constitutional Convention. Consisting of a Preamble and 17 articles, the 1973 Constitution provided for a parliamentary form of government with a unicameral National Assembly. In his Report to the Batasang Pambansa (1984), President Marcos proudly presented the Amendments to the Military Bases Agreement, which was concluded with the United States on March 14, 1947. In his address before the delegates to the local aid review conferences on July 25, 1984, President Marcos discussed the development strategies adopted by his government to drive the domestic economy in the 1970s and 1980s. In his speech on June 18, 1981, President Marcos propounded his vision of "New Filipinism." In an essay entitled *True Filipino Ideology*, the president spoke of an "emergent national ideology."

Dealing with the political, economic and national security matters, the second part encompasses such primary sources as the speeches of the Presidents of the Fifth Republic, constitution, presidential proclamation and Republic Act, and an official statement. With the signing of Proclamation no. 3 on March 25, 1986 by President Corazon Aquino, a Provisional Constitution, also called Freedom Constitution, was promulgated. Consisting of a Preamble and eighteen (18) sections, the 1987 Philippine Constitution prescribed a presidential system of government whose powers are distributed among three co-equal branches and a bicameral legislature. President Aquino's commitment to "social justice" and "sound rural development" was evidenced by the signing of Republic Act no. 6657, *An Act Instituting a Comprehensive Agrarian Reform Program to Promote Social Justice and Industrialization, Providing the Mechanism for its Implementation, and For Other Purposes*, also known as the Comprehensive Agrarian Reform Law (CARL) of 1988. President Fidel Ramos articulated his vision for the Philippines in his Second State of the Nation Address (1993). Addressing the delegates to the 20th Philippine Business Conference of the Philippine Chamber of Commerce and Industry,

President Ramos welcomed the ratification of the URUGUAY ROUND of the General Agreement on Tariffs and Trade (GATT), President Ramos expressed his conviction that the country would stand to benefit from the trade agreement. President Joseph Estrada vowed to promote the welfare of the masses in his Inaugural Address on June 30, 1998. President Gloria Macapagal-Arroyo identified the “four core beliefs” of her administration in her Inaugural Address on January 20, 2001. President Rodrigo Roa Duterte’s resolve to serve the Filipino people was expressed in his Inaugural Address on June 30, 2016. In his pre-recorded address before the General Debate of the virtual 75<sup>th</sup> United Nations (UN) General Assembly on September 23, 2020 (Manila time), President Duterte asserted the 2016 Hague Tribunal’s ruling on the South China Sea.

## **1973 Constitution of the Republic of the Philippines**

The full text of the 1973 Constitution of the Republic of the Philippines is available at <https://www.officialgazette.gov.ph/constitutions/1973-constitution-of-the-republic-of-the-philippines-2/>

As mandated by Republic Act No. 1632, otherwise known as “The 1971 Constitutional Convention Act,” which was ratified by the Congress on August 24, 1970, the 1971 Constitutional Convention, which was presided over initially by former President Carlos P. Garcia and subsequently by President Diosdado Macapagal and composed of 320 elected delegates, was mandated to frame a new Charter to supplant the 1935 Constitution<sup>25</sup>. The 1971 Constitutional Convention transmitted the draft to President Marcos on December 1, 1972, a few months after the proclamation of martial law<sup>26</sup>. The 1973 Constitution consisted of a Preamble and 17 articles. What was distinctive about the 1973 Constitution was that it provided for a change from a presidential to a parliamentary form of government with a unicameral National Assembly (Batasang Pambansa) that superseded the bicameral legislature that was created under the 1935 Constitution, the President as the “head of state and chief executive,” and a Prime Minister as head of the government to be elected by the Assembly.

### **PREAMBLE**

We, the sovereign Filipino people, imploring the aid of Divine Providence, in order to establish a Government that shall embody our ideals, promote the general welfare, conserve and develop the patrimony of our Nation, and secure to ourselves and our posterity the blessings of democracy under a regime of justice, peace, liberty, and equality, do ordain and promulgate this Constitution.

### **ARTICLE I**

#### **THE NATIONAL TERRITORY**

SECTION 1. The national territory comprises the Philippine archipelago, with all the islands and waters embraced therein, and all the other territories belonging to the Philippines by historic

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<sup>25</sup> Republic Act No. 6132, retrieved October 26, 2020, from [https://lawphil.net/statutes/repacts/ra1970/ra\\_6132\\_1970.html](https://lawphil.net/statutes/repacts/ra1970/ra_6132_1970.html); <https://web.archive.org/web/20150416202627/http://tumblr.malacanang.gov.ph/post/42089411636/the-election-for-the-presidency-of-the-1971>

<sup>26</sup> Constitution Day, retrieved October 26, 2020, from <https://www.officialgazette.gov.ph/constitutions/constitution-day/>

right or legal title, including the territorial sea, the air space, the subsoil, the sea-bed, the insular shelves, and the other submarine areas over which the Philippines has sovereignty or jurisdiction. The waters around, between, and connecting the islands of the archipelago, irrespective of their breadth and dimensions, form part of the internal waters of the Philippines.

## ARTICLE II

### **DECLARATION OF PRINCIPLES AND STATE POLICIES**

SECTION 1. The Philippines is a republican state. Sovereignty resides in the people and all governmental authority emanates from them.

SEC. 2. The defense of the State is a prime duty of the Government and the people, and in the fulfillment of this duty all citizens may be required by law to render personal military or civil service.

SEC. 3. The Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land, and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations.

SEC. 4. The State shall strengthen the family as a basic social institution. The natural right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the aid and support of the Government.

SEC. 5. The State recognizes the vital role of the youth in the nation-building and shall promote their physical, intellectual, and social well-being.

SEC. 6. The State shall promote social justice to ensure the dignity, welfare, and security of all the people. Towards this end, the State shall regulate the acquisition, ownership, use, enjoyment, and disposition of private property, and equitably diffuse property ownership and profits.

SEC. 7. The State shall establish, maintain, and ensure adequate social services in the field of education, health, housing, employment, welfare, and social security to guarantee the enjoyment by the people of a decent standard of living.

SEC. 8. Civilian authority is at all times supreme over the military.

SEC. 9. The State shall afford protection to labor, promote full employment and equality in employment, ensure equal work opportunities regardless of sex, race, or creed, and regulate the relations between workers and employers. The State shall assure the rights of workers to self-organization, collective bargaining, security of tenure, and just and humane conditions of work. The State may provide for compulsory arbitration.

SEC. 10. The State shall guarantee and promote the autonomy of local government units, especially the [barangays ], to ensure their fullest development as self-reliant communities.

### ARTICLE III

#### **CITIZENSHIP**

SECTION 1. The following are citizens of the Philippines:

- (1) Those who are citizens of the Philippines at the time of the adoption of this Constitution.
- (2) Those whose fathers or mothers are citizens of the Philippines.
- (3) Those who elect Philippine citizenship pursuant to the provisions of the Constitution of nineteen hundred and thirty-five.
- (4) Those who are naturalized in accordance with law.

SEC. 2. A female citizen of the Philippines who marries an alien shall retain her Philippine citizenship, unless by her act or omission she is deemed, under the law, to have renounced her citizenship.

SEC. 3. Philippine citizenship may be lost or reacquired in the manner provided by law.

SEC. 4. A natural-born citizen is one who is a citizen of the Philippines from birth without having to perform any act to acquire or perfect his Philippine citizenship.

### ARTICLE IV

#### **BILL OF RIGHTS**

SECTION 1. No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.

SEC. 2. Private property shall not be taken for public use without just compensation.

SEC. 3. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall not be violated, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined by the judge, or such other responsible officer as may be authorized by law, after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched, and the persons or things to be seized.

SEC. 4. (1) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety and order require otherwise.

(2) Any evidence obtained in violation of this or the preceding section shall be inadmissible for any purpose in any proceeding.

SEC. 5. The liberty of abode and of travel shall not, be impaired except upon lawful order of the court, or when necessary in the interest of national security, public safety, or public health.

SEC. 6. The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, shall be afforded the citizen subject to such limitations as may be provided by law.

SEC. 7. The right to form associations or societies for purposes not contrary to law shall not be abridged.

SEC. 8. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights.

SEC. 9. No law shall be passed abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

SEC. 10. No law granting a title of royalty or nobility shall be enacted.

SEC. 11. No law impairing the obligation of contracts shall be passed.

SEC. 12. No ex post facto law or bill of attainder shall be enacted.

SEC. 13. No person shall be imprisoned for debt or non-payment of a poll tax.

SEC. 14. No involuntary servitude in any form shall exist except as a punishment for a crime whereof the party shall have been duly convicted.

SEC. 15. The privilege of the writ of habeas corpus shall not be suspended except in cases of invasion, insurrection, rebellion, or imminent danger thereof, when the public safety requires it.

SEC. 16. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.

SEC. 17. No person shall be held to answer for a criminal offense without due process of law.

SEC. 18. All persons, except those charged with capital offenses when evidence of guilt is strong, shall, before conviction, be bailable by sufficient sureties. Excessive bail shall not be required.

SEC. 19. In all criminal prosecutions, the accused shall be presumed innocent until the contrary is proved, and shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy, impartial, and public trial, to meet the witnesses face to face, and to have compulsory process to secure the attendance of witnesses and the production of evidence in his behalf. However, after arraignment, trial may proceed notwithstanding the absence of the accused provided that he has been duly notified and his failure to appear is unjustified.

SEC. 20. No person shall be compelled to be a witness against himself. Any person under investigation for the commission of an offense shall have the right to remain silent and to counsel, and to be informed of such right. No force, violence, threat, intimidation, or any other means which vitiate the free will shall be used against him. Any confession obtained in violation of this section shall be inadmissible in evidence.

SEC. 21. Excessive fines shall not be imposed, nor cruel or unusual punishment inflicted.

SEC. 22. No person shall be twice put in jeopardy of punishment for the same offense. If an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.

SEC. 23. Free access to the courts shall not be denied to any person by reason of poverty.

## ARTICLE V

### **DUTIES AND OBLIGATIONS OF CITIZENS**

SECTION 1. It shall be the duty of the citizen to be loyal to the Republic and to honor the Philippine flag, to defend the State and contribute to its development and welfare, to uphold the Constitution and obey the laws, and to cooperate with the duly constituted authorities in the attainment and preservation of a just and orderly society.

SEC. 2. The rights of the individual impose upon him the correlative duty to exercise them responsibly and with due regard for the rights of others.

SEC. 3. It shall be the duty of every citizen to engage in gainful work to assure himself and his family a life worthy of human dignity.

SEC. 4. It shall be the obligation of every citizen qualified to vote to register and cast his vote.

## ARTICLE VI

### **SUFFRAGE**

SECTION 1. Suffrage shall be exercised by citizens of the Philippines not otherwise disqualified by law, who are eighteen years of age or over, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote for at least six months preceding the election. No literacy, property, or other substantive requirement shall be imposed on the exercise of suffrage. The Batasang Pambansa shall provide a system for the purpose of securing the secrecy and sanctity of the vote.

## ARTICLE VII

### THE PRESIDENT

SECTION 1. The President shall be the head of state and chief executive of the Republic of the Philippines.

SEC. 2. No person may be elected President unless he is a natural-born citizen of the Philippines, a registered voter, able to read and write, at least fifty years of age on the day of election for President, and a resident of the Philippines for at least ten years immediately preceding such election.

SEC. 3. The President shall be elected by direct vote of the people for a term of six years which shall begin at noon on the thirtieth day of June following the day of the election and shall end at noon of the same date six years thereafter when the term of his successor shall begin.

The returns of every election for President, duly certified by the board of canvassers of each province or city, shall be transmitted to the Speaker at the Batasang Pambansa, who shall, not later than thirty days after the day of the election, and in the presence of the Batasang Pambansa open all the certificates, and the votes shall then be counted.

The person having the highest number of votes shall be proclaimed elected; but in case two or more shall have an equal and the highest number of votes, one of them shall forthwith be chosen by a vote of a majority of all the Members of the Batasang Pambansa in session assembled.

SEC 4. If, at the time fixed for the beginning of his term, the President-elect shall have died or shall have failed to qualify or if the President shall not have been chosen, the Executive Committee, headed by the Prime Minister, as hereinafter provided, shall exercise the powers and discharge the duties of the President until a President shall have been elected and qualified. If the Batasang Pambansa withdraws its confidence in the Prime Minister, the Speaker shall preside over the Executive Committee. In the absence of an Executive Committee, the Speaker of the Batasang Pambansa shall act as President until a President shall have been elected and qualified.

In the event of death or failure to qualify as herein provided, the Batasang Pambansa shall call a special election in the manner prescribed in Section 7 hereof.

SEC. 5. The President, on assuming office, shall take the following oath or affirmation:

“I do solemnly swear (or affirm) that I will faithfully and conscientiously fulfill my duties as President of the Philippines, preserve and defend its Constitution, execute its laws, do justice to every man and consecrate myself to the service of the Nation. So help me God.” (In case of affirmation, the last sentence is omitted.)

SEC. 6. (1) The President shall have an official residence and shall receive a compensation to be fixed by law, which shall not be increased or decreased during his term of office. He shall not receive during his tenure any other emolument from the Government or any other source. Until the Batasang Pambansa shall provide otherwise, the President shall receive an annual salary of one hundred thousand pesos.

(2) The President shall not, during his tenure, hold any other office, practice any profession, participate directly or indirectly in the management of any business, or be financially interested directly or indirectly in any contract with, or in any franchise or special privilege granted by, the Government or any subdivision, agency or instrumentality thereof, including any government-owned or controlled corporation.

SEC. 7. In case of permanent disability, death, removal from office or resignation of the President, the Executive Committee headed by the Prime Minister as hereinafter provided shall exercise the powers of the President until a President shall have been elected and qualified. If the permanent disability, death, removal from office or resignation of the President occurs earlier than eighteen (18) months before the expiration of his term, the Batasang Pambansa shall, within thirty days from the time the vacancy occurs, call a special election to be held not earlier than forty-five days nor later than sixty days from the time of such call, to elect a President to serve the unexpired term.

In the absence of an Executive Committee, the Speaker shall act as President until the President shall have been elected and qualified.

SEC. 8. The President shall have control of the ministries.

SEC. 9. The President shall be commander-in-chief of all armed forces of the Philippines and, whenever it becomes necessary, he may call out such armed forces to prevent or suppress lawless violence, invasion, insurrection, or rebellion. In case of invasion, insurrection, or rebellion, or imminent danger thereof, when the public safety requires it, he may suspend the privilege of the writ of habeas corpus, or place the Philippines or any part thereof under martial law.

SEC. 10. The President shall appoint the heads of bureaus and offices, the officers of the armed forces of the Philippines from the rank of brigadier general or commodore, and all other officers of the Government whose appointments are not otherwise provided for, those whom he may be authorized by law to appoint. However, the Batasang Pambansa may by law vest in the Prime

Minister, members of the Cabinet, the Executive Committee, courts, heads of agencies, commissions, and boards the power to appoint inferior officers.

SEC. 11. The President may, except in cases of impeachment, grant reprieves, commutations and pardons, remit fines and forfeitures and, with the concurrence of the Batasang Pambansa, grant amnesty.

SEC. 12. The President may contract and guarantee foreign and domestic loans on behalf of the Republic of the Philippines, subject to such limitations as may be provided by law.

SEC. 13. The President shall formulate the guidelines of national policy.

SEC. 14. The President shall address the Batasang Pambansa at the opening of its regular session. He may also appear before it at any other time.

SEC. 15. The President shall be immune from suit during his tenure. Thereafter, no suit whatsoever shall lie for official acts done by him or by others pursuant to his specific orders during his tenure.

The immunities herein provided shall apply to the incumbent President referred to in Article XVII of this Constitution.

SEC. 16. All powers vested in the President of the Philippines under the 1935 Constitution and the laws of the land which are not herein provided for or conferred upon any official shall be deemed and are hereby vested in the President unless the Batasang Pambansa provides otherwise.

## ARTICLE VIII

### **BATASANG PAMBANSA**

SECTION 1. The Legislative power shall be vested in a Batasang Pambansa.

SEC. 2. The Batasang Pambansa which shall be composed of not more than 200 Members unless otherwise provided by law, shall include representatives elected from the different regions of the Philippines, those elected or selected from various sectors as may be provided by law, and those chosen by the President from the members of the Cabinet. Regional representatives shall be apportioned among the regions in accordance with the number of their respective inhabitants and on the basis of a uniform and progressive ratio.

The number of representatives from each region and the manner of their election shall be prescribed by law. The number of representatives from each sector and the manner of their election or selection shall be prescribed by law.

SEC. 3. (1) The Members of the Batasang Pambansa shall have a term of six years which shall begin; unless otherwise provided by law, at noon on the thirtieth day of June next following their election.

(2) In case the Batasang Pambansa is dissolved, the newly elected Members shall serve the unexpired portion of the term from the time the President convokes the Assembly, which shall not be later than thirty days immediately following their election.

SEC. 4. No person shall be a Member of the Batasang Pambansa as a regional representative unless he is a natural-born citizen of the Philippines and, on the day of the election, is at least twenty-five years of age, able to read and write, a registered voter in the Region in which he shall be elected, and a resident thereof for a period of not less than one year immediately preceding the day of the election.

A sectoral representative shall be a natural-born citizen, able to read and write, and shall have such other qualifications as may be provided by law.

SEC. 5. (1) The regular election of the Members of the Batasang Pambansa shall be held on the second Monday of May 1984 and every six years thereafter.

(2) In case a vacancy arises in the Batasang Pambansa eighteen months or more before a regular election, the Commission on Elections shall call a special election to be held within sixty days after the vacancy occurs to elect the Member to serve the unexpired term.

SEC. 6. The Batasang Pambansa shall convene once every year on the fourth Monday of July for its regular session, unless a different date is fixed by law, and shall continue to be in session for such number of days as it may determine. However, it may be called to session at any time by the President to consider such subjects or legislation as he may designate;

SEC. 7. (1) The Batasang Pambansa shall, by a majority vote of all its Members, elect its Speaker from the Members thereof. It shall choose such other officers as it may deem necessary.

(2) A majority of all the Members of the Batasang Pambansa shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may compel the attendance of absent Members in such manner, and under such penalties, as the Batasang Pambansa may provide.

(3) The Batasang Pambansa may determine the rules of its proceedings, punish its Members for disorderly behavior, and with the concurrence of two-thirds of all its Members; suspend or expel a Member, but if the penalty is suspension, this shall not exceed sixty days.

(4) The Batasang Pambansa shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may, in its judgment, effect national security; and the yeas and nays on any question shall, at the request of one-fifth of the Members present, be entered in the Journal.

SEC. 8. (1) Unless otherwise provided by law, each Member of the Batasang Pambansa shall receive an annual salary of sixty thousand pesos. The Speaker of the Batasang Pambansa shall receive an annual salary of seventy-five thousand pesos. No increase in salary shall take effect until after the expiration of the term of the Members of the Batasang Pambansa approving such increase.

(2) The records and books of accounts of the Batasang Pambansa shall be open to the public in accordance with law, and such books shall be audited by the Commission on Audit which shall publish annually the itemized expenditures for each Member.

SEC. 9. A Member of the Batasang Pambansa shall, in all offenses punishable by not more than six years imprisonment, be privileged from arrest during his attendance at its sessions, and in going to and returning from the same; but the Batasang Pambansa shall surrender the Member involved to the custody of the law within twenty-four hours after its adjournment for a recess or for its next session, otherwise such privilege shall cease upon its failure to do so. A Member shall not be questioned nor be held liable in any other place for any speech or debate in the Batasan or in any committee thereof.

SEC. 10. A Member of the Batasang Pambansa shall not hold any other office or employment in the Government, or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations, during his tenure except that of Prime Minister, Deputy Prime Minister, Member of the Cabinet or the Executive Committee, or Deputy Minister. Neither shall he, during the term for which he was elected, be appointed to any civil office which may have been created or the emoluments thereof increased while he was a Member of the Batasang Pambansa.

SEC. 11. No Member of the Batasang Pambansa shall appear as counsel before any court without appellate jurisdiction, before any court in any civil case wherein the Government, or any subdivision, agency, or instrumentality thereof is the adverse party, or in any criminal case wherein any officer or employee of the Government is accused of an offense committed in relation to his office, or before any administrative body. Neither shall he, directly or indirectly be interested financially in any contract with, or in any franchise or special privilege granted by the Government, or any subdivision, agency or instrumentality thereof, including any government-owned or controlled corporation, during his term of office. He shall not accept employment to intervene in any cause or matter where he may be called to act on account of his office.

SEC. 12. (1) There shall be a question hour at least once a month or as often as the Rules of the Batasang Pambansa may provide, which shall be included in its agenda, during which the Prime Minister, the Deputy Prime Minister or any Minister may be required to appear and answer questions and interpellation by Members of the Batasang Pambansa. Written questions shall be submitted to the Speaker at least three days before a scheduled question hour. Interpellations shall not be limited to the written questions, but may cover matters related thereto. The agenda shall specify the subjects of the question hour. When the security of the State so requires and the President so states in writing, the question hour shall be conducted in executive session.

(2) The Batasang Pambansa or any of its committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure. The rights of persons appearing in, or affected by such inquiries shall be respected.

SEC. 13. (1) The Batasang Pambansa may withdraw its confidence from the Prime Minister by a majority vote of all its Members. The motion for a vote of no confidence shall be calendared for debate if it is signed by at least one-fifth of the Members of the Batasang Pambansa. No such motion shall be debated and voted upon until after the lapse of seven days after its submission.

Within ten days from receipt of the written advice of the approval of the motion of no confidence, the President may submit a nominee for a Prime Minister to be elected by the Batasang Pambansa.

(2) The Prime Minister may advise the President in writing to dissolve the Batasang Pambansa whenever the need arises for a popular vote of confidence on fundamental issues, but not on a matter involving his own personal integrity. Whereupon, the President may dissolve the Batasang Pambansa not earlier than seven nor later than fourteen days from his receipt of the advice, and call for an election on a date set by him which shall not be earlier than forty-five nor later than sixty days from the date of such dissolution. However, no dissolution of the Batasang Pambansa shall take place within eighteen months immediately preceding a regular election of the Batasang Pambansa or within eighteen months immediately following such election, or during the pendency of impeachment proceedings against the President, or when the powers of the President are exercised by the Executive Committee or the Speaker. The Batasang Pambansa shall not be dissolved oftener than once every twelve (12) months.

SEC. 14. (1) Except as otherwise provided in this Constitution, no treaty shall be valid and effective unless concurred in by a majority of all the Members of the Batasang Pambansa.

(2) The Batasang Pambansa, by a vote of two-thirds of all its Members, shall have the sole power to declare the existence of a state of war.

SEC. 15. In times of war or other national emergency, the Batasang Pambansa may by law authorize the President for a limited period and subject to such restrictions as it may prescribe, to exercise powers necessary and proper to carry out a declared national policy. Unless sooner withdrawn by resolution of the Batasang Pambansa, such powers shall cease upon its next adjournment.

SEC. 16. (1) The Prime Minister shall submit to the Batasang Pambansa within thirty days from the opening of each regular session, as the basis of the general appropriations bill, a budget of receipts based on existing and proposed revenue measures, and of expenditures. The form, content, and manner of preparation of the budget shall be prescribed by law.

(2) No provision or enactment shall be embraced in the general appropriations bill unless it relates specifically to some particular appropriation therein. Any such provision or enactment shall be limited in its operation to the appropriation to which it relates.

(3) The procedure in approving appropriations for the Batasang Pambansa shall strictly follow the procedure for approving appropriations for other departments and agencies.

(4) A special appropriations bill shall specify the purpose for which it is intended, and shall be supported by funds actually available as certified to by the National Treasurer, or to be raised by a corresponding revenue proposal included therein.

(5) No law shall be passed authorizing any transfer of appropriations; however, the President, the Prime Minister, the Speaker, the Chief Justice of the Supreme Court, and the heads of Constitutional Commissions may by law be authorized to augment any item in the general appropriations law for their respective offices from savings in other items of their respective appropriations.

(6) If, by the end of any fiscal year, the Batasang Pambansa shall have failed to pass the general appropriations bill for the ensuing fiscal year, the general appropriations law for the preceding fiscal year shall be deemed re-enacted and shall remain in force and effect until the general appropriations bill is passed by the Batasang Pambansa.

SEC. 17. (1) The rule of taxation shall be uniform and equitable. The Batasang Pambansa shall evolve a progressive system of taxation.

(2) The Batasang Pambansa may by law authorize the President to fix within specified limits, and subject to such limitations and restrictions as it may impose, tariff rates, import and export quotas, tonnage and wharfage dues, and other duties or imposts.

(3) Charitable institutions, churches, parsonages or convents appurtenant thereto, mosques, and non-profit cemeteries, and all lands, buildings, and improvements actually, directly, and exclusively used for religious or charitable purposes shall be exempt from taxation.

(4) No law granting any tax exemption shall be passed without the concurrence of a majority of all the Members of the Batasang Pambansa.

SEC. 18 (1) No money shall be paid out of the Treasury except in pursuance of an appropriation made by law.

(2) No public money or property shall ever be appropriated, applied, paid, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary as such, except when such priest, preacher, minister, or dignitary is assigned to the armed forces, or to any penal institution, or government orphanage or leprosarium.

SEC. 19. (1) Every bill shall embrace only one subject which shall be expressed in the title thereof.

(2) No bill shall become a law unless it has passed three readings on separate days, and printed copies thereof in its final form have been distributed to the Members three days before its passage, except when the Prime Minister certifies to the necessity of its immediate enactment to meet a public calamity or emergency. Upon the last reading of a bill, no amendment thereto shall be allowed, and the vote thereon shall be taken immediately thereafter, and the yeas and nays entered in the Journal.

SEC. 20. (1) Every bill passed by the Batasang Pambansa shall, before it becomes a law, be presented to the President. If he approves the same, he shall sign it; otherwise, he shall veto it and return the same with his objections to the Batasang Pambansa. The bill may be reconsidered by the Batasang Pambansa and, if approved by two-thirds of all its Members, shall become a law. The President shall act on every bill passed by the Batasang Pambansa within thirty days after the date of receipt thereof; otherwise it shall become a law as if he had signed it.

(2) The President shall have the power to veto any particular item or items in an appropriation, revenue, or tariff bill, but the veto shall not affect the item or items to which he does not object.

## ARTICLE IX

### **THE PRIME MINISTER, THE CABINET AND THE EXECUTIVE COMMITTEE**

SECTION 1 There shall be a Cabinet which shall be composed of Ministers with or without portfolio appointed by the President. At least a majority of the Members of the Cabinet who are heads of ministries shall come from the Regional Representatives of the Batasang Pambansa.

The Prime Minister shall be the head of the Cabinet. He shall, upon the nomination of the President from among the Members of the Batasang Pambansa, be elected by a majority of all the Members thereof.

SEC. 2. The Prime Minister and the Cabinet shall be responsible to the Batasang Pambansa for the program of government approved by the President.

SEC. 3. There shall be an Executive Committee to be designated by the President, composed of the Prime Minister as Chairman, and not more than fourteen other members, at least half of whom shall be Members of the Batasang Pambansa. The Executive Committee shall assist the President in the exercise of his powers and functions and in the performance of his duties as he may prescribe.

The Members of the Executive Committee shall have the same qualifications as those of the Members of the Batasang Pambansa.

SEC. 4. The term of office of the Prime Minister shall commence from the date of his election by the Batasang Pambansa and shall end on the date that the nomination of his successor is submitted by the President to the Batasang Pambansa. Any other member of the Cabinet or the Executive Committee may be removed at the discretion of the President.

SEC. 5. (1) The President may nominate from among the Members of the Batasang Pambansa a Deputy Prime Minister who shall be elected by a majority of the Members thereof. The Deputy Prime Minister shall perform such functions as may be assigned to him by the Prime Minister.

(2) The President shall also appoint the Deputy Ministers who shall perform such functions as may be assigned to them by law or by the respective heads of ministries.

SEC. 6. The Prime Minister, Deputy Prime Minister, the Members of the Cabinet, and the Members of the Executive Committee, on assuming office, shall take the following oath or affirmation:

‘I do solemnly swear (or affirm) that I will faithfully and conscientiously fulfill my duties as (name of position) of the Philippines, preserve and defend its Constitution, execute its laws, do justice to every man and consecrate myself to the service of the Nation. So help me God.’ (In case of affirmation, the last sentence will be omitted.)

SEC. 7. The salaries and emoluments of the Prime Minister, Deputy Prime Minister, Members of the Cabinet and of the Executive Committee shall be fixed by law which shall not be increased or decreased during their tenure of office. Until otherwise provided by law, the Prime Minister shall receive the same salary as that of the President.

SEC. 8. The Prime Minister, the Members of the Cabinet and the Members of the Executive Committee, shall be subject to the provisions of Section 11, Article VIII hereof and may not appear as counsel before any court or administrative body, or manage any business, or practice any profession, and shall also be subject to such other disqualifications as may be provided by law.

SEC. 9. The Prime Minister, Deputy Prime Minister, any Member of the Cabinet or the Executive Committee may resign for any cause without vacating his seat as Regional or Sectoral Representative in the Batasang Pambansa, or any other government position.

SEC. 10. The Prime Minister shall have supervision of all ministries.

## ARTICLE X

### THE JUDICIARY

SECTION 1. The Judicial power shall be vested in one Supreme Court and in such inferior courts as may be established by law. The Batasang Pambansa shall have the power to define,

prescribe, and apportion the jurisdiction of the various courts, but may not deprive the Supreme Court of its jurisdiction over cases enumerated in Section five hereof.

SEC. 2. (1) The Supreme Court shall be composed of a Chief Justice and fourteen Associate Justices. It may sit en banc or in two divisions.

(2) All cases involving the constitutionality of a treaty, executive agreement, or law shall be heard and decided by the Supreme Court en banc, and no treaty, executive agreement, or law may be declared unconstitutional without the concurrence of at least ten Members. All other cases, which under its rules are required to be heard en banc, shall be decided with the concurrence of at least eight Members.

(3) Cases heard by a division shall be decided with the concurrence of at least five Members, but if such required number is not obtained, the case shall be decided en banc: Provided, that no doctrine or principle of law laid down by the Court in a decision rendered en banc or in division may be modified or reversed except by the Court sitting en banc.

SEC. 3. (1) No person shall be appointed Member of the Supreme Court unless he is a natural-born citizen of the Philippines, at least forty years of age, and has for ten years or more been a judge of a court of record or engaged in the practice of law in the Philippines.

(2) The Batasang Pambansa shall prescribe the qualifications of judges of inferior courts, but no person may be appointed judge thereof unless he is a natural-born citizen of the Philippines and a member of the Philippine Bar.

SEC. 4. The Members of the Supreme Court and judges of inferior courts shall be appointed by the President.

SEC. 5. The Supreme Court shall have the following powers:

(1) Exercise original jurisdiction over cases affecting ambassadors, other public ministers, and consuls, and over petitions for certiorari, prohibition, mandamus quo warranto, and habeas corpus.

(2) Review and revise, reverse, modify, or affirm on appeal or certiorari, as the law or the Rules of Court may provide, final judgments and decrees of inferior courts in—

(a) All cases in which the constitutionality or validity of any treaty, executive agreement, law, ordinance, or executive order or regulation is in question.

(b) All cases involving the legality of any tax, impost, assessment, or toll, or any penalty imposed in relation thereto.

(c) All cases in which the jurisdiction of any inferior court is in issue.

(d) All criminal cases in which the penalty imposed is death or life imprisonment.

(e) All cases in which only an error or question of law is involved.

(3) Assign temporarily judges of inferior courts to other stations as public interest may require. Such temporary assignment shall not last longer than six months without the consent of the judge concerned.

(4) Order a change of venue or place of trial to avoid a miscarriage of justice.

(5) Promulgate rules concerning pleading, practice, and procedure in all courts, the admission to the practice of law, and the integration of the Bar, which, however, may be repealed, altered, or supplemented by the Batasang Pambansa. Such rules shall provide a simplified and inexpensive procedure for the speedy disposition of cases, shall be uniform for all courts of the same grade, and shall not diminish, increase, or modify substantive rights.

(6) Appoint its officials and employees in accordance with the Civil Service Law.

SEC. 6. The Supreme Court shall have administrative supervision over all courts and the personnel thereof.

SEC. 7. The Members of the Supreme Court and judges of inferior courts shall hold office during good behavior until they reach the age of seventy years or become incapacitated to discharge the duties of their office. The Supreme Court shall have the power to discipline judges of inferior courts and, by a vote of at least eight Members, order their dismissal.

SEC. 8. The conclusions of the Supreme Court in any case submitted to it for decision en banc or in division shall be reached in consultation before the case is assigned to a Member for the writing of the opinion of the Court. Any Member dissenting from a decision shall state the reasons for his dissent. The same requirements shall be observed by all inferior collegiate courts.

SEC. 9. Every decision of a court of record shall clearly and distinctly state the facts and the law on which it is based. The Rules of Court shall govern the promulgation of minute resolutions.

SEC. 10. The salary of the Chief Justice and of the Associate Justices of the Supreme Court, and of judges of inferior courts shall be fixed by law, which shall not be decreased during the continuance in office. Until the Batasang Pambansa shall provide otherwise, the Chief Justice shall receive an annual salary of seventy-five thousand pesos, and each Associate Justice, sixty thousand pesos.

SEC.11.(1) Upon the effectivity of this Constitution, the maximum period within which a case or matter shall be decided or resolved from the date of its submission, shall be eighteen months for the Supreme Court, and, unless reduced by the Supreme Court, twelve months for all inferior collegiate courts, and three months for all other inferior courts.

(2) With respect to the Supreme Court and other collegiate appellate courts, when the applicable maximum period shall have lapsed without “the rendition of the corresponding decision or resolution because the necessary vote cannot be had, the judgment, order, or resolution appealed from shall be deemed affirmed, except in those cases where a qualified majority is required and in appeals from judgments of conviction in criminal cases; and in original special civil actions and proceedings for habeas corpus, the petition in such cases shall be deemed dismissed; and a certification to this effect signed by the Chief Magistrate of the court shall be issued and a copy thereof attached to the record of the case.

SEC. 12. The Supreme Court shall, within thirty days from the opening of each regular session of the Batasang Pambansa, submit to the President, the Prime Minister, and the Batasang Pambansa an annual report on the operations and activities of the Judiciary.

## ARTICLE XI

### LOCAL GOVERNMENT

SECTION 1. The territorial and political subdivisions of the Philippines are the provinces, cities, municipalities, and barrios.

SEC. 2. The Batasang Pambansa shall enact a local government code which may not thereafter be amended except by a majority vote of all its Members, defining a more responsive and accountable local government structure with an effective system of recall, allocating among the different local government units their powers, responsibilities, and resources, and providing for the qualifications, election and removal, term, salaries, powers, functions, and duties of local officials, and all other matters relating to the organization and operation of the local units. However, any change in the existing form of local government shall not take effect until ratified by a majority of the votes cast in a plebiscite called for the purpose.

SEC. 3. No province, city, municipality, or barrio may be created, divided, merged, abolished, or its boundary substantially altered, except in accordance with the criteria established in the local government code, and subject to the approval by a majority of the votes cast in a plebiscite in the unit or units affected.

SEC. 4. (1) Provinces with respect to component cities and municipalities, and cities and municipalities with respect to component barrios, shall ensure that the acts of their component units are within the scope of their assigned powers and functions. Highly urbanized cities, as determined by standards established in the local government code, shall be independent of the province.

(2) Local government units may group themselves, or consolidate or coordinate their efforts, services, and resources for purposes commonly beneficial to them.

SEC. 5. Each local government unit shall have the power to create its own sources of revenue and to levy taxes, subject to such limitations as may be provided by law.

## ARTICLE XII

### THE CONSTITUTIONAL COMMISSIONS

#### A. COMMON PROVISIONS

SECTION 1. The Constitutional Commissions shall be the Civil Service Commission, the Commission on Elections, and the Commission on Audit.

SEC. 2. Unless otherwise provided by law, the Chairman and each Commissioner of a Constitutional Commission shall receive an annual salary of sixty thousand pesos and fifty thousand pesos, respectively, which shall not be decreased during their continuance in office.

SEC. 3. No Member of a Constitutional Commission shall, during his tenure in office, engage in the practice of any profession or in the management of any business, or be financially interested directly or indirectly in any contract with, or in any franchise or privilege granted by, the Government, or any subdivision, agency, or instrumentality thereof including government-owned or controlled corporations.

SEC. 4. The Constitutional Commissions shall appoint their officials and employees in accordance with the Civil Service Law.

#### B. THE CIVIL SERVICE COMMISSION

SECTION 1. (1) The Civil Service embraces every branch, agency, subdivision, and instrumentality of the Government, including every government-owned or controlled corporation. It shall be administered by an independent Civil Service Commission composed of a Chairman and two Commissioners, who shall be natural-born citizens of the Philippines, and, at the time of their appointment, are at least thirty-five years of age and holders of a college degree, and must not have been candidates for any elective position in the election immediately preceding their appointment. The Chairman and the Commissioners shall be appointed by the President for a term of seven years without reappointment. Of the Commissioners first appointed, one shall hold office for seven years, another for five years, and the third for three years. Appointment to any vacancy shall be only for the unexpired portion of the term of the predecessor.

(2) The Commission shall, subject to such limitations as may be provided by law, establish a career service and adopt measures to promote morale, efficiency, and integrity in the Civil Service.

SEC. 2. Appointments in the Civil Service, except as to those which are policy-determining, primarily confidential, or highly technical in nature, shall be made only according to merit and fitness, to be determined as far as practicable by competitive examination.

SEC. 3. No officer or employee in the Civil Service shall be suspended or dismissed except for causes as provided by law.

SEC. 4. (1) Unless otherwise provided by law, no elective official shall be eligible for appointment to any office or position during his tenure, except as Member of the Executive Committee referred to in Section 3, Article IX, hereof.

(2) No candidate who lost in an election shall be eligible for appointment or reappointment to any office in the Government, or in any' government-owned or controlled Corporation, within one year following such election.

SEC. 5. No officer or employee in the Civil Service, including members of the armed forces, shall engage directly or indirectly in any partisan political activity or take part in any election except to vote.

SEC. 6. The Batasang Pambansa shall provide for the standardization of compensation of government officials and employees, including those in government-owned or controlled corporations, taking into account the nature of the responsibilities pertaining to, and the qualifications required for, the positions concerned.

## **C. THE COMMISSION ON ELECTIONS**

SECTION 1. (1) There shall be an independent Commission on Elections composed of a Chairman and eight Commissioners, who shall be natural-born citizens of the Philippines, and, at the time of their appointment, at least thirty-five years of age and holders of a college degree. However, a majority thereof, including the Chairman, shall be members of the Philippine Bar who have been engaged in the practice of law for at least ten years.

(2) The Chairman and the Commissioners shall be appointed by the President for a term of seven years without reappointment. Of the Commissioners first appointed, three shall hold office for seven years, three for five years, and the last three for three years. Appointment to any vacancy shall be only for the unexpired portion of the term of the predecessor.

SEC. 2. The Commission on Elections shall have the following powers and functions:

(1) Enforce and administer all laws relative to the conduct of elections.

(2) Be the sole judge of all contests relating to the elections, returns, and qualifications of all Members of the Batasang Pambansa and elective provincial and city officials.

- (3) Decide, save those involving the right to vote, administrative questions affecting elections, including the determination of the number and location of polling places, the appointment of election officials and inspectors, and the registration of voters.
- (4) Deputize, with the consent or at the instance of the President, law enforcement agencies and instrumentalities of the Government, including the armed forces of the Philippines, for the purpose of ensuring free, orderly, and honest elections.
- (5) Register and accredit political parties subject to the provisions of Section eight hereof.
- (6) Recommend to the Batasang Pambansa effective measures to minimize election expenses and prohibit all forms of election frauds and malpractices, political opportunism, guest or nuisance candidacy, or other similar acts.
- (7) Submit to the President, the Prime Minister, and the Batasang Pambansa a report on the conduct and manner of each election.
- (8) Perform such other functions as may be provided by law.

SEC. 3. The Commission on Elections may sit en banc or in three divisions. All election cases may be heard and decided by divisions, except contests involving Members of the Batasang Pambansa, which shall be heard and decided en banc. Unless otherwise provided by law, all election cases shall be, decided within ninety days from the date of their submission for decision.

SEC. 4. The Commission may recommend to the President the removal of, or any other disciplinary action against, any officer or employee it has deputized, for violation or disregard of, or disobedience to, its decision, order, or directive.

SEC. 5. The enjoyment or utilization of all franchises or permits for the operation of transportation and other public utilities, media of communication or information, all grants, special privileges, or concessions granted by the Government, or any subdivision, agency, or instrumentality thereof, including any government-owned or controlled corporation, may be supervised or regulated by the Commission during the election period for the purpose of ensuring free, orderly, and honest elections.

SEC. 6. Unless otherwise fixed by the Commission in special cases, the election period shall commence ninety days before the day of election and shall end thirty days thereafter.

SEC. 7. No pardon, parole or suspension of sentence for violation of the law or rules and regulations concerning elections shall be granted without the recommendation of the Commission.

SEC. 8. The political parties whose respective candidates for President have obtained the first and second highest number of votes in the last preceding election for President under this Constitution shall be entitled to accreditation if each has obtained at least ten percent (10%) of the

total number of votes cast in such election. If the candidates for President obtaining the two highest number of votes do not each obtain at least ten percent (10%) of the total number of votes cast, or in case no election for President shall as yet have been held, the Commission on Elections shall grant accreditation to political parties as may be provided by law;

No religious sect shall be registered as a political party, and no political party which seeks to achieve its goal through violence shall be entitled to accreditation.

SEC. 9. (1) Bona fide candidates for any public office shall be free from any form of harassment and discrimination.

(2) Accredited political parties shall be represented in the registration board, board of election inspectors, board of canvassers, or other similar bodies as may be provided by law.

Accredited political parties may by law be granted other rights or privileges.

SEC. 10. No elective public officer may change his political affiliation during his term of office, and no candidate for any elective office may change his political party affiliation within six months immediately preceding or following an election, unless otherwise provided by law.

SEC. 11. Any decision, order, or ruling of the Commission may be brought to the Supreme Court on certiorari by the aggrieved party within thirty days from his receipt of a copy thereof.

#### **D. COMMISSION ON AUDIT**

SECTION 1. (1) There shall be an independent Commission on Audit composed of a Chairman and two Commissioners, who shall be natural-born citizens of the Philippines and, at the time of their appointment, at least forty years of age and certified public accountants or members of the Philippine Bar for at least ten years.

(2) The Chairman and the Commissioners shall be appointed by the President for a term of seven years without reappointment. Of the Commissioners first appointed, one shall hold office for seven years, another for five years, and the third for three years. Appointment to any vacancy shall be only for the unexpired portion of the term of the predecessor.

SEC. 2. The Commission on Audit shall have the following powers and functions:

(1) Examine, audit, and settle, in accordance with law and regulations, all accounts pertaining to the revenues and receipts of, and expenditures or uses of funds and property, owned or held in trust by, or pertaining to, the Government, or any of its subdivisions, agencies, or instrumentalities, including government-owned or controlled corporations; keep the general accounts of the Government and, for such period as may be provided by law, preserve the vouchers pertaining thereto; and promulgate accounting and auditing rules and regulations

including those for the prevention of irregular, unnecessary, excessive; or extravagant expenditures or uses of funds and property.

(2) Decide any case brought before it within sixty days from the date of its submission for resolution. Unless otherwise provided by law, any decision, order, or ruling of the Commission may be brought to the Supreme Court on certiorari by the aggrieved party within thirty days from his receipt of a copy thereof.

(3) Submit to the President, the Prime Minister, and the Batasang Pambansa, within the time fixed by law, an annual financial report of the Government, its subdivisions, agencies, and instrumentalities, including government-owned or controlled corporations, and recommend measures necessary to improve their efficiency and effectiveness. It shall submit such other reports as may be required by law.

(4) Perform such other duties and functions as may be prescribed by law.

### ARTICLE XIII

#### **ACCOUNTABILITY OF PUBLIC OFFICERS**

SECTION 1. Public office is a public trust. Public officers and employees shall serve with the highest degree of responsibility, integrity, loyalty, and efficiency, and shall remain accountable to the people.

SEC. 2. The President, the Members of the Supreme Court, and the Members of the Constitutional Commissions shall be removed from office on impeachment for, and conviction of, culpable violation of the Constitution, treason, bribery, other high crimes, or graft and corruption.

SEC. 3. The Batasang Pambansa shall have the exclusive power to initiate, try, and decide all cases of impeachment. Upon the filing of a verified complaint, the Batasang Pambansa may initiate impeachment by a vote of at least one-fifth of all its Members. No official shall be convicted without the concurrence of at least two-thirds of all the Members thereof. When the Batasang Pambansa sits in impeachment cases, its Members shall be on oath or affirmation.

SEC. 4. Judgments in cases of impeachment shall be limited to removal from office and disqualification to hold any office of honor, trust, or profit under the Republic of the Philippines, but the party convicted shall nevertheless be liable and subject to prosecution, trial, and punishment, in accordance with law.

SEC. 5. The Batasang Pambansa shall create a special court, to be known as Sandiganbayan, which shall have jurisdiction over criminal and civil cases involving graft and corrupt practices and such other offenses committed by public officers and employees, including those in

government-owned or controlled corporations, in relation to their office as may be determined by law.

SEC. 6. The Batasang Pambansa shall create an office of the Ombudsman, to be known as Tanodbayan, which shall receive and investigate complaints relative to public office, including those in government-owned or controlled corporations, make appropriate recommendations, and in case of failure of justice as defined by law, file and prosecute the corresponding criminal, civil, or administrative case before the proper court or body.

#### ARTICLE XIV

##### **THE NATIONAL ECONOMY AND THE PATRIMONY OF THE NATION**

SECTION 1. The Batasang Pambansa shall establish a National economic and Development Authority, to be headed by the President, which shall recommend to the Batasang Pambansa, after consultation with the private sector, local government units, and other appropriate public agencies, continuing, coordinated, and fully integrated social and economic plans and programs.

SEC. 2. The State shall regulate or prohibit private monopolies when the public interest so requires. No combination in restraint of trade or unfair competition shall be allowed.

SEC. 3. The Batasang Pambansa shall, upon recommendation of the National Economic and Development Authority, reserve to citizens of the Philippines or to corporations or associations wholly owned, by such citizens, certain traditional areas of investments when the national interest so dictates.

SEC. 4. The Batasang Pambansa shall not, except by general law, provide for the formation; organization, or regulation of private corporations, unless such corporations are owned or controlled by the Government or any subdivision or instrumentality thereof.

SEC. 5. No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines at least sixty per centum of the capital of which is owned by such citizens, nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than fifty years. Neither shall any such franchise or right be granted except under the condition that it shall be subject to amendment, alteration, or repeal in by the Batasang Pambansa when the public interest so requires. The State shall encourage equity participation in public utilities by the general public. The participation of foreign investors in the governing body of any public utility enterprise shall be limited to their proportionate share in the capital thereof.

SEC. 6. The State may, in the interest of national welfare or defense, establish and operate industries and means of transportation and communications, and, upon payment of just

compensation, transfer to public ownership utilities and other private enterprises to be operated by the Government.

SEC. 7. In times of national emergency when the public interest so requires, the State may temporarily take over or direct the operation of any privately owned public utility or business affected with public interest.

SEC. 8. All lands of the public domain, waters, minerals, coal, petroleum and other mineral oils, all forces of potential energy, fisheries, wildlife, and other natural resources of the Philippines belong to the State. With the exception of agricultural, industrial or commercial, residential, and resettlement lands of the public domain, natural resources shall not be alienated, and no license, concession, or lease for the exploration, development, exploitation, or utilization of any of the natural resources shall be granted for a period exceeding twenty-five years, renewable for not more than twenty-five years, except as to water rights for irrigation, water supply, fisheries, or industrial uses other than the development of water power, in which cases, beneficial use may be the measure and the limit of the grant.

SEC. 9. The disposition, exploration, development, of exploitation, or utilization of any of the natural resources of the Philippines shall be limited to citizens of the Philippines, or to corporations or association at least sixty per centum of the capital of which is owned by such citizens. The Batasang Pambansa, in the national interest, may allow such citizens, corporations, or associations to enter into service contracts for financial, technical, management, or other forms of assistance with any foreign person or entity for the exploitation, development, exploitation, or utilization of any of the natural resources. Existing valid and binding service contracts for financial, the technical, management, or other forms of assistance are hereby recognized as such.

SEC. 10. Lands of the public domain are classified into agricultural, industrial or commercial, residential, resettlement, mineral, timber or forest, and grazing lands, and such other classes as may be provided by law.

SEC. 11. The Batasang Pambansa, taking into account conservation, ecological, and developmental requirements of the natural resources, shall determine by law the size of lands of the public domain which may be developed, held or acquired by, or leased to, any qualified individual, corporation, or association, and the conditions therefor. No private corporation or association may hold alienable lands of the public domain except by lease not to exceed one thousand hectares in area; nor may any citizen hold such lands by lease in excess of five hundred hectares or acquire by purchase or homestead in excess of twenty-four hectares. No private corporation or association may hold by lease, concession, license, or permit, timber or forest lands and other timber or forest resources in excess of one hundred thousand hectares; however, such area may be increased by the Batasang Pambansa upon recommendation of the National Economic and Development Authority.

SEC. 12. The State shall formulate and implement an agrarian reform program aimed at emancipating the tenant from the bondage of the soil and achieving the goals enunciated in this Constitution.

SEC. 13. The Batasang Pambansa may authorize, upon payment of just compensation, the expropriation of private land to be subdivided into small lots and conveyed at cost to deserving citizens.

SEC. 14. Save in cases of hereditary succession, no private lands shall be transferred or conveyed except to individuals, corporations, or associations qualified to acquire or hold lands of the public domain.

SEC. 15. Notwithstanding the provisions of Section 14 of this Article, a natural-born citizen of the Philippines who has lost his Philippine citizenship may be a transferee of private land, for use by him as his residence, as the Batasang Pambansa shall provide.

SEC. 16. Any provision of paragraph one, Section fourteen, Article Eight and of this Article notwithstanding, the President may enter into international treaties or agreements as the national welfare and interest may require.

## ARTICLE XV

### GENERAL PROVISIONS

SECTION 1. The flag of the Philippines shall be red, white, and blue, with a sun and three stars, as consecrated and honored by the people and recognized by law.

SEC. 2. The interim Batasang Pambansa may by law adopt a new name for the country, a national anthem, and a national seal, which shall all be truly reflective and symbolic of the ideals, history, and traditions of the people. Thereafter, the national name, anthem, and seal so adopted shall not be subject to change except by constitutional amendment.

SEC. 3. (1) This Constitution shall be officially promulgated in English and in Pilipino, and translated into each dialect spoken by over fifty thousand people, and into Spanish and Arabic. In case of conflict, the English text shall prevail.

(2) The Batasang Pambansa shall take steps towards the development and formal adoption of a common national language to be known as Filipino.

(3) Until otherwise provided by law, English and Pilipino shall be the official languages.

SEC. 4. All public officers and employees and members of the armed forces shall take an oath to support and defend the Constitution.

SEC. 5. No elective or appointive public officer or employee shall receive additional or double compensation unless specifically authorized by law, nor accept, without the consent of the Batasang Pambansa, any present, emolument, office, or title of any kind from any foreign state.

SEC. 6. No salary or any form of emolument of any public officer or employee, including constitutional officers, shall be exempt from payment of income tax.

SEC.7. (1) The ownership and management of mass media shall be limited to citizens of the Philippines or to corporations or associations wholly owned and managed by such citizens.

(2) The governing body of every entity engaged in commercial telecommunications shall in all cases be controlled by the citizens of the Philippines.

SEC. 8. (1) All educational institutions shall be under the supervision of, and subject to regulation by, the State. The State shall establish and maintain a complete, adequate, and integrated system of education relevant to the goals of national development.

(2) All institutions of higher learning shall enjoy academic freedom.

(3) The study of the Constitution shall be part of the curricula in all schools.

(4) All educational institutions shall aim to inculcate love of country, teach the duties of citizenship, and develop moral character, personal discipline, and scientific, technological, and vocational efficiency.

(5) The State shall maintain a system of free public, elementary education and, in areas where finances permit, establish and maintain a system of free public education at least up to the secondary level.

(6) The State shall provide citizenship and vocational training to adult citizens and out-of-school youth, and create and maintain scholarships for poor and deserving students.

(7) Educational institutions, other than those established by religious orders, mission boards, and charitable organizations, shall be owned solely by citizens of the Philippines, or corporations or association sixty per centum of the capital of which is owned by such citizens. The control and administration of educational institutions shall be vested in citizens of the Philippines. No educational institution shall be established exclusively for aliens, and no group of aliens shall comprise more than one-third of the enrolment in any school. The provisions of this sub-section shall not apply to schools established for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.

(8) At the option expressed in writing by the parents or guardians, and without cost to them and the Government, religion shall be taught to their children or wards in public elementary and high schools as may be provided by law.

SEC. 9. (1) The State shall promote scientific research and invention. The advancement of science and technology shall have priority in the national development.

(2) Filipino culture shall be preserved and developed for national identity. Arts and letters shall be under the patronage of the State.

(3) The exclusive right to inventions, writings and artistic creations shall be secured to inventors authors, and artists for a limited period. Scholarships, grants-in-aid, or other forms of incentives shall be provided for specially gifted citizens.

SEC. 10. It shall be the responsibility of the State to achieve and maintain population levels most conducive to the national welfare.

SEC. 11. The State shall consider the customs traditions, beliefs, and interests of national cultural communities in the formulation and implementation of state policies.

SEC. 12. The State shall establish and maintain an integrated national police force whose organization, administration, and operation shall be provided by law.

SEC. 13. (1) The armed forces of the Philippines shall include a citizen army composed of all able-bodied citizens of the Philippines who shall undergo military training as may be provided by law. It shall keep a regular force necessary for the security of the State.

(2) The citizen army shall have a corps of trained officers and men in active duty status as may be necessary to train, service, and keep it in reasonable preparedness at all times.

SEC. 14. The Batasang Pambansa shall establish a central monetary authority which shall provide policy direction in the areas of money, banking, and credit. It shall have supervisory authority over the operations of banks and exercise such regulatory authority as may be provided by law over the operations of finance companies and other institutions performing similar functions. Until the Batasang Pambansa shall otherwise provide, the Central Bank of the Philippines, operating under existing laws, shall function as the central monetary authority.

SEC. 15. The separation of church and state shall be inviolable.

SEC. 16. The State may not be sued without its consent.

## ARTICLE XVI

### AMENDMENTS

SECTION 1. (1) Any amendment to, or revision of, this Constitution may be proposed by the Batasang Pambansa upon a vote of three-fourths of all its Members, or by a constitutional convention.

(2) The Batasang Pambansa may, by a vote of two-thirds of all its Members, call a constitutional convention or, by a majority vote of all its Members, submit the question of calling such a convention to the electorate in an election.

SEC. 2. Any amendment to, or revision of, this Constitution shall be valid when ratified by a majority of the votes cast in a plebiscite which shall be held not later than three months after the approval of such amendment or revision.

## ARTICLE XVII

### TRANSITORY PROVISIONS

SECTION 1. There shall be an interim National Assembly which shall exist immediately upon the ratification of this Constitution and shall continue until the Members of the regular National Assembly shall have been elected and shall have assumed office following an election called for the purpose by the interim National Assembly. Except as otherwise provided in this Constitution, the interim National Assembly shall have the same powers and its Members shall have the same functions, responsibilities, rights and privileges, and disqualifications as the regular National Assembly and the Members thereof.

SEC. 2. The Members of the interim National Assembly shall be the incumbent President and Vice-President of the Philippines, those who served as President of the nineteen hundred and seventy-one Constitutional Convention, those Members of the Senate and the House of Representatives who shall express in writing to the Commission on Elections within thirty days after the ratification of this Constitution their option to serve therein, and those Delegates to the nineteen hundred and seventy-one Constitutional Convention who have opted to serve therein by voting affirmatively for this Article. They may take their oath of office before any officer authorized to administer oath and qualify thereto, after the ratification of this Constitution.

SEC. 3. (1) The incumbent President of the Philippines shall initially convene the interim National Assembly and shall preside over its sessions until the interim Speaker shall have been elected. He shall continue to exercise his powers and prerogatives under the nineteen hundred and thirty-five Constitution and the powers vested in the President and the Prime Minister under this Constitution until he calls upon the interim National Assembly to elect the interim President and the interim Prime Minister, who shall then exercise their respective powers vested by this Constitution.

(2) All proclamations, orders, decrees, instructions, and acts promulgated, issued, or done by the incumbent President shall be part of the law of the land, and shall remain valid, legal,

binding, and effective even after lifting of martial law or the ratification of this Constitution, unless modified, revoked, or superseded by subsequent proclamations, orders, decrees, instructions, or other acts of the incumbent President, or unless expressly and explicitly modified or repealed by the regular National Assembly.

SEC. 4. The interim Prime Minister and his Cabinet shall exercise all the powers and functions, and discharge the responsibilities of the regular Prime Minister and his Cabinet, and shall be subject to the same disqualifications provided in this Constitution.

SEC. 5. The interim National Assembly shall give priority to measures for the orderly transition from the presidential to the parliamentary system, the reorganization of the Government, the eradication of graft and corruption, the effective maintenance of peace and order, the implementation of declared agrarian reforms, the standardization of compensation of government employees, and such other measures as shall bridge the gap between the rich and the poor.

SEC. 6. The interim National Assembly shall reapportion the Assembly seats in accordance with Section two, Article Eight, of this Constitution.

SEC. 7. All existing laws not inconsistent with this Constitution shall remain operative until amended, modified, or repealed by the National Assembly.

SEC. 8. All courts existing at the time of the ratification of this Constitution shall continue and exercise their jurisdiction, until otherwise provided by law in accordance with this Constitution, and all cases pending in said courts shall be heard, tried, and determined under the laws then in force. The provisions of the existing Rules of Court not inconsistent with this Constitution shall remain operative unless amended, modified, or repealed by the Supreme Court or the National Assembly.

SEC. 9. All officials and employees in the existing Government of the Republic of the Philippines shall continue in office until otherwise provided by law or decreed by the incumbent President of the Philippines, but all officials whose appointments are by this Constitution vested in the Prime Minister shall vacate their respective offices upon the appointment and qualification of their successors.

SEC. 10. The incumbent members of the Judiciary may continue in office until they reach the age of seventy years, unless sooner replaced in accordance with the preceding section hereof.

SEC. 11. The rights and privileges granted to citizens of the United States or to corporations or associations owned or controlled by such citizens under the Ordinance appended to the nineteen hundred and thirty-five Constitution shall automatically terminate on the third day of July, nineteen hundred and seventy-four. Titles to private lands acquired by such persons before such date shall be valid as against other private persons only.

SEC. 12. All treaties, executive agreements, and contracts entered into by the Government, or any subdivision, agency, or instrumentality thereof, including government-owned or controlled

corporations, are hereby recognized as legal, valid, and binding. When the national interest so requires, the incumbent President of the Philippines or the interim Prime Minister may review all contracts, concessions, permits, or other forms of privileges for the exploration, development, exploitation, or utilization of natural resources entered into, granted, issued, or acquired before the ratification of this Constitution.

SEC. 13. Any public officer or employee separated from the service as a result of the reorganization effected under this Constitution shall, if entitled under the laws then in force, receive the retirement and other benefits accruing thereunder.

SEC. 14. All records, equipment, buildings, facilities, and other properties of any office or body abolished or reorganized under this Constitution shall be transferred to the office or body to which its powers, functions, and responsibilities substantially pertain.

SEC. 15. The interim National Assembly, upon special call by the interim Prime Minister, may, by a majority vote of all its Members, propose amendments to this Constitution. Such amendments shall take effect when ratified in accordance with Article Sixteen hereof.

SEC. 16. This Constitution shall take effect immediately upon its ratification by a majority of the votes cast in a plebiscite called for the purpose and, except as herein provided, shall supersede the Constitution of nineteen hundred and thirty-five and all amendments thereto.

The foregoing Constitution was approved by the Filipino people in a referendum held between January 10, 1973 and January 15, 1973, the result of which was announced under Proclamation Numbered One Thousand One Hundred Two, dated January 17, 1973, by His Excellency, President Ferdinand E. Marcos. By virtue whereof, the Constitution came into full force and effect as of noon of January 17, 1973. In addition to the 1976 amendments reproduced in the following pages, the Filipino people in two plebiscites respectively held on January 30, 1980 and April 7, 1981 approved the amendments herein incorporated, the results being announced in Proclamation No. 1959 and Proclamation No. 2077.

## [Appendix]

### 1976 AMENDMENTS

1. There shall be, in lieu of the interim National Assembly, an interim Batasang Pambansa. Members of the interim Batasang Pambansa which shall not be more than 120, unless otherwise provided by law, shall include the incumbent President of the Philippines, representatives elected from the different regions of the nation, those who shall not be less than eighteen years of age

elected by their respective sectors, and those chosen by the incumbent President from the Members of the Cabinet. Regional representatives shall be apportioned among the regions in accordance with the number of their respective inhabitants and on the basis of a uniform and progressive ratio, while the sector shall be determined by law. The number of representatives from each region or sector and the manner of their election shall be prescribed and regulated by law.

2. The interim Batasang Pambansa shall have the same powers and its Members shall have the same functions, responsibilities, rights, privileges, and disqualifications as the interim National Assembly and the regular National Assembly and the Members thereof.

3. The incumbent President of the Philippines shall, within 30 days from the election and selection of the Members, convene the interim Batasang Pambansa and preside over its sessions until the Speaker shall have been elected. The incumbent President of the Philippines shall be the Prime Minister and he shall continue to exercise all his powers even after the interim Batasang Pambansa is organized and ready to discharge its functions, and likewise he shall continue to exercise his powers and prerogatives under the 1935 Constitution and the powers vested in the President and the Prime Minister under this Constitutions.

4. The President (Prime Minister) and his Cabinet shall exercise all the powers and functions, and discharge the responsibilities of the regular President (Prime Minister) and his Cabinet, and shall be subject only to such disqualifications as the President (Prime Minister) may prescribe. The President (Prime Minister), if he so desires, may appoint a Deputy Prime Minister or as many Deputy Prime Ministers as he may deem necessary.

5. The incumbent President shall continue to exercise legislative powers until martial law shall have been lifted.

6. Whenever in the judgment of the President (Prime Minister), there exists a grave emergency or a threat or imminence thereof, or whenever the interim Batasang Pambansa or the regular National Assembly fails or is unable to act adequately on any matter for any reason that in his judgment requires immediate action, he may, in order to meet the exigency, issue the necessary decrees, orders, or letters of instructions, which shall form part of the law of the land.

7. The Barangays and sanggunians shall continue as presently constituted but their functions, powers and composition may be altered by law.

Referenda conducted through the barangays and under the supervision of the Commission on Elections may be called at any time the Government deems it necessary to ascertain the will of the people regarding any important matter, whether of national or local interest.

8. All provisions of this Constitution not inconsistent with any of these amendments shall continue in full force and effect.

9. These amendments shall take effect after the incumbent President shall have proclaimed that they have been ratified by a majority of the votes cast in the referendum-plebiscite.

Malacanang Palace. *1973 Constitution of the Republic of the Philippines* by the Government of Ferdinand

Marcos. Manila: Official Gazette of the Philippines, 1973. <https://tinyurl.com/y49p9ptb>.

**Speech of President Marcos on the Philippines' program for economic recovery and growth  
July 25, 1984**

**Speech  
of  
His Excellency Ferdinand E. Marcos  
President of the Philippines  
On the Philippines' program for economic recovery and growth**

[Released on July 25, 1984]

The document is accessible at <https://www.officialgazette.gov.ph/1984/07/25/speech-of-president-marcos-on-the-philippines-program-for-economic-recovery-and-growth/>

Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

In his speech delivered before the delegates to the local aid review conferences on July 25, 1984, President Marcos noted that the conference took place at a time when the country was “in the midst of grappling with a financial crisis” that imposed an onerous burden on the “development efforts” of the government. He spoke of the development strategies that his government had embraced to propel the domestic economy in the 1970s and 1980s. Marcos attributed the “economic performance” of the country to a “development strategy” which called for large public investment, “supportive fiscal and monetary policy,” and increased foreign investments, which were instituted to cushion the impact of the major oil crises 1973-74 and 1979-80. Marcos went on to say that in the 1980s, the government, in the face of the stark international economic developments and dismal economic performance of the country at the end of the 1970s, the government carried out a four-year “medium-term plan” that was anchored on a “five-point recovery program.” The president pointed out that the government had shifted to “small-scale, labor-intensive, and foreign-exchange-saving or earning projects.” He made

it clear that as the government continued to foster “international cooperation,” it would still gave importance to “national interest.”

I would like to express the Philippine government’s deep appreciation to the delegates on this second and last day of the local aid review conference, especially our good friends from our donor countries and international institutions. Our thanks also to the Asian Development Bank for the valuable assistance it extended to the national economic and development authority in the organization of this meeting.

Your meeting indeed comes at a crucial time in our nation’s history when we are in the midst of grappling with a financial crisis that continues to put a heavy strain on our development efforts. As we look back to the past, we note that the last decade (1972-82) was a period of significant changes in the Philippines, a middle-income oil-importing country with a present population of 53.4 million. Growing at the rate of 5.5 percent in real terms over the past 11 years, the Philippines has a per capita GNP of \$650 in current terms as of end-1983. Agriculture accounted for roughly 25 percent and industry about 36 percent of the gross national product that year as against 29 percent and 31 percent respectively, in 1972.

The Philippines’ economic performance during the past decade is the result of a development strategy that was characterized by continued high rate of public investment; supportive fiscal and monetary policy; and substantial capital inflows to fund development requirements. These policies were pursued to partly overcome the two major oil shocks in 1973-74 and 1979-80.

Consistent with the long-term growth strategy and in response to several debilitating effects of the first oil crisis, we embarked on a number of important measures. An aggressive energy development program was launched in 1973, which reduced oil import dependence from 95 percent in 1972 to 65 percent in 1983. Export development was strengthened and collection of domestic revenues and exports provided the leverage to gain access to foreign borrowings, particularly during the mid-1970s. During the period 1973-82, the country was granted medium and long term loans averaging to some \$1.5 billion per year.

At the same time, Philippine availment of official development assistance also grew substantially amounting to a total of US\$6 billion ODA loans outstanding as of end-December 1983. The proportion of ODA loans to total non-monetary external debts increased from 19.6 percent in 1973 to 30 percent in 1983, reflecting the growing contribution of ODA to the overall development program of the country.

These foreign borrowings substantially augmented our domestic resources, and these were utilized to finance major development programs in an effort to meet the increasing demand of the population for basic services and livelihood opportunities.

During the decade 1972-1982, the government spent some P62 billion in such people-oriented development programs as: (1) energy self-reliance (23.5%); (2) education (21.5%); (3) water resources (11.3%) food self-sufficiency (14.4%); (5) transport and communications (15.8%); (6) health (6.2%); (7) livelihood and housing (5%); and (8) agrarian reform (2.3%). These expenditures, designed for the economic and social uplift of the poorest among our people, were

more than 10 times the development expenditures for 1962-71. While government spending was clearly expansionary, the budgetary deficit to GNP ratio was carefully controlled at less than 2 percent until 1980, increasing only to 4.3 percent by 1982.

This development strategy was successful until the late 1970s, by which time the economy had been growing by about six and a half percent, much faster than in the late 1960s. After 1979, however, real GNP declined progressively from 4.4 percent in 1980 to 1.4 percent in 1983, the lowest growth since the country's independence in 1946. The decline can be attributed to two factors: the second oil shock in 1979 and the consequent prolonged recession and the failure of some past investments to yield expected targets.

After the second oil shock and the onset of a world recession, major debtor developing countries like the Philippines found it more difficult to earn foreign exchange from exports because of the international recession. At the same time, restrictive monetary policies abroad to contain inflation caused a steep rise in international interest rates and heavier debt service burdens for borrowing countries. The Philippines' already sizable level of external debt and the decline in export receipts precluded the sustenance in growth targets in the 1980s.

To redress our present economic difficulties we are now pursuing a medium-term plan that is built around a five-point recovery program. This four-year plan is basically designed to stem the balance of payment crisis, increase self-reliance and national productivity and bring about meaningful structural changes in the Philippine economy.

We are now negotiating a financial package with the International Monetary Fund, a consortium of about 500 creditor banks and official sources of capital, most of whom, I understand are represented here today. This financial package will consist of an IMF standby credit, rescheduling of part of the country's foreign debt, maintenance of trade-related credit facilities at least at the level of October 1983, and particularly with your generous support on new official development assistance loans. This is expected to improve our BOP position and to maintain the inflow of essential imports.

We are also taking measures to stimulate domestic resource generation through a combination of demand management policies designed to restrain imports, strengthen export incentives, and minimize inflation. A floating exchange rate was adopted as of 6 June 1984 to control the current account deficit. At the same time, the national government has adopted a revenue and expenditure program to keep the fiscal deficit to not more than 1.2 percent of GNP up to 1987. In keeping with the stabilization program, credit expansion will be stringently controlled to minimize inflationary pressures.

In tandem with shorter-term stabilization measures, development activities have been reoriented in favor of on-going, small-scale, labor-intensive, and foreign-exchange-saving or earning projects. A larger share of investments will be allocated to productivity programs for livelihood provision and self-employment. Natural resources will be developed to complement priority programs in food production, energy, exports, and social services. In contrast to the large-scale capital intensive programs of the late 1970s, these small-scale investments are addressed

specifically to problems of resource scarcity and possible worker displacement, particularly during the period of adjustment.

We have, moreover, adopted a development strategy that emphasizes the modernization of agriculture. Through agricultural productivity programs, it is envisioned that the country's current dependence on foreign borrowings will be reduced by increased export earnings from agro-based activities and the boost to domestic savings generated by higher rural incomes. The development of forests, aquatic resources, and mineral-based activities, on the one hand, will be complemented by cottage, small and medium scale, labor-intensive industries, on the other. As an immediate step to generate more livelihood activities, jobs, food supply, foreign exchange receipts and to meet the other needs of our people and industries, productivity and rehabilitation programs will be implemented.

These programs include the massive planting of hybrid corn, intensified rice production, aquaculture development assistance to the copper industry and other mineral sectors, expanded production of non-traditional exports such as electronic products and garments, and commercialization of technological breakthroughs for producing food and raw materials on a commercial scale such as rattan, root crops, and other products.

To make the productive system more efficient, internationally competitive, and able to generate more productive employment, phased trade liberalization and tariff reforms began in 1980 will continue to be implemented. In line with the new priorities, structural adjustment will be expanded to include the agriculture sector. The program will cover more efficient pricing and marketing, institutional and other incentives. These are expected to increase the labor absorptive capacity, foreign exchange generation, and relative profitability of agro-based industries.

To support the structural adjustment program, key industries will be revitalized. Nonconventional and rural-based sources of energy will be developed, and exportation of goods and services will be encouraged according to the country's comparative advantage. These will be complemented by tourism promotion and increased collaboration with other countries on mutually profitable ventures, to maximize foreign exchange earnings.

We recognize that over the short-term, economic stabilization measures are expected to put pressure on the unemployment situation. This will be addressed through a package of adjustment assistance for workers and their families suffering from economic stress, such as prudent wage adjustments, staggered working hours to prevent mass layoffs, separation pay for laid-off workers, advance payment of vacation and sick leave benefits, and unemployment assistance loans. Short-term skills training tailored to the needs of potential growth industries shall also be given to facilitate re-entry of laid-off workers into the labor market.

The Philippine government adheres to a policy of helping to advance international cooperation while at the same time pursuing the national interest. It is in this light that we have embarked on a financial and economic program to make our domestic economy more self-reliant, able to respond better to external shocks, and able to fulfill its economic obligations to the rest of the world.

Beyond national initiatives, however, a broadly based world economic recovery is contingent on actions taken by the developed countries. Firstly, we welcome policies conducive to lower international interest rates, in order to sustain investments and reduce debt servicing cost. Secondly, we encourage the continuation of capital inflows from both commercial and official development sources, including initiatives to extend multi-year rescheduling of external debts where debtor countries show serious adjustment efforts. We are also pledged to supporting flows of direct private investment. And thirdly, we encourage more openness to developing country exports and a generally more liberal approach to trade.

As I mentioned earlier, the Philippines has increasingly availed itself of ODA to supplement domestic resources. In the face of the rising interest on commercial loans, the tight credit situation, and the general instability of the financial markets, official development assistance will continue to play a major role in our national development programs.

We are indeed very grateful to both bilateral and multilateral lending institutions for their continued assistance during these difficult times in our national life even as we vigorously pursue our economic stabilization program, not only to achieve a healthy national economy, but also to fulfill our commitments to the institutions who have generously assisted the country in the past, we look forward to the continuing support and cooperation of both bilateral and international development institutions. In particular, we hope these agencies will look favorably at programs and projects directly supportive of agricultural and rural development and other support services aimed at raising agricultural productivity and benefiting the majority of the Filipinos who continued to rely on agriculture for their livelihood.

Again, on behalf of the Filipino people, I thank you for your support in our national development efforts.

Thank you and good day.

Source: Presidential Museum and Library

Marcos, F. E. (1984). *Speeches by President Ferdinand E. Marcos*. [Manila]: Presidential Library.

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**Presidential Decree No. 2, s. 1972****Proclaiming the Entire Country as a Land Reform Area**

Ferdinand Marcos

This document is downloaded from Presidential Management Staff. *Presidential Decree No. 2, s. 1972: Proclaiming the Entire Country as a Land Reform Area* by Ferdinand Marcos. Manila: Official Gazette of the Philippines, 1972. <https://tinyurl.com/yyhfr36b>.

Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

On September 26, 1972, five days after the declaration of martial law, President Marcos, cognizant of the imperative to speed up the government's Agrarian Reform Program with a view to ensure the farmers lead a life with dignity, among other avowed objectives, issued Presidential Decree No. 2, s. 1972, proclaiming the entire country "a land reform area" and directing all government agencies and offices to fully support the Department of Agrarian Reform to guarantee the successful implementation of the program.

WHEREAS, there is pressing need to accelerate the Agrarian Reform Program of the Government for the early attainment of the objectives set forth in Republic Act No. 3844, as amended;

WHEREAS, among such objectives is to achieve dignified existence for the small farmers free from the pernicious institutional restraints and practices which have not only retarded the agricultural development of the country but have also produced widespread discontent and unrest among our farmers, one of the causes of the existing national emergency; and

WHEREAS, it is believed that the lasting objectives of land reform may be sooner realized if the whole country is declared a land reform area;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and General

Order No. 1, dated September 22, 1972, as amended, whereby I have assumed direction of the operation of the entire Government, do hereby proclaim the whole country, as land reform area.

All agencies and offices of the Government are enjoined to extend full cooperation and assistance to the Department of Agrarian Reform to insure the successful prosecution of the Agrarian Reform Program.

The Agrarian Reform Coordinating Council created under Executive Order No. 347, series of 1971, is hereby directed to convene immediately to exercise its functions.

The Secretary of Agrarian Reform shall take the necessary steps for the prompt and effective implementation of this decree.

Done in the City of Manila, this 26th day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(SGD.) FERDINAND E. MARCOS

President

Republic of the Philippines

Presidential Management Staff. *Presidential Decree No. 2, s. 1972: Proclaiming the Entire Country as a*

*Land Reform Area* by Ferdinand Marcos. Manila: Official Gazette of the Philippines, 1972. <https://tinyurl.com/yyhfr36b>.

**Presidential Decree No. 27, s. 1972**

**Decreeing the Emancipation of Tenant from the Bondage of Soil,  
Transferring to them the Ownership of the Land they Till and Providing the  
Instruments and Mechanism therefore.**

Ferdinand Marcos

This document is culled from Malacanang Palace. *Presidential Decree No. 27, s. 1972: Decreeing the Emancipation of Tenant from the Bondage of Soil, Transferring to them the Ownership of the Land they Till and Providing the Instruments and Mechanism therefore* by Ferdinand Marcos and Alejandro Melchor. Manila: Official Gazette of the Philippines, 1972. <https://tinyurl.com/y32creqs>.

Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

On October 21, 1972, President Marcos promulgated the second presidential decree that dealt with the question of land reform. Stipulating the “emancipation of all tenant farmers and transfer of the land they till,” this decree spelled out the fine points of the administration’s land reform program. President Marcos prefaced the decree by recognizing the compelling necessity to address the injustices arising from land ownership, which was a bedrock of the New Society. In terms of scope, the decree limited the coverage of the program to “tenanted” rice and corn land and pegged the retention limit at a maximum of seven hectares. The decree further mandated the purchase of the landholdings that exceeded seven hectares by the government for distribution and sale to the tenants who were to pay the total cost of the land over a period of 15 years.

Inasmuch as the old concept of the land ownership by a few has spawned valid and legitimate grievances that gave rise to violent conflict and social tension,

The redness of such legitimate grievances being one of the fundamental objectives of the New Society,

Since Reformation must start with emancipation of the tiller bondage,

NOW, THEREFORE, I FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972 and General Order No. 1 dated September 22, 1972 as amended do hereby decree and order the emancipation of all tenant farmers as of this day, October 21, 1972;

This shall apply to all tenant farmers of private agricultural lands primarily devoted to rice and corn under a system of sharecrop or lease-tenancy, whether classified as landed estate or not;

The tenant farmer, whether in land classified as landed estate or not, shall be deemed owner of a portion constituting a family-size farm of five (5) hectares if not irrigated and three (3) hectares if irrigated;

In all cases, the landowner may retain an area of not more than seven (7) hectares if such landowner is cultivating such area or will now cultivate it;

For the purpose of determining the cost of the land to be transferred to the tenant-farmer pursuant to this Decree, the value of the land shall be equivalent to two and one-half (2½) times the average harvest of the three normal crop years immediately preceding the promulgation of this Decree;

The total cost of the land, including the interest at the rate of six (6) percentum per annum, shall be paid by the tenant in fifteen (15) years of fifteen (15) equal annual amortizations;

In case of default, the amortizations due shall be paid by the farmers cooperative in which the defaulting tenant-farmer is a member, with the cooperative having a right of recourse against him;

The government shall guaranty such amortizations with shares of stock in government-owned and government-controlled corporations;

No title to the land owned by the tenant-farmers under this Decree shall be actually issued to a tenant-farmer unless and until the tenant-farmer has become a full-pledge member of a duly recognized farmer's cooperative;

Title to land acquired pursuant to this Decree or the Land Reform Program of the Government shall not be transferable except by hereditary succession or to the Government in accordance with the provisions of this Decree, the Code of Agrarian Reforms and other existing laws and regulations;

The Department of Agrarian Reform through its Secretary is hereby empowered to promulgate rules and regulations for the implementation of this Decree.

All laws, executive orders, decrees and rules and regulations, or parts thereof, inconsistent with this Decree are hereby repealed and or modified accordingly.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS

*President of the Philippines*

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Malacanang Palace. *Presidential Decree No. 27, s. 1972: Decreeing the Emancipation of Tenant from the*

*Bondage of Soil, Transferring to them the Ownership of the Land they Till and Providing the Instruments and Mechanism therefore* by Ferdinand Marcos and Alejandro Melchor. Manila: Official Gazette of the Philippines, 1972. <https://tinyurl.com/y32creqs>.

**Proclamation No. 1081, s. 1972**

**Signed on September 21, 1972**

**MALACAÑANG**

**MANILA**

**PROCLAMATION No. 1081**

**PROCLAIMING A STATE OF MARTIAL LAW IN THE PHILIPPINES**

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Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

By virtue of Proclamation No. 1081, President Marcos, invoking the powers vested upon him by Article VII, Section 10, Paragraph (2) of the 1935 Constitution, placed the entire country in a state of martial law on September 21, 1972, which lasted under January 17, 1981. As commander-in-chief, Marcos, he directed the Armed Forces of the Philippines to preserve public order in the country, “prevent or suppress all forms of lawless violence as well any act of insurrection or rebellion and ensure compliance with “all the laws and decrees, orders and regulations” issued by the president. In justifying the proclamation of martial law, Marcos described in graphic terms the state of anarchy that undermined the national security and stability of the country. Specifically, he referred to the “communist threat” posed by the Communist Party of the Philippines and its “front organizations, the rebellion of the Mindanao Independence Movement, and “other armed aggrupations” whose objective was to “overthrow the Republic of the Philippines.”

WHEREAS, on the basis of carefully evaluated and verified information, it is definitely established that lawless elements who are moved by a common or similar ideological conviction, design, strategy and goal and enjoying the active moral and material support of a foreign power

and being guided and directed by intensely devoted, well trained, determined and ruthless groups of men and seeking refuge under the protection of our constitutional liberties to promote and attain their ends, have entered into a conspiracy and have in fact joined and banded their resources and forces together for the prime purpose of, and in fact they have been and are actually staging, undertaking and waging an armed insurrection and rebellion against the Government of the Republic of the Philippines in order to forcibly seize political and state power in this country, overthrow the duly constituted government, and supplant our existing political, social, economic and legal order with an entirely new one whose form of government, whose system of laws, whose conception of God and religion, whose notion of individual rights and family relations, and whose political, social, economic, legal and moral precepts are based on the Marxist-Leninist-Maoist teachings and beliefs ;

WHEREAS, these lawless elements, acting in concert through seemingly innocent and harmless, although actually destructive, front organizations which have been infiltrated or deliberately formed by them, have continuously and systematically strengthened and broadened their memberships through sustained and careful recruiting and enlistment of new adherents from among our peasantry, laborers, professionals, intellectuals, students, and mass media personnel, and through such sustained and careful recruitment and enlistment have succeeded in spreading and expanding, their control and influence over almost every segment and level of our society throughout the land in their ceaseless effort to erode and weaken the political, social, economic, legal and moral foundations of our existing government, and to influence, manipulate and move peasant, labor, student and terroristic organizations under their influence or control to commit, as in fact they have committed and still are committing, acts of violence, depredations, sabotage and injuries against our duly constituted authorities, against the members of our law enforcement agencies, and worst of all, against the peaceful members of our society;

WHEREAS, in the fanatical pursuit of their conspiracy and widespread acts of violence, depredations, sabotage and injuries against our people, and in order to provide the essential instrument to direct and carry out their criminal design and unlawful activities, and to achieve their ultimate sinister objectives, these lawless elements have in fact organized, established and are now maintaining a Central Committee, composed of young and dedicated, radical students and intellectuals, which is charged with guiding and directing the armed struggle and propaganda assaults against our duly constituted government, and this Central Committee is now imposing its will and asserting its sham authority on certain segments of our population, especially in the rural areas, through varied means of subterfuge, deceit, coercion, threats, intimidations, machinations, treachery, violence and other modes of terror, and has been and is illegally exacting financial and other forms of tributes from our people to raise funds and material resources to support its insurrectionary and propaganda activities against our duly constituted government and against our peace-loving people ;

WHEREAS, in order to carry out, as in fact they have carried out, their premeditated plan to stage, undertake and wage a full scale armed insurrection and rebellion in this country, these lawless elements have organized, established and are now maintaining a well trained, well armed and highly indoctrinated and greatly expanded insurrectionary force, popularly known as the "New People's Army", which has since vigorously pursued and still is vigorously pursuing a

relentless and ruthless armed struggle against our duly constituted government and whose unmitigated forays, raids, ambushes, assaults, and reign of terror and acts of lawlessness in the rural areas and in our urban centers brought about the treacherous and cold-blooded assassination of innocent civilians, military personnel of the government and local public officials in many parts of the country, notably in the Cagayan Valley, in Central Luzon, in the Southern Tagalog Region, in the Bicol Area, in the Visayas and in Mindanao, and whose daring and wanton guerrilla activities have generated and sown fear and panic among our people; have created a climate of chaos and disorder, produced a state of political, social, psychological and economic instability in our land, and have inflicted great suffering and irreparable injury to persons and property in our society”;

WHEREAS, these lawless elements, their cadres, fellow-travellers, friends, sympathizers and supporters have for many years up to the present time been mounting sustained, massive and destructive propaganda assaults against our duly constituted government, its instrumentalities, agencies and officials, and also against our social, political, economic and religious institutions, through the publications, broadcasts and disseminations of deliberate slanted and overly exaggerated news stories and news commentaries as well as false, vile foul and scurrilous statements utterances, writings and pictures through the press-radio-television media and through leaflets, college campus newspapers and some newspapers published and still being published by these lawless elements, notably the “Ang Bayan”, Pulang Bandila” and the “Ang Komunista”, all of which are clearly well-conceived, intended and calculated to malign and discredit our duly constituted government, its instrumentalities, agencies, and officials before our people making it appear to the people that our government has become so weak and so impotent to perform and discharge its functions and responsibilities in our society and to our people, and thus undermine and destroy the faith and loyalty and allegiance of our people in and alienate their support for their duly constituted government, its instrumentalities, agencies and officials, and thereby gradually erode and weaken as in fact they have so eroded and weakened the will of our people to sustain and defend our government and our democratic way of life ;

WHEREAS, these lawless elements having taken up arms against our duly constituted government and against our people, and having committed and are still committing acts of armed insurrection and rebellion consisting of armed raids, forays, sorties, ambushes, wanton acts of murders, spoilage, plunder, looting, arsons, destruction of public and private buildings, and attacks against innocent and defenseless civilian lives and property, all of which activities have seriously endangered and continue to endanger public order and safety and the security of the nation, and acting with cunning and manifest precision and deliberation and without regard to the health, safety and well-being of the people, are now implementing their plan to cause widespread, massive and systematic destruction and paralization of vital public utilities and services, particularly water systems, sources of electrical power, communication and transportation facilities, to the great detriment, suffering, injury and prejudice of our people and the nation and to generate a deep psychological fear and panic among our people;

WHEREAS, the Supreme Court in the cases brought before it, docketed as G.R. Nos. L-33964, L-33965, L-33973, L-33982, L-34004, L-34013, L-34039, L-34265, and L-34339, as a consequence of the suspension of the privilege of the writ of habeas corpus by me as President of the Philippines in my Proclamation No.889, dated August 21, 1971, as amended, has found that in truth and in fact there exists an actual insurrection and rebellion in the country by a sizeable group of men who have publicly risen in arms to overthrow the government. Here is what the Supreme Court said in its decision promulgated on December 11, 1971:

” x x x our jurisprudence attests abundantly to the Communist activities in the Philippines, especially in Manila, from the late twenties to the early thirties, then aimed principally at incitement to sedition or rebellion, as the immediate objective. Upon the establishment of the Commonwealth of the Philippines, the movement seemed to have waned notably; but, the outbreak of World War II in the Pacific and the miseries, the devastation and havoc, and the proliferation of unlicensed firearms concomitant with the military occupation of the Philippines and its subsequent liberation, brought about, in the late forties, a resurgence of the Communist threat, with such vigor as to be able to organize and operate in Central Luzon an army -called HUKBALAHAP, during the occupation, and renamed Hukbong Mapagpalaya ng Bayan (HMB) after liberation- which clashed several times with the armed forces of the Republic. This prompted then President Quirino to issue Proclamation No.210, dated October 22, 1950, suspending the privilege of the writ of habeas Corpus, the validity of which was upheld in *Montenegro v. Castañeda*. Days before the promulgation of said Proclamation, or on October 18, 1950, members of the Communist Politburo in the Philippines were apprehended in Manila. Subsequently accused and convicted of the crime of rebellion, they served their respective sentences.

“The fifties saw a comparative lull in Communist activities, insofar as peace and order were concerned. Still, on June 20, 1957, Republic Act No.1700, otherwise known as the Anti-Subversion Act, was approved, upon the grounds stated in the very preamble of said statute -that

” x x x the Communist Party of the Philippines, although purportedly apolitical party, is in fact an organized conspiracy to overthrow the Government of the Republic of the Philippines, not only by force and violence but also by deceit, subversion and other illegal means, for the purpose of establishing in the Philippines a totalitarian regime subject to alien domination and control ;

” x x x the continued existence and activities of the Communist Party of the Philippines constitutes a clear, present and grave danger to the security of the Philippines; and

” x x x in the fact of the organized, systematic and persistent subversion, national in scope but international in direction, posed by the Communist ...Party of the Philippines and its activities, there is urgent need for special legislation to cope with this continuing menace to the freedom and security of the country x x x.” :

“In the language of the Report on Central Luzon, submitted, on September 4, 1971, by the Senate Ad Hoc Committee of Seven-copy of which Report was filed in these cases by the petitioners herein-

“The years following 1963 saw the successive emergence in the country of several mass organizations, notably the Lapiang Manggagawa (now the Socialist Party of the Philippines) among the workers; the Malayang Samahan ng Mga Magsasaka (MASAKA) among the peasantry; the Kabataang Makabayan (KM) among the youth/students; and the Movement for the Advancement of Nationalism (MAN) among the intellectuals/professionals, the PKP has exerted all-out effort to infiltrate, influence and utilize these organizations in promoting its radical brand of nationalism.”

“Meanwhile, the Communist leaders in the Philippines had been split into two (2) groups, one of which -com- posed mainly of young radicals, constituting the Maoist faction -reorganized the Communist Party of the Philip- pines early in 1969 and established a New People’s Army. This faction adheres to the Maoist concept of the ‘Protracted People’s War’ or ‘War of National Liberation.’ Its ‘Programme for a People’s Democratic Revolution’ states, inter alia:

“The Communist Party of the Philippines is determined to implement its general programme for a people’s democratic revolution. All Filipino communists are ready to sacrifice their lives for the worthy cause of achieving the new type of democracy, of building a new Philippines that is genuinely and completely independent, democratic, united, just and prosperous . . .

“The Central task of any revolutionary movement is to seize political power. The Communist Party of the Philippines assumes this task at a time that both the international and national situations are favorable to taking the road of armed revolution...’

“In the year 1969, the NPA had-according to the records of the Department of National Defense-conducted raids, resorted to kidnappings and taken part in other violent incidents numbering over 230, in which it inflicted 404 casualties, and, in turn, suffered 243 losses. In 1970, its record of violent incidents was about the same, but the NPA casualties more than doubled.

“At any rate, two (2) facts are undeniable: (a) all Communists, whether they belong to the traditional group or to the Maoist faction, believe that force and violence are indispensable to the attainment of their main and ultimate objective, and act in accordance with such belief, although they disagree on the means to be used at a given time and in a particular place; and (b) there is a New People’s Army, other, of course, than the armed forces of the Republic and antagonistic thereto. Such New People’s Army is per se proof of the existence of a rebellion, especially considering that its establishment was announced publicly by the reorganized CPP. Such announcement is in the nature of a public challenge to the duly constituted authorities and may be likened to a declaration of war, sufficient to establish a war status or a condition of belligerency, even before the actual commencement of hostilities.

“We entertain, therefore, no doubts about the existence of a sizeable group of men who have publicly risen in arms to overthrow the government and have thus been and still are engaged in rebellion against the Government of the Philippines.”

WHEREAS, these lawless elements have to a considerable extent succeeded in impeding our duly constituted authorities from performing their functions and discharging their duties and responsibilities in accordance with our laws and our Constitution to the great damage, prejudice and detriment of the people and the nation;

WHEREAS, it is evident that there is throughout the land a state of anarchy and lawlessness, chaos and disorder, turmoil and destruction of a magnitude equivalent to an actual war between the forces of our duly constituted government and the New People's Army and their satellite organizations because of the unmitigated forays, raids, ambushes, assaults, violence, murders, assassinations, acts of terror, deceptions, coercions, threats, intimidations, treachery, machinations, arsons, plunders and depredations committed and being committed by the aforesaid lawless elements who have pledged to the whole nation that they will not stop their dastardly effort and scheme until and unless they have fully attained their primary and ultimate purpose of forcibly seizing political and state power in this country by overthrowing our present duly constituted government, by destroying our democratic way of life and our established secular and religious institutions and beliefs, and by supplanting our existing political, social, economic, legal and moral order with an entirely new one whose form of government, whose notion of individual rights and family relations, and whose political, social, economic and moral precepts are based on the Marxist-Leninist-Maoist teachings and beliefs ;

WHEREAS, the Supreme Court in its said decision concluded that the unlawful activities of the aforesaid lawless elements actually pose a clear, present and grave danger to public safety and the security of the nation and in support of that conclusion found that:

” x x x the Executive had information and reports-subsequently confirmed, in many respects, by the above-mentioned Report of the Senate Ad Hoc Committee of Seven -to the effect that the Communist Party of the Philippines does not merely adhere to Lenin's idea of a swift armed uprising; that it has, also, adopted Ho Chi Minh's terrorist tactics and resorted to the assassination of uncooperative local officials ; that, in line with this policy, the insurgents have killed 5 mayors, 20 barrio captains and 3 chiefs of police; that there were fourteen (14) meaningful bombing incidents in the Greater Manila area in 1970; that the Constitutional Convention Hall was bombed on June 12, 1971; that, soon after the Plaza Miranda incident, the N A W ASA main pipe at the Quezon City San Juan boundary, was bombed; that this was followed closely by the bombing of the Manila City Hall, the COMELEC Building, the Congress Building and the MERALCO substation at Cubao, Quezon City; and that the respective residences of Senator Jose J. Roy and Congressman Eduardo Cojuangco were, likewise, bombed, as were the MERALCO main office premises, along Ortigas Avenue, and the Doctor's Pharmaceuticals, Inc. Building, in Caloocan City.

” x x x the reorganized Communist Party of the Philippines has, moreover, adopted Mao's concept of protracted people's war, aimed at the paralyzation of the will to resist of the government, of the political, economic and intellectual leadership, and of the people themselves; that conformably to such concept, the Party has placed special emphasis upon a most extensive and intensive program of subversion by the I establishment of front organizations in urban centers, the organization of armed city partisans and the infiltration in student groups, labor unions, and farmer and professional groups; that the CPP has managed to infiltrate or establish and control nine (9) major labor organizations; that it has exploited the youth movement and succeeded in making Communist fronts of eleven (11) major student or youth organizations;. that there are, accordingly, about thirty ( 30) mass organizations actively advancing the CPP interests, among which are the Malayang Samahan ng Magsasaka (MASAKA) , the Kabataang

Makabayan (KM) , the Movement for the Advancement of Nationalism (MAN) , the Samahang Demokra- tiko ng Kabataan (SDK) , the Samahang Molave (SM) , and the Malayang Pagkakaisa ng Kabataang Pilipino (MPKP) ; that, as of August, 1971, the KM had two hundred forty-five (245) operational chapters throughtout the Philippines, of which seventy-three (73) were in the Greater Manila Area, sixty (60) in Northern Luzon, forty nine (49) in Central Luzon, forty-two (42) in the Visayas and twenty-one (21) in Mindanao and Sulu; that in 1970, the Party had recorded two hundred fifty-eight (258) major demonstrations, of which about thirty-three (33) ended in violence, resulting in fifteen (15) killed and over five hundred (500) injured; that most of these actions were organized, coordinated or led by the aforementioned front organizations; that the violent demonstration were generally instigated by a small, but well-trained group of armed agitators; that the number of demonstrators heretofore staged in 1971 has already exceeded those of 1970: and that twenty-four (24) of these demonstrations were violent and resulted in the death of fifteen (15) persons and the injury of many more.

“Subsequent events xxx have also proven xxx the threat to public safety posed by the New People’s Army. Indeed, it appears that, since August 21, 1971, it had in Northern Luzon six (6) encounters and staged one (1) raid, in consequences OJ which seven (7) soldiers lost their lives and two (2) other: were wounded, whereas the insurgents suffered five (5) casualties; that on August 26, 1971, a well-armed group of NPA trained by defector Lt. Victor Corpus, attacked the very command post of TF LAWIN in Isabela, destroying two (2) helicopters and one (1) plane, and wounding one (1) soldier that the, NPA had in Central Luzon a total of four (4) encounters, with two (2) killed and three (3) wounded on the side of the Government, one (1) BSDU killed and three (3) KM-SDK leaders, an unidentified dissident, and Commander Panchito, leader of the dissident group were killed; that on August 26, 1971, there was an encounter in the barrio of San Pedro, Iriga City, Camarines Sur, between the PC and the NPA, in which a PC and two (2) KM members were killed, that the current disturbances in Cotabato and the Lanao provinces have been rendered more complex by the involvement of the CPP /NPA, for, in mid-1971, a KM group, headed by Jovencio Esparagoza, contacted the Higa-onan tribes, in their settlement in Magsaysay, Misamis Oriental, and offered them books, pamphlets and brochures of Mao Tse Tung, as well as conducted teach-ins in the reservation; that Esparagoza was reportedly killed on September 22, 1971, in an operation of the PC in said reservation; and that there are now two (2) NPA cadres in Mindanao.

“It should, also, be noted that adherents of the CPP and its front organizations are, according to intelligence findings, l definitely capable of preparing powerful explosives out of locally available materials; that the bomb used in the Constitutional Convention Hall was a ‘Claymore’ mine, a powerful explosive device used by the U.S. Army, believed to have been one of many pilfered from the Subic Naval Base a few days before; that the President had received intelligence information to the effect that there was a July-August Plan involving a wave of assassinations, kidnappings, terrorism and mass destruction of property and that an extraordinary occurrence would signal the beginning of said event; that the rather serious condition of peace and order in Mindanao, particularly in Cotabato and Lanao, demanded the presence therein of forces sufficient to cope with the situation; that a sizeable part of our armed forces discharges

other functions; and that the expansion of the CPP activities from Central Luzon to other parts of the country, particularly Manila and its suburbs, the Cagayan Valley , Ifugao, Zambales, Laguna, Quezon and the Bicol Region, required that the rest of our armed forces be spread thin over a wide area.”

WHEREAS, in the unwavering prosecution of their revolutionary war against the Filipino people and their duly constituted government, the aforesaid lawless elements have, in the months of May, June and July, 1972, succeeded in bringing and introducing into the country at Digoyo Point, Palanan, Isabela and at other undetermined points along the Pacific coastline of Luzon, a substantial quantity of war material consisting of M-1.4 rifles estimated to be some 3,500 pieces, several dozens of 40 mm rocket launchers which are said to be Chicom copies of a Russian prototype rocket launcher, large quantities of 80 mm rockets and ammunitions, and other combat paraphernalia, of which wa'r ma- terial some had been discovered and captured by government military forces, and the bringing and introduction of such quantity and type of war material into the country is a mute but eloquent proof of the sinister plan of the aforesaid lawless elements to hasten the escalation of their present revolutionary war against the Filipino people and their legitimate government ;

WHEREAS, in the execution of their overall revolutionary plan, the aforesaid lawless elements have prepared and released to their various field commanders and Party workers a document captioned “REGIONAL PROGRAM OF AC'TION 1972”, a copy of which was captured by elements of the 116th and 119th Philippine Constabulary Companies on June 18, 1972 at Barrio Taringsing, Cordon, Isabela . . . .

WHEREAS, in line with their “REGIONAL PROGRAM OF ACTION 1972”, the aforesaid lawless elements have of late been conducting intensified acts of violence and terrorisms during the current year in the Greater Manila area such as the bombing of the Arca building at Taft Avenue, Pasay City, on March 15; of the Filipinas Orient Airways board room at Domestic Road, Pasay City on April 23; of the Vietnamese Embassy on May 30; of the Court of Industrial Relations on June 23; of the Philippine Trust Company branch office in Cubao, Quezon City on June 24; of the Philamlife building at United Nations Avenue, Manila, on July 3; of the Tabacalera Cigar & Cigarette Factory Compound at Marquez de Comilas, Manila on July 27; of the PLDT exchange office at East Avenue, Quezon City, and of the Philippine Sugar Institute building at North Avenue, Diliman, Quezon City, both on August 15; of the Department of Social Welfare building at San Rafael Street, Sampaloc, Manila, on August 17; of a water main on Aurora Boulevard and Madison Avenue, Quezon City on August 19; of the Philamlife building again on August 30; this time causing severe destruction on the Far East Bank and Trust Company building nearby; of the armored car and building of the Philippine Banking Corporation as well as the buildings of the Investment Development Inc, and the Daily Star Publications when an-other explosion took place on Railroad Street, Port Area, Manila also on August 30; of Joe's Department Store on Carriedo Street, Quiapo, Manila, on September 5, causing death to one woman and injuries to some 38 individuals; and of the City Hall of Manila on September 8; of the watermains in San Juan, Rizal on Sept, 12, of the San Miguel building on Makati, Rizal on Sept, 14; and of the Quezon City Hall on September 18, 1972, as well as the attempted bombing of the Congress Building on July 18, when an unexploded bomb was found in

the Senate Publication Division and the attempted bombing of the Department of Foreign Affairs on August 30,

WHEREAS, in line with the same "REGIONAL PROGRAM OF ACTION 1972", the aforesaid lawless elements have also fielded in the Greater Manila area several of their "Sparrow Units" or "Simbad Units" to undertake liquidation missions against ranking government officials, military personnel and prominent citizens and to further heighten the destructions and depredations already inflicted by them upon our innocent people, all of which are being deliberately done to sow terror, fear and chaos amongst our population and to make the government look so helpless and incapable of protecting the lives and property of our people;

WHEREAS, in addition to the above-described social disorder, there is also the equally serious disorder in Mindanao and Sulu resulting from the unsettled conflict between certain elements of the Christian and Muslim population of Mindanao and Sulu, between the Christian "Ilagas" and the Muslim "Barracudas", and between our government troops, and certain lawless organizations such as the Mindanao Independence Movement;

WHEREAS, the Mindanao Independence Movement with the active material and financial assistance of foreign political and economic interests, is engaged in an open and unconcealed attempt to establish by violence and force a separate and independent political state out of the islands of Mindanao and Sulu which are historically, politically and by law parts of the territories and within the jurisdiction and sovereignty of the Republic of the Philippines;

WHEREAS, because of the aforesaid disorder resulting from armed clashes, killings, massacres, arsons, rapes, pillages, destruction of whole villages and towns and the inevitable cessation of agricultural and industrial operations, all of which have been brought about by the violence inflicted by the Christians, the Muslims, the "Ilagas", the "Barracudas", and the Mindanao Independence Movement against each other and against our government troops, a great many parts of the islands of Mindanao and Sulu are virtually now in a state of actual war;

WHEREAS, the violent disorder in Mindanao and Sulu has todate resulted in the killing of over 1,000 civilians and about 2,000 armed Muslims and Christians, not to mention the more than five hundred thousand of injured, displaced and homeless persons as well as the great number of casualties among our government troops, and the paralyzation of the economy of Mindanao and Sulu;

WHEREAS, because of the foregoing acts of armed insurrection, wanton destruction of human lives and property, unabated and unrestrained propaganda attacks against the government and its institutions, instrumentalities, agencies and officials, and the rapidly expanding ranks of the aforesaid lawless elements, and because of the spreading lawlessness and anarchy throughout the land, all of which have prevented the government to exercise its authority, extend to its citizenry the protection of its laws and in general exercise its sovereignty over all of its territories, caused serious demoralization among our people and have made the public apprehensive and fearful, and finally because public order and safety and the security of this nation demand that immediate, swift, decisive and effective action be taken to protect and insure

the peace, order and security of the country and its population and to maintain the authority of the government ;

WHEREAS, in cases of invasion, insurrection or rebellion or imminent danger thereof, I, as President of the Philippines, have, under the Constitution, three courses of action open to me, namely: (a) call out the armed forces to suppress the present lawless violence; (b) suspend the privilege of the writ of habeas corpus to make the arrest and apprehension of these lawless elements easier and more effective; or (c) place the Philippines or any part thereof under martial law;

WHEREAS, I have already utilized the first two courses of action, first, by calling upon the armed forces to suppress the aforesaid lawless violence, committing to that specific job almost 50% of the entire armed forces of the country and creating several task forces for that purpose such as Task Force Saranay, Task Force Palanan, Task Force Isarog, Task Force Pagkakaisa and Task Force Lancaf, and, second, by suspending the privilege of the writ of habeas corpus on August 21, 1971 up to January 11, 1972, but inspite of all that, both courses of action were found inadequate and ineffective to contain, much less solve, the present rebellion and lawlessness in the country as shown by the fact that :

1. That radical left has increased the number and area of operation of its front organizations and has intensified the recruitment and training of new adherents in the urban and rural areas especially from among the youth;
2. The Kabataang Makabayan (KM) , the most militant and outspoken front organization of the radical left, has in- creased the number of its chapters from 200 as of the end of 1970 to 317 as of July 31, 1972 and its membership from 10,000 as of the end of 1970 to 15,000 as of the end of July , 1972, showing very clearly the rapid growth of the Communist movement in this country;
3. The Samahang Demokratiko Ng Kabataan (SDK), another militant and outspoken front organization of the radical left, has also increased the number of its chapters from an insignificant number at the end of 1970 to 159 as of the end of July, 1972 and has now a membership of some 1,495 highly indoctrinated, intensely committed and almost fanatically devoted individuals;
4. The New People's Army, the most active and the most violent and ruthless military arm of the radical left, has increased its total strength from an estimated 6,500 (composed of 560 regulars, 1,500 combat support and 4,400 service support) as of January 1, 1972 to about 7,900 (composed of 1,028 regulars, 1,800 combat support and 5,025 service support) as of July 31, 1972, showing a marked increase in its regular troops of over 100% in such a short period of six months;
5. The establishment of sanctuaries for the insurgents in Isabela, in Zambales, in Camarines Sur, and in some parts of Mindanao, a development heretofore unknown in our campaign against subversion and insurgency in this country;

6. The disappearance and dropping out of school of some 3,000 high school and college students and who are reported to have joined with the insurgents for training in the handling of firearms and explosives ;
7. The bringing and introduction into the country of substantial war material consisting of military hardware and supplies through the MV Karagatan at Digoyo Point, Palanan, Isabela, and the fact that many of these military hardware and supplies are now in the hands of the insurgents and are being used against our government troops;
8. The infiltration and control of the media by persons who are sympathetic to the insurgents and the consequent intensification of their propaganda assault against the government and the military establishment of the government;
9. The formation of the grass-root level of “political power organs”, heretofore unknown in the history of the Communist movement in this country, composed of Barrio Organizing Committees (BOCs) to mobilize the barrio people for active involvement in the revolution; the Barrio Revolutionary Committees (BRCs) to act as “local government” in barrios considered as CPP / NP A bailiwicks; the Workers Organizing Committees (WOCs) to organize workers from all sectors; the School Organizing Committees (SOCs) to conduct agitation and propaganda activities and help in the expansion of front groups among the studentry; and the Community Organizing Committees (COCs) which operate in the urban areas in the same manner as the BOCs.

WHEREAS, the rebellion and armed action undertaken by these lawless elements of the communist and other armed aggrupations organized to overthrow the Republic of the Philippines by armed violence and force have assumed the magnitude of an actual state of war against our people and the Republic of the Philippines;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested upon me by Article VII, Section 10, Paragraph (2) of the Constitution, do hereby place the entire Philippines as defined in Article I, Section 1 of the Constitution under martial law and, in my capacity as their commander-in-chief, do hereby command the armed forces of the Philippines, to maintain law and order throughout the Philippines, prevent or suppress all forms of lawless violence as well as any act of insurrection or rebellion and to enforce obedience to all the laws and decrees, orders and regulations promulgated by me personally or upon my direction.

In addition, I do hereby order that all persons presently detained, as well as all others who may hereafter be similarly detained for the crimes of insurrection or rebellion, and all other crimes and offenses committed in furtherance or on the occasion thereof, or incident thereto, or in connection therewith, for crimes against national security and the law of nations, crimes against public order, crimes involving usurpation of authority, rank, title and improper use of names, uniforms and insignia, crimes committed by public officers, and for such other crimes as will be enumerated in Orders that I shall subsequently promulgate, as well as crimes as a consequence of any violation of any decree, order or regulation promulgated by me personally or promulgated

upon my direction shall be kept under detention until otherwise ordered re- leased by me or by my duly designated representative.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 21st day of September, in the year of Our Lord, nineteen hundred and seventy two.

(SGD.) FERDINAND E.  
MARCOS  
PRESIDENT  
Republic of the Philippines

By the President:

(SGD.) ROBERTO V. REYES  
Acting Executive Secretary

This entry was posted under Executive Issuances, Proclamations and tagged Executive Issuances, Ferdinand E. Marcos, Martial Law, Proclamations. Bookmark the permalink.

**Proclamation No. 1102, s. 1973**  
**Announcing the Ratification by the Filipino People of the Constitution**  
**Proposed by the 1971 Constitutional Convention**

Ferdinand Marcos

The document is accessible at Malacanang Palace. *Proclamation No. 1102, s. 1973: Announcing the Ratification by the Filipino People of the Constitution Proposed by the 1971 Constitutional Convention*. Manila: Official Gazette of the Philippines, 1973. <https://tinyurl.com/y34cyb6b>.

Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

By virtue of Proclamation No. 1102, s. 1973 on January 17, 1973, President Marcos, heeding the recommendation of the Katipunan ng mga Barangay, officially announced the effectivity of the Constitution drafted by the 1971 Constitutional Convention as it was ratified by over ninety-five (95) of the members of the barangays' Citizens' Assemblies, which were created in compliance with Presidential Decree No. 86, s. 1972. The Citizens' Assemblies were formed to expand the base of citizen participation in democratic governance.

WHEREAS, the Constitution proposed by the nineteen hundred seventy-one Constitutional Convention is subject to ratification by the Filipino people;

WHEREAS, Citizens Assemblies were created in barrios in municipalities and in districts/wards in chartered cities pursuant to Presidential Decree No. 86, dated December 31, 1972, composed of all persons who are residents of the barrio, district or ward for at least six months, fifteen years of age or over, citizens of the Philippines and who are registered in the list of Citizen Assembly members kept by the barrio district or ward secretary;

WHEREAS, the said Citizens Assemblies were established precisely to broaden the base of citizen participation in the democratic process and to afford ample opportunity for the citizenry to express their views on important national issues;

WHEREAS, responding to the clamor of the people and pursuant to Presidential Decree No. 86-A, dated January 5, 1973, the following questions were posed before the Citizens' Assemblies or Barangays: Do you approve of the New Constitution? Do you still want a plebiscite to be called to ratify the new Constitution?

WHEREAS, fourteen million nine hundred seventy-six thousand five hundred sixty-one (14,976,561) members of all the Barangays (Citizens Assemblies) voted for the adoption of the proposed Constitution, as against seven hundred forty-three thousand eight hundred sixty-nine (743,869) who voted for its rejection; while on the question as to whether or not the people would still like a plebiscite to be called to ratify the new Constitution, fourteen million two hundred ninety-eight thousand eight hundred fourteen (14,298,814) answered that there was no need for a plebiscite and that the vote of the Barangays (Citizens Assemblies) should be considered as a vote in a plebiscite;

WHEREAS, since the referendum results show that more than ninety-five (95) per cent of the members of the Barangays (Citizens Assemblies) are in favor of the new Constitution, the Katipunan ng Mga Barangay has strongly recommended that the new Constitution should already be deemed ratified by the Filipino people;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby certify and proclaim that the Constitution proposed by the nineteen hundred and seventy-one (1971) Constitutional Convention has been ratified by an overwhelming majority of all of the votes cast by the members of all the Barangays (Citizens Assemblies) throughout the Philippines, and has thereby come into effect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 17th day of January, in the year of Our Lord, nineteen hundred and seventy-three.

(SGD.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(SGD.) ALEJANDRO MELCHOR

Executive Secretary

Malacanang Palace. *Proclamation No. 1102, s. 1973: Announcing the Ratification by the Filipino People*

*of the Constitution Proposed by the 1971 Constitutional Convention.* Manila: Official Gazette of the Philippines, 1973. <https://tinyurl.com/y34cyb6b>.

**Proclamation No. 2045, s. 1981**

**Proclaiming the Termination of the State of Martial Law throughout the Philippines**

Ferdinand Marcos

The proclamation is accessible at Malacañang Palace. *Proclamation No. 2045, s. 1981: Proclaiming the Termination of the State of Martial Law throughout the Philippines* by Ferdinand Marcos. Manila: Official Gazette of the Philippines, 1981. <https://www.officialgazette.gov.ph/1981/01/17/proclamation-no-2045-s-1981/>.

Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

Pursuant to Proclamation No. 2045, s. 1981, President Marcos formally announced the end of the eight years of martial law in the country, which declared on September 21, 1972 by virtue of Proclamation No. 1081, on January 17, 1981.

In lifting the martial law, the president cited the government's success in reestablishing order, curbing "left-rightist rebellions" and subduing the secessionist movement. Marcos likewise took pride in being able to institute wide-ranging reforms under the Democratic Revolution. Despite the lifting of the martial law, he made it clear that the Armed Forces of the Philippines would continue to prevent or suppress lawless violence, insurrection, rebellion and subversion" and the suspension of the privilege of the writ of habeas corpus would remain in force "in the two autonomous regions in Mindanao" and would be enforced in "all other places" with regard to "persons at present detained as well as others who may hereafter be similarly detained for the crimes of insurrection or rebellion, subversion, conspiracy or proposal to commit such crimes."

WHEREAS, by virtue of the powers granted under Article VII, Section 10, Paragraph 2 of the 1935 Constitution, the President of the Philippines promulgated Proclamations Nos. 1081 on September 21, 1972 and 1104 on January 17, 1973 placing the entire Philippines under Martial Law in order to protect the integrity of the Republic from lawless elements then conspiring to seize political and state power by means of anarchy, rebellion and secession;

WHEREAS, the ultimate objective of Proclamations Nos. 1081 and 1104, beyond repelling the threat to the government, was to remove the causes of popular grievance which had accumulated through decades of neglect and oppression and given rise to discontent, chaos and violence, and thereby reestablish democracy, restore individual rights, and promote the welfare of the Filipino people;

WHEREAS, on submission of the government itself, the constitutional validity of Proclamations Nos. 1081 and 1104 and acts done pursuant to them have been litigated before the Supreme Court which subsequently affirmed their validity, thereby strengthening the tradition that ours is a government of laws and not of men and that even the government is subject to law;

WHEREAS, anarchy has been successfully checked;

WHEREAS, the leftist-rightist rebellion has been substantially contained, its ranks reduced to disorganized bands alienated from the people;

WHEREAS, the secessionist movement has been effectively overcome with the signing of the Tripoli Agreement on December 23, 1976, the signing of cease-fire agreements in Tripoli on December 23, 1976 and in Zamboanga City on January 29, 1977, and the establishment of autonomous governments in Region IX and Region XII, and on account of all these manifestations of goodwill and concord more than 37,000 former secessionist rebels have reciprocated the sincerity of the martial law regime by supporting the reforms of the New Society and participating constructively in political, social, economic, cultural and spiritual development;

WHEREAS, in pursuit of its long-range goal of recovering the substance of democracy, restoring individual rights and promoting the welfare of the Filipino people, the government has successfully waged a Democratic Revolution founded upon a series of reforms, as follows:

1. Land reform, which has liberated 523,153 farmers from the shackles of tenancy and transformed land ownership from a system of exploitation to a self-reliant and creative act, so that the income of the Filipino farmer has increased twofold in some areas, threefold in others, a condition altogether different from the times when land reform legislation repeatedly failed because Congress was controlled by landowners, giving rise to the Hukbalahap uprising.

The land reform decree in one sweep eradicated the centuries-old condition of the typical Filipino farmer which virtually imprisoned him in indebtedness handed down from one generation to another and converted him from a mendicant to a self-assured and dignified individual. Part of this new life granted to the farmer was the capability granted to him for self-reliance, liberating him from the tentacles of usurious landlords by limiting payments for the land allotted him by the latter to a part of the harvest. The New Society also extended the newly liberated farmer credit without collateral and gave him irrigation, farm-to-market roads, the assistance of technologists, subsidized fertilizer and pesticides, a guaranteed and established

minimum level of price for rice and other cereals under the National Grains Authority (now the National Food Authority), a policy responsive to changes in the economic situation.

2. Political reform, including a reorganization of the government, which has retrieved from the ancient past the Filipino concept of the barangay as the basic unit of community development and political action; set up the Tanodbayan and the Sandiganbayan as the people's instrument against corruption in government reorganized the prosecution service, and, through the Batasang Pambansa, is now in the process of reorganizing the judiciary; elevated the quality of the civil service through professionalization, training and better incentives to excellence in the form of increased salaries and improved working conditions.

Reflecting the spirit of reform was the passage of the new Constitution by a convention that opened in 1970, its ratification at barangay assemblies on January 17, 1973, its weathering of close scrutiny by the Supreme Court which declared in its decision of *Javellana vs. The Executive Secretary* (50 SCRA 141) that "there is no further judicial obstacle to the new Constitution being considered in force and effect," and its further formal ratification on July 27, 1973, by free and secret ballot in a plebiscite conducted under the control and supervision of the Commission on Elections.

The Constitution, although passed and ratified after the promulgation of martial law, contained principles of government which were conceived and approved by the constitutional convention before Proclamation No. 1081 was issued. Among these basic tenets which preceded the declaration of martial law was the parliamentary system into whose full implementation the government is now moving.

The new Constitution authenticated several expressions of popular will which followed its ratification, including referenda and plebiscites (July 27, 1973; February 27, 1975; October 16, 1976; December 17, 1977) conducted to determine whether the people wanted the incumbent President to continue in his position, and whether or not the incumbent President should, in accordance with Amendment No. 3 of the Constitution, also exercise the powers of the Prime Minister after the organization of the Interim Batasang Pambansa (National Assembly) and successive elections, starting with the election of members of the interim Batasang Pambansa on April 7, 1978, followed by the election of the members of the Sangguniang Pampook of the autonomous regions of Mindanao, Region IX and Region XII, and finally the elections of local officials on January 30, 1980.

A sustained program of action against corruption, started even before the Tanodbayan and the Sandiganbayan were organized, has enabled the national leadership to rid the government of undesirable elements. The present administration is the first one in which an anti-graft campaign has been successful; cases have been filed and officials punished. In the military 8,884 — more than 9,000 including members of the Integrated National Police — have been punished for abuses they had committed. The Tanodbayan, in its zeal to perform its responsibility, even initiates investigations of officials and employees on the basis of mere anonymous complaints.

Under the martial law government legitimate political dissent received full protection, although constant vigilance has been exercised to protect the government and society from the inroads of subversion and violence. The care and attention given by the government to distinguish between legitimate political dissent and subversion or violence has promoted greater citizen awareness of the contribution they are expected to make to the peace, security and stability of the nation.

A widely accepted innovation in democratic government has been the election of representatives of the youth, labor and agricultural sectors in the Batasang Pambansa and in the Sanggunian, a system which permits three important segments of society to participate directly in legislation.

3. Labor reform, which produced a new Labor Code, introduced tripartite conferences of labor, management and government as a means of promoting industrial peace, and enabled the government to maintain the unemployment rate at 4.5 per cent, considerably lower than that of many other countries, including highly developed ones.

4. Economic reform, which has enabled the nation to maintain the momentum of growth at an average of 6 to 7 per cent from 1970 to 1980, a period wracked by repeated crises mostly generated by external factors, in contrast to the comparatively placid and prosperous decade of the '60s when the growth rate was below 5 per cent; converted the Philippines from a rice-deficient country (its last importation, in 1974, was \$500 million) to a rice-exporting country; enabled the nation to diversify its exports, from the four traditional items (consisting of sugar, coconut products, wood products and mineral ores which together comprised 80 per cent of our exports before 1966 and now constitute only 45 per cent) to a broad new range of products, including electronic items, semi-processed food and raw materials, garments, and cottage industry products; developed an accelerated energy program whose scope and robustness have been acknowledged by most member-countries of the United Nations as well as by recognized experts and scientists; undertaken a vigorous electrification program which has increased the number of rural households with access to electricity from 76,000 in 1972 to more than a million in 1980; in sum, produced these economic indicators —

- a) The Gross National Product increased from P55,526,000 in 1972 to P192,911,000 in 1979 at constant prices or P269,781,000 at current prices;
- b) The budget has increased from P5 billion in 1972 to P55 billion in 1981, governmental capital expenditures from a mere P0.9 billion in 1972 to P14.9 billion in 1979;
- c) Collections of government from taxes have increased from P5.1 billion in 1972 to P36.6 billion in 1980;
- d) Per capita income has more than trebled from US\$214 in 1972 to US\$755 in 1979 — in 1972 the percentage of Filipino families with a family income of P1999 and below was 24.3 per cent while in 1979 it was reduced to 11.2 per cent, and those with family incomes of P30,000 or over increased from 5.0 per cent in 1972 to 12.8 per cent in 1979;

- e) Total exports increased from US\$1.106 billion in 1972 to US\$5.935 billion in 1980;
- f) Showing the stability of our currency, notwithstanding the fluctuations of the dollar, the rate of exchange of the peso to the US dollar has barely moved from the 1972 rate of 6.6710 to the 1979 rate of 7.3775;
- g) Savings and time deposits increased from P5.402 billion in 1972 to P49.116 billion as of September 1980;
- h) Effective minimum wage increased from P4.75 daily in 1972 to P23.30 – P24.70 in 1980;
- i) Gross domestic investment increased from P11,573 million in 1972 to P78,198 million in 1980, while gross national savings increased from P11,679 million in 1972 to P62,395 million in 1980;
- j) The debt service ratio has been reduced from 20 per cent of foreign exchange earnings in 1972 to 18.7 per cent of foreign exchange earnings in 1980;
- k) The international reserves were increased from US\$282 million in 1972 to US\$3.1 billion in 1980;
- l) The inflation rate has been contained at less than 15 per cent, which is very much below the inflation rates of most countries, which range from 20 per cent to 25 per cent;

The economy gained incalculable benefits from the road building program, which has built 65,972 kilometers of highways from 1969 to 1980, compared to the 84,722 kilometers built between 1900 and 1965, as well as from the accelerated program of irrigation, which has produced irrigation systems for more than 1,300,000 hectares as of 1980, in contrast to the systems built from 1900 to 1972, which could serve no more than 600 thousand hectares.

Under the New Society, foreign loans have been rationalized. Short-term loans, which comprised 90 per cent of foreign borrowings under the previous administration, were converted to long-term loans. These foreign loans are not made to support ordinary or current expenditures, instead are utilized exclusively for capital expenditures aimed at productive enterprise. They are therefore self-amortizing and self-regenerating.

Before the administration of the incumbent President, the credit standing of the Philippines was notoriously low, so much so that the World Bank was not willing to lend more than \$40 million a year. During the present administration, the Philippines has become so dependable as a borrower that the World Bank has been willing to lend \$500 million at any single time, indicating the competence and stability of the Philippine government, which has never been delinquent in its payments. In the previous administration the government could hardly borrow any amount in view of its inefficient handling of borrowed funds, lack of coordinated economic planning, and

the hazy policies of leadership. Aggravating the situation were government threats of confiscation of private enterprise.

We have increased the direct taxes. Before 1965, only 1.5 million tax payers filed income tax returns; in 1980, 5 million tax payers filed returns. The corporate tax was also increased by 5 per cent to 40 per cent. Indirect taxes have been reduced comparatively and even suspended when the situation required. Incentives to new industry are of this class. The indirect taxes are so structured that higher taxes are imposed on luxury goods, these being the items desired by the rich or are normally available to them. The government protects the welfare of the poor by imposing very low taxes on essential items. This is evident in food items and in crude oil products — low taxes are imposed on diesel and industrial fuel, higher taxes on gasoline.

The taxes have been altogether moderate. In other countries, taxes collected constitute from 17% to 25% of the gross national product. In the Philippines, taxes are only 14 per cent of the GNP.

Also in line with our commitment to promote the welfare of the poor, we have deliberately controlled the prices of 15 essential items. We have set up the Kadiwa Centers of the Human Settlements ministry and the National Grains Authority to bring down prices even more. A massive food production and supply system has been established under a new corporation, the National Food Authority, to which the NGA has been converted with a capitalization of P5 billion.

Underlying the economy is the basic policy to uphold private enterprise. We have never confiscated or nationalized private enterprise, and there is absolutely no intention to take this socialist course. The previous administration threatened to do so, that is why investments before the present administration were discouraged from entering the Philippines. The situation created by the threat of the past administration to confiscate or nationalize private enterprise was corrected with the organization of the National Economic and Development Authority and the Board of Investments.

Martial law provided the opportunity to install the requisite institutions for coping with the energy crisis now and in the future, starting with the formulation of a comprehensive, long-term program which has been singled out by the World Bank as a suggested model for Third World countries. The program includes the mobilization and recruitment of the critical manpower to undertake the various activities of energy exploration and development which made possible commercial oil production for the first time in 1979 and made the Philippines the second largest developer of geothermal energy by 1980; fuel processing and refining, planning and construction of the energy delivery logistics, power generation and transmission infrastructure, as well as research and development and diffusion of alternative energy forms and technologists to cover fossil fuels, biomass, energy farms, wind, wave, tidal and solar power, all the way to more energy-efficient devices, machines and appliances that should spawn rural energy systems.

The ultimate objective of our economic policy is a balanced agro-industrial economy. This is why we are shifting slowly to the 11 principal industries which are needed for the fulfillment of

this objectives. We can therefore hope that in time we shall cease completely to import factories and heavy machinery and will instead engineer and fabricate them. We are even now in the process of gradually manufacturing automobile, heavy truck and diesel engines.

These 11 basic industries are in the process of being set up; copper smelter, phosphate fertilizer, aluminum smelter, heavy equipment industries, integrated steel mills, petrochemical complex, diesel engine manufacturing, cement industry expansion, coconut industry rationalization, alcogas, and integrated pulp and paper.

5. The program for peace and order, which has eliminated the private armies of the Old Society, immobilized such lawless elements as the Light-a-Fire Movement, the April 6 Movement, and the Partido Nagkaisang Sosyalistang Demokrata ng Pilipinas, or SOCDEM; organized self-defense units in barangays to protect them, on a self-reliant basis, from criminal elements; and developed the PC-Integrated National Police as an effective professionalized force capable of maintaining peace and order, with the possible support of the Armed Forces of the Philippines in case this becomes necessary because of actual combat.

The vigorous and unrelenting quality of the peace and order campaign enabled the government to identify 250 criminal syndicates and apprehend or neutralize their members; to seize or collect 650,000 firearms of all classes, makes and varieties, including artillery, machine guns, assault rifles, tanks, armored cars, and the latest models of sophisticated armaments; to arrest and bring to trial more than 2,000 ordinary criminals long wanted under unserved warrants.

Both factions of a subversive organization were similarly dealt a heavy blow, one faction surrendering en masse to the President before and after the proclamation of martial law, and the entire leadership of the other faction being arrested and detained to face trial.

Following negotiations led by the First Lady, Minister Imelda R. Marcos, with the President of Libya, Col. Khaddafi, and the Quadrapartite Committee of the Islamic Conference, a settlement of the secessionist movement in the South was finally reached with the Moro National Liberation Front (MNLF), represented by its Chairman, Nur Misuari, who signed with our own representatives the Tripoli Agreement in Libya on December 23, 1976. The agreement provided for the organization of autonomous regions where Muslims reside, and for a ceasefire agreement, of which two were in fact signed, one in Tripoli also on December 23, 1976 and another in Zamboanga City on January 20, 1977, between Admiral Romeo Espaldon of the Southern Command of the Armed Forces of the Philippines and Dr. Tham Manjoorsa, authorized representative of the MNLF. A subsequent plebiscite led to the creation of two autonomous regions, Regions IX and XII, in Mindanao, where elections were held to choose the members of their respective regional assemblies or Sangguniang Pampook and members of their respective Executive Councils or Lupong Tagapagpaganap were appointed from those recommended by the said regional assemblies.

6. Educational reform, which has succeeded in reorienting the curriculum to the requirements of economic development, placing emphasis on vocational and technological skills in high school

and science and engineering in college; provided a suitable atmosphere for the promotion of science and research, as shown in the studies and experiments conducted by the International Rice Research Institute, the new Institute of Plant Breeding, the recently organized Institute of Microbiology which seeks to employ the new science of recombinant DNA, and the Southeast Asia Fisheries Development Council (SEAFDEC), which has done intensive work for the full development of the country's fisheries potential, including the launching of "blue farming" or farming of the seas.

Greater support has also been given for the Science High School, and scholarships are being set up for science and engineering to promote the involvement of more talented Filipinos in these fields.

7. Reform in the social services, which has produced remarkable advances in nutrition, health and family planning. With respect to nutrition, we have developed in the space of less than three years a program on both the barangay and the national levels which has become a model for many countries, as the United Nations itself has acknowledge. At the core of this program is the day care center provided for in the Presidential Decree 1567 issued in 1978, which calls for the setting up of a day care center in every barangay with at least 100 residents. As of last year, 4,000 such day care centers have been established.

In the field of social security and social insurance, administered for the benefit of the public servant and his family, substantial improvements have been made through Presidential Decree No. 1146, as amended, which expands, increases and liberalizes social security and insurance benefits of government employees at a time when global economic conditions and realities have eroded the purchasing power of pensions.

The pith of the government's effort to provide social services is, however, the human settlements program which we commenced a few years ago and is now an acknowledged model for similar efforts in other countries. Into the human settlements program we have introduced the principle, the first country to do so, that livelihood is essential to its success, and that housing units, through the most visible evidence of progress in the skyline in both town and country, are merely a part of the whole human settlements program. With livelihood as the core of this program, we are able to assure that the acquisition of a housing unit by a family is truly meaningful. To carry out this objective, we set up the source of livelihood in a human settlement or teach skills that would provide income, and in this way enable the government to recover funds spent for housing and infrastructure and utilize these as self-regenerating funds for other human settlements.

Much of the success of the human settlements program will depend on our full and continuing compliance with the rational land use policy that we have adopted. This policy contemplates Manila as the starting point from which would then proceed the building of satellite cities in the outlying areas to prevent urban sprawl and all its attendant evils. The same policy commands us to maintain agricultural areas and desist from converting agricultural flat lands to housing and industrial sites. We are therefore now pushing for the establishment of housing and industrial sites on 18° slopes towards hillsides so as to make more rational use of the limited land space.

Another important element of the rational land use policy is the limitation and eventual stoppage of the exportation of raw logs and conversion to the processing of wood products. As a consequence, we have successfully kept 45 per cent of our land area of 30 million hectares as forests throughout the country. At the same time, we are even now slowly shifting from extensive to intensive agriculture and blue farming, or farming of the oceans.

Fundamental to all this is the recognition that we are principally a private enterprise society which knows the value of private initiative but which at the same time has an egalitarian base, inasmuch as the New Society is basically a revolution of the poor. By adhering to this concept, we should be able to prevent the misuse of wealth, such as by brutalizing and degrading those who don't have it.

The importance of the private sector, therefore, cannot be over-emphasized. The private sector is the cutting edge, the most active element, of change. The initiative of the private sector will thus be called upon in such crucial undertakings as zonification and the land use rationalization approved by the government.

WHEREAS, all these benefits and advances to which every man is entitled have been gained because of the order and discipline fostered by martial law, which was instituted with the full awareness that anarchy, such as existed at the time Proclamation No. 1081 was promulgated, is harmful to human rights, that it sweeps away human rights with its violence and lawlessness, making it impossible to provide the individual the tools and opportunities for his advancement and dignity or guarantees for his safety and comfort, so that the removal of anarchy becomes a condition to the protection and progress of every man;

WHEREAS, such progress wrought by reforms under conditions of peace and public order are merely a reflection of the profound transformation in the spirit of the Filipino, who as a consequence of the support and the challenge of the New Society has acquired the community spirit, a sense of belonging and a sense of pride in his community, his nation, his history and traditions, a sense of national identity that fills him with the resolve to stand his ground against any intruder;

WHEREAS, the Philippines has broadened its outlook and reached for larger horizons, in keeping with its new stature as a truly sovereign nation, discarding the parochialism of the past in favor of a world view that encompasses every nation that would reciprocate its goodwill, including socialist countries, and performing an important role in the organization of the Association of Southeast Asian nations, in the process gaining unwonted prestige in the international community, recently enhanced by its membership in the Security Council of the United Nations;

WHEREAS, the self-respect and patriotism reawakened by the New Society have been most evident in the country's complete political independence which the national leadership vividly and unequivocally demonstrated when it obtained the formal recognition by the United States of

the sovereignty of the Republic of the Philippines over all military bases, including Subic Naval Base and Clark Air Base;

WHEREAS, as an essential part of the reforms accomplished by the New Society under martial law the Filipino people have given expression to their political will through free and voluntary participation in plebiscites, referenda and elections, achieved an unprecedented growth of the economy, a just and compassionate sharing of wealth, an orderly growth of human settlements and communities, a dignified and sovereign participation in international relations, and a flowering of Filipino art and culture;

WHEREAS, the Filipino people, having subdued threats to the stability of government, public order and security, are aware that the time has come to consolidate the gains attained by the nation under a state of martial law by assuming their normal political roles and shaping the national destiny within the framework of civil government and popular democracy;

WHEREAS, the experience gained by the nation under martial law in subduing threats to the stability of the government, public order and security, has enabled the Filipino people to rediscover their confidence in their ability to command the resources of national unity, patriotism, discipline and sense of common destiny;

WHEREAS, the government and the people are at the same time also aware that the public safety continues to require a degree of capability to deal adequately with elements who persist in endeavoring to overthrow the government by violent means and exploiting every opportunity to disrupt the peaceful and productive labors of the government;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President/Prime Minister of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby revoke Proclamation No. 1081 (Proclaiming a State of Martial Law in the Philippines) and Proclamation No. 1104 (Declaring the Continuation of Martial Law) and proclaim the termination of the state of martial law throughout the Philippines; Provided, That the call to the Armed Forces of the Philippines to prevent or suppress lawless violence, insurrection, rebellion and subversion shall continue to be in force and effect; and Provided, That in the two autonomous regions in Mindanao, upon the request of the residents therein, the suspension of the privilege of the writ of habeas corpus shall continue; and in all other places the suspension of the privilege of the writ shall also continue with respect to persons at present detained as well as others who may hereafter be similarly detained for the crimes of insurrection or rebellion, subversion, conspiracy or proposal to commit such crimes, and for all other crimes and offenses committed by them in furtherance or on the occasion thereof, or incident thereto, or in connection therewith.

General Order No. 8 is also hereby revoked and the military tribunals created pursuant thereto are hereby dissolved upon final determination of cases pending therein which may not be transferred to the civil courts without irreparable prejudice to the state in view of the rules on double jeopardy, or other circumstances which render further prosecution of the cases difficult, if not impossible.

Pursuant to Article XVII, Section 3, Paragraph 2 of the Constitution, all proclamations, orders, decrees, instructions, and acts promulgated, issued or done by the incumbent President constitute part of the law of the land, and shall remain valid, legal, binding, and effective even after lifting of martial law, unless modified, revoked, or superseded by subsequent proclamations, orders, decrees, instructions, or other acts of the incumbent President, or unless expressly and explicitly modified or repealed by the regular National Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 17th day of January, in the year of Our Lord, Nineteen Hundred and Eighty-One.

(Sgd.) **Ferdinand E. Marcos**

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Malacañang Palace. *Proclamation No. 2045, s. 1981: Proclaiming the Termination of the State of Martial*

*law throughout the Philippines* by Ferdinand Marcos. Manila: Official Gazette of the Philippines, 1981. <https://www.officialgazette.gov.ph/1981/01/17/proclamation-no-2045-s-1981/>.

**Report of His Excellency Ferdinand E. Marcos President of the Philippines  
To the Batasang Pambansa**

Ferdinand Marcos

This presidential report is accessible at Marcos, Ferdinand E. *Presidential speeches*, (Vol. 9). Manila: Office of the President of the Philippines, 1980. <https://tinyurl.com/y6dgp5w>.

Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

In his report in 1980 to the Batasang Pambansa on the amendments to the Military Bases Agreement, which was forged with the United States on March 14, 1947, President Marcos first noted that the “attainment of sovereignty, the achievement of security, and full economic development and modernization,” which constituted the “objectives of domestic and foreign policies,” had been attained by amending the agreement. Marcos proceeded to briefly discuss the concatenation of events taking place in the world, which presented difficulties and “opportunities for peace, security and national development in our immediate regions.” After examining “the problem of military bases” in the country at the start of the twentieth century, Marcos presented the amendments to the agreement namely: (1) Recognition of Philippine sovereignty over the bases by the United States; (2) Designation of a Philippine commander at each base; (3) Commitment of the Philippine government to the unimpeded US “military operations”; (4) Reduction of “base areas” under American control; (5) Philippine “takeover” of the “perimeter security” of the bases; and (6) “thorough and complete review and reassessment” of the agreement every five years. President Marcos reported that the United States President Jimmy Carter pledged to provide \$500 million in military assistance for a period of five years.

**The Final Liberation**

I THOUGHT IT wise and proper that on this the first day of the resumption of our session after the Christmas recess, I come to you to render a full report and through you, to the people of the

Philippines, on the latest amendments to the Military Bases Agreement with the United States originally entered into by our country on March 14, 1947.

A clear sense of history should underline the significance of this development as it has taken first of all an entire generation to bring this about. More than that, however, the question of foreign military bases in our land has been a major thing in our struggles and in our history as a people, particularly in the evolution of our security and foreign policies. They have always constituted the unfinished business of our liberation, of our independence, the loose thread in our continuing struggle for complete emancipation.

Every nation, most especially a developing nation, or the colonized nations of the world have three primary objectives, and those are: the attainment of sovereignty, the achievement of security, and full economic development and modernization. I have always maintained that these are likewise the three primary objectives of our foreign and domestic policies.

I submit to you that the first of these objectives has been achieved by the Amendment to the Military Bases Agreement of 1947, and that the last two objectives have been secured by such amendment. It has been a long and arduous, often bitter and frustrating struggle, which is the case in any negotiations where equality cannot be assumed. From the beginning, historical circumstances did not favor us with the odds, for as everyone knows, that matter of foreign military bases in our homeland were with us since the proclamation of our Independence on June 12, 1898, an independence that was all but won by the Philippine Revolution, the first revolution in this part of the world, which established the Republic.

I wish to report to you and to our people that in the last few days, months, and perhaps even years, and during this period especially when the Batasang Pambansa was recessed, a train of events took place in our country and in the world which once again underscored the challenge to and the opportunities for peace, security and national development in our immediate regions.

The fact that these events came too close to one another, and so near our own country appears to have increased their impact upon us, and there is a feeling across the nation of searching and inquiry into the meaning of these events.

My report will review these events and state for our nation my assessment of how and where we stand today — in the midst of all these disturbing developments.

In the first few days of 1979, the following events—all of international importance and magnitude — occurred:

On the first day of January 1979, the United States and the People's Republic of China formally established diplomatic relations, ending 30 years of abnormal relations with each other. The United States also formally severed relations with Taiwan, thereby bringing to a close a historic association upon which had rested a major pillar of American policy in Asia. It is of course known to everyone that Taiwan is 90 miles north of the northernmost island of the Philippines.

A kind of euphoria seemed to sweep the United States as a result of this normalization. In our part of the world, the calculation has to do with how such normalization of relations enhanced the prospects of peace and trade, given China's position in this part of the world. Previous to this, Japan and China had entered into a historic treaty of friendship, opening to Japan one more vast and hitherto untapped market. On the other side of Asia, Vietnam had earlier forged a treaty with the Soviet Union, a provision of which reads very much like a mutual defense pact; it says that in the event of any threat arising to any of the parties, the two parties shall enter into mutual consultations on how to remove such threat.

At the same time that the nations in Southeast Asia, as elsewhere, were trying to analyze the meaning and portents of normal relations between Peking and Washington, the members of the Organization of Petroleum Exporting Countries (OPEC) announced new increases in the price of oil. Scheduled to reach 14.5 percent over last year's prices by the end of 1979, these increases added yet a new wrinkle to the economic prospects or lack of prospects in 1979—an element that further complicates an already complicated and confused situation, owing to the not completely liquidated inflationary pressures of 1978.

Last week we received as guest the Foreign Minister of the Somali Democratic Republic, His Excellency Dr. Abdirahman Jama Barre. He arrived to formally inform our government and the governments of ASEAN that because of the armed intervention of foreign troops allegedly in support of Ethiopian armed forces, Somali has been forced to abandon the Ogaden Desert where the Somalis and the Ethiopians have been fighting a long grueling war.

In Iran, the world's second biggest supplier of crude oil, the long reign of the Shah finally came under siege, and at the beginning of the year, a new government was formed and prepared to take over, as the Shah came under increasing pressure to leave the peacock throne.

On January 7, 1979, the flag of the Kampuchea United Front for National Salvation was hoisted over the central temple of Phnom Penh, signaling the takeover by the Front of the Kampuchean capital and ending a 45-month-old communist regime that had itself taken power by violent means towards the end of the Vietnam war.

In addition to this, I would like to go back to 1978 on the occasion of the visit to Manila of Deputy Prime Minister and Foreign Minister Nguyen Duy Trinh of Vietnam. The visit was at my instance and with the participation of our Foreign Minister Romulo. The two prime ministers came to an agreement, and signed the declaration that Vietnam and the Philippines would settle any misunderstanding and conflicts, especially over oil boundaries in the South China Sea, peaceably and in a spirit of cooperation and friendship.

On the occasion of my state visit to the People's Republic of China in 1975 to establish diplomatic relations with that big nation, an understanding was entered into with the then leadership, Chairman Mao Tse-tung as well as premier Chou En-lai, who were still alive. The understanding was also entered into with Senior Deputy Premier Teng Hsiao-ping to the effect that any conflict between the Philippines and the People's Republic of China as to sovereignty

over any of the questioned islands in the South China Sea would be decided through normal diplomatic procedures.

It should be remembered, however, that before the withdrawal of United States forces from Vietnam, there was reported the occupation by the People's Republic of China of the Paracels. I mention these developments to point out that the conclusion of the re-negotiation of our agreements with the United States on military bases took place amid an unstable, unpredictable international situation.

At exactly the same time that power was changing hands in Kampuchea, and new fears were being expressed about the peace and stability in Southeast Asia, the Philippines and the United States were exchanging notes on a six-point amendment to the Military Bases Agreement of 1947, which has the effect of ending dramatically thorny issues that had long troubled the agreement and the relations between the two countries.

These events, taken separately or together, have altered the world of our concerns, and it is in the midst of these developments that our people are asking to be informed of the dangers and prospects that they now face.

Have these developments made our part of the world more or less dangerous to live in? Have they made our country more vulnerable to insurgency from within, or attack from outside? Have they increased, or lessened our ability to cope?

These are just some of the questions.

To answer any of them, we must begin by remembering that the world in which we live is no longer the simple, uncomplicated black and white world of the fifties or the sixties. It has changed. Where before our foreign policy was shaped mainly by a war psychology that saw the United States and the Soviet Union as inevitably coming upon each other's throat, today, in spite of the numerous brushfires that have set aflame certain countries in Asia and Africa, we have come to expect greater progress in peaceful coexistence and *detente* and the peaceful resolution of conflicts. We are therefore able to look at conflicts, even when the protagonists are reported to be getting support from some of the superpowers, objectively, without being panicked into belief that the final confrontation of superpowers is at hand. Thus we can distinguish the threats that confront our neighbors and those that confront us, and we can distinguish real national opportunities even when they are born of the womb of crisis.

Perhaps we should go back a few more years and look into the problem of military bases in the Philippines at the beginning of the century. For it has as a background complicated twists and turns that started with the arrival of Admiral Dewey in Manila Bay in 1898 and the abortive attempt of Aguinaldo to win recognition for the first Philippine Republic through his ambassadors. The first ambassador was Agoncillo and his first foreign minister Mabini. Receiving arms and encouragement from the American officers, he resumed the revolution against Spain in 1898 notwithstanding the Pact of Biak-na-Bato, declared the independence of

the Philippines, and established the Republic of the Philippines on June 12, 1898, only to declare war on the United States when he was convinced that the promise of independence would not be fulfilled.

After the capture of Aguinaldo on March 1901 and the establishment of a civil government in accordance with the Philippine Bill of 1902, the American occupation of the Philippines was formalized under the sometimes declared ambiguous trusteeship to prepare the Filipinos for self-government and the implied promise of political emancipation. The entire territory of the Philippines, as described in the Treaty of Paris of December 30, 1898, was occupied and placed at the disposal of the American military authorities. The situation continued even after the approval by the United States Congress of subsequent fundamental laws, especially the Jones Law of 1916 which created the Philippine Senate with 24 elective members and two appointive members from the non-Christian population of the Philippines, and with the House of Representatives composed of 84 elected members and nine appointive members representing the non-Christian tribes. The new Senate replaced the appointive Philippine Commission. The system of representation was augmented by the appointment of two Filipino resident commissioners who represented the Philippines in the United States House of Representatives with the right to debate but not the right to vote. The most well-known resident commissioners, of course, were President Manuel Luis Quezon, and later on, during the war before the proclamation of independence, our own colleague, Minister Carlos P. Romulo. I do not know what it means to have the right to debate but not the right to vote. But I gather from one of our friends in the American House of Representatives that with the representatives we had in the United States, they would have preferred to have given us the right to vote and not the right to talk.

During the entire period of 1902 to 1934, the latter year marking the passage of the Hare-Hawes Cutting Law — the law that would grant independence to the Philippines after a period of 10 years of Commonwealth — the problem of military alliances, or foreign policy for that matter, security, military bases and arms for the Philippines, or for that matter, again, that of the Armed Forces of the Philippines, did not attract either public or private debate, for the primary problem in Filipino minds was political emancipation.

The question of military bases however was brought to the public mind by the “pro” and “anti” campaign over the Hare-Hawes Cutting Act in 1934, the political campaign which arose from the fight for supremacy between the partnership of Osmeña and Roxas on the one side — for this, too, had succeeded in obtaining the Hare-Hawes-Cutting Act from the American Congress — and on the other side, Senate President Manuel Luis Quezon, who opposed the ratification of the Hare-Hawes-Cutting Law ostensibly because of its provision authorizing the establishment of American military bases in the Philippines even after independence.

The Filipino people rejected the Hare-Hawes-Cutting Act, and subsequently, Senate President Manuel Luis Quezon succeeded in obtaining the approval by the United States Congress of the Tydings-McDuffie Law which had the same provisions as the Hare-Hawes-Cutting Act, except that it provided among others that the President of the United States, and I quote, “was

authorized to enter into negotiations with foreign powers with the view of concluding a treaty for the perpetual neutralization of the Philippines even when Philippine independence would have been achieved.”

President Quezon was quoted later in his own book entitled *“The Good Fight”* as saying, and I quote him: “My main objection however was to the provision of the law that called for the retention of military and naval establishments by the United States after the Philippine Republic should have been proclaimed I did not object to the provision authorizing the retention of naval stations so long as this was made dependent upon the concept of the Philippines Republic. But I did strenuously and definitely oppose the retention of military establishments otherwise, for it destroyed the very essence of independent existence for the Philippines.”

But after President Quezon was compelled to abandon the Philippines and depart from Corregidor in the middle of the war and during the fighting in Bataan and Corregidor, and after establishing the refugee government in Washington, Joint Resolution No. 93 of the United States Congress was approved by the American President on June 4, 1944, and it authorized the United States President, and I quote again, “by such means as he finds appropriate to withdraw and to acquire and to retain such bases and necessary appurtenances to such bases and incident thereto in addition to any provided for by the act of March 24, 1934.” This resolution amended the Tydings-McDuffie Law and authorized the establishment of military bases in the Philippines.

The Japanese had by then occupied the Philippines of course, and the American policy was for giving priority to the European theater of war. President Quezon acceded to the resolution on the establishment of military bases in the Philippines. After the war, by the Treaty of General Relations between the Republic of the Philippines and the United States of America on July 4, 1946— this treaty is generally referred to as the treaty that granted independence to the Philippines — the United States agreed, and I quote, “to withdraw and surrender and thus, hereby, withdraw and surrender all rights of possession, supervision, jurisdiction, control or sovereignty existing and exercised by the United States in and over the territory and people of the Philippine Islands, except the use of such bases and the rights incident thereto as the United States of America by agreement of the Republic of the Philippines may deem necessary to retain for the mutual protection of the Republic of the Philippines and of the United States.”

In addition to this, the Philippines amended its Constitution to establish what is commonly referred to as “parity rights” to American citizens — parity rights over the patrimony of the nation.

But let us listen to President Roxas explaining the reason for all these actuations. He said, and I quote him: “Against the background of destruction, we acquired our sovereignty. We received our national heritage. We must perform more miracles to bring prosperity to this our land. To succeed in this imperative, we have the assistance and support of the United States. Without that assurance, our prospects would be bleak and dimmed “

According to President Roxas, the granting of parity amendment, as well as the military bases agreement, was one of the several conditions for the approval of the War Damage Act and the trade agreement which the Philippines seriously needed at the time. On March 14, 1947, the Military Bases Agreement was entered into by the two countries. It may be stated in passing that the parity amendment of the Constitution was allowed to lapse and has not been renewed. It terminated at midnight of July 3, 1974, and this administration has refused to extend it further.

In addition to the Military Bases Agreement, the Philippines entered into the Mutual Defense Pact of August 30, 1951, immediately after our sending expeditionary troops, or rather, police action troops to Korea, and the Military Assistance Agreement of March 21, 1947 or almost simultaneously with the Military Bases Agreement. Of course the Military Assistance Agreement of March 21, 1947, was amended on June 26, 1953.

This new capability to judge and act for ourselves is an achievement of the last six years. It was during that period when we finally embarked on a full-scale diversification of relations with the socialist countries, with ASEAN, Asia, Africa and the Third World. Before this period, we had what is often referred to as a dependent foreign policy. It was during this period when we proclaimed the liberation of that policy. It was also during this period when others began to take us seriously for the initiatives we took for ourselves, rather than in the name of our allies. It was during this period, finally when we made the most significant effort to reexamine and readjust our longest close association with any other country — our relations with the United States.

As President, it was my privilege to preside over this effort. In 1966, on my state visit to the United States, we entered into a landmark amendment to the 1947 bases agreement by cutting down to 25 years the unexpired portion of the original 99-year duration of the military bases. Subsequent thereto, certain portions of the bases were transferred to the Philippine Government. These included Sangley Point, Mactan Air Base, portions of Clark and Camp John Hay, as well as weather observation installations and early warning systems.

Renegotiation and readjustment of the terms of the agreement gained new impetus after the resolution of the Vietnam war, when it appeared to many that American policy was undergoing a sea-change in Asia, and questions were being asked, even within the United States, about the appropriateness of American commitments in Asia and the Pacific. This was particularly heightened by our anxiety about the lack of an automatic retaliation clause in our Mutual Defense Pact, in case of armed attack on the Philippines by another power, and an unclear definition of what areas of our territory would be covered by American protection in case of attack. Added to this was the increasing disquiet of some sectors of our citizenry who have through the years questioned the need for the bases, and the wisdom of the treaties that bind Philippine defense with the United States.

We had three alternatives: 1) to work for the abrogation of the 1947 Military Bases Agreement, with all its consequences on the balance of power in western Pacific; 2) to allow the continued deadlock on the negotiations and thus permit the continued operation of the bases by the United States, without any basic change in the terms which we had long described as onerous to our

country and without relief from the grievances and irritants that had troubled Philippine-American relations; and 3) to attain the best possible terms while allowing the United States to operate the bases or parts thereof, giving special stress to their continued existence in the country will serve not only American but also Philippine interests.

In considering which alternative to pursue, it was my firm belief that three objectives had to be met, namely: sovereignty, security, and economic modernization and development.

The first alternative, abrogation of the Military Bases Agreement, presupposes the existence of a mechanism in the original agreement for unilateral abrogation on the part of either of the parties to the agreement. I would like to call attention to this point because during the entire debate, nobody ever raised it. But there is no mechanism provided for in the 1947 Military Bases Agreement for the abrogation or rescission of the treaty by either of the parties. There has been no amendment either providing for such abrogation.

If one party therefore attempts to unilaterally abrogate the agreement without such mechanism, the other party if it so wishes could under international law insist on the integrity of the agreement and do what it can do to enforce its rights. Specifically, were we to abrogate the military bases unilaterally, in legal terms and legal contemplation, the United States could maintain the same position that it held with respect to its Guantanamo base in Cuba: it refused to move out. You will all remember of course that Fidel Castro wanted to close down the base because it was a continued reminder of American presence on Cuban soil. But because the Cuban-U.S. agreement, which is similar to our 1947 agreement, contained no provision for unilateral termination, the United States could not be budged from the base, and it remains in control of Guantanamo up to now.

On, the other hand, the second alternative of allowing the continued operation of the agreement without any basic changes in the terms, offered no relief for the many grievances and irritants that have long troubled the amity or R.P. – U.S. ties. Simple common sense and concern for the national interest at the very least required that the Philippine Government exert every effort to remove those elements of the agreement that we found onerous. They required us to relieve those obligations and provisions that impugn our national sovereignty. Most of all, they required us to seek changes in the agreement without sacrificing its more salutary aspects.

Thus, the only acceptable alternative was the amendment of the 1947 Military Bases Agreement, with a view to ending its onerous provisions and to introducing new provisions that would fully recognize Philippine sovereignty, enhance national security, and promote national economic development.

This approach became the basis for the position we presented in the negotiations, both at the start of the talks and in the ensuing deadlocks and delays that developed.

My colleagues will well remember that the negotiations began almost immediately after my assumption of the Presidency in 1965, then gathered momentum three years ago, following the

joint communique of President Gerald Ford and myself on December 7, 1975, which set “negotiations on the subject of the United States use of Philippine military bases.”

Needless to say, the participation by the members of the Philippine panel has been dedicated and patriotic. I refer most particularly, of course, to the Minister of Foreign Affairs, the Minister of Defense, the Honorable Juan Ponce Enrile, the Solicitor General, the Minister of Justice, and in the last few meetings, also the Minister of the Budget, the Minister of Finance, former Vice President Emmanuel Pelaez who has been most informative and who guided us in the previous negotiations which frustratingly had negative results. And from the military we organized the military panel which was headed by our Chief of Staff, General Romeo Espino.

To summarize, the substance of the new amendments are found principally in four documents. These four documents are: the letter of President Carter to me which is dated January 4, 1979; the letter of U.S. State Secretary Cyrus Vance to the Minister of Foreign Affairs; the exchange of notes; the letter of U.S. Ambassador Murphy to Minister Romulo; and of course, the document entitled. The Arrangements Pertaining to the Base Commander and the United States Facilities Commander.”

Now let me summarize the contents of these documents:

First, the bases which are the subject of the agreement are to be known as Philippine Military Bases over which Philippine sovereignty extends, and that only the Philippine flag shall be flown singly at the bases;

Second, that each base shall be under the command of a Philippine base commander;

Third, that the United States shall have the use of certain facilities and areas within the bases, and shall be assured unhampered military operations involving its forces in the Philippines;

Fourth, that the base areas shall be reduced from their erstwhile dimensions; portions of the base areas will be developed by the Philippine Government for non-military purposes, and in this development the United States of America has shown interest and intends to participate.

Fifth, that the Philippine Government will provide for the perimeter security. The proper term will be “will take over the perimeter security of the bases”; and

Sixth, that every fifth year from the date of signing of the Amendment, and until the termination of the Military Bases Agreement, there shall be a thorough and complete review and reassessment of the agreement to ensure that it continues to serve the mutual interest of both parties.

From the above amendments, our people will note that full recognition is given, at last, to Philippine sovereignty over the bases, removing all the ambiguities and doubts that once attended this question. Perhaps, the members of Congress will remember the Bronell opinion or

the statement of a former Attorney General of the United States claiming that America had sovereignty over these bases.

As a result of the agreement on perimeter security, we have secured a corrective to the many regrettable incidents that have occurred in the bases. For as the exchange of notes itself says, this is going to lessen the contact between the American servicemen on duty and our Filipino civilians.

Beyond the sovereignty question, we must also note that the Amendment in no way diminishes the contribution that the bases can make to the security of the country and the rest of Asia and the Pacific. In extending to the United States Government unhampered military operations involving its forces in the country, we have done no more than extend what is essential for the effective operations of the bases as a defense instrument in this part of the world. It is understood that when one speaks of military operations, there is a need for such military operations.

Indeed, as is readily apparent in the letter of President Jimmy Carter to me dated January 4, 1979, you will all note that apart from the expression of elation over the amendments, President Carter pledges substantial assistance and support to the self-reliance defense program of the Philippines.

I wish to read into the records the text of President Carter's letter:

xxx

Dear Mr. President:

I was pleased to learn that our negotiations have reached agreement on an amendment to the 1947 Military Bases Agreement.

In light of this development, I wish to state that the executive branch of the United States Government will, during the next five fiscal year, make its best effort to obtain appropriations for the Philippines of the following amounts of security assistance.

Military Assistance	\$50 million
Foreign Military Sales Credit	\$250 million
Security Supporting Assistance	\$200 million

In addition, the United States will give prompt and systematic consideration to requests for specific items of military equipment to be provided under these programs, and to requests for the sale of other military equipment which your Government may wish to

purchase through the U.S. Government or commercial channels, consistent with the world-wide policies of this Government with respect to the transfer of conventional arms.

In closing, let me state once again that I appreciate your personal efforts in bringing these negotiations to a successful conclusion. I believe that the Amendment to which our two Governments have now agreed will strengthen the security not only of the Philippines and the United States but also of the entire western Pacific region.

xxx

My colleagues in this Assembly will note that this is the first time that the President of the United States has written in a formal document a promise of this nature — a commitment to obtain from the U.S. Congress specified amounts for military assistance to another country. This has never been done before. The truth of the matter is, we did not expect the American Government to be able to grant this concession to us. Thus we can attain self-reliance in security, or now seriously take the steps necessary to attain self-reliance in the medium term and in the long term.

In the letter of U.S. Secretary of State Cyrus Vance to Minister Romulo, which forms part of our agreement, the United States gives assurance that in cases where criminal jurisdiction is at issue, it will follow the same procedure that is being followed by the United States in member-countries of NATO and in Japan. This means, according to the Vance letter, that “in those cases where official duty is at issue between the United States and Philippine Governments, United States forces have developed procedures to retain accused personnel in the Philippines for a reasonable time, and to prevent their inadvertent departure, in order to provide opportunities for discussions between the two governments relating to the jurisdictional question.”

Allow me to explain the background of this, which is well-known to those who participated in the negotiations before 1965. In the original 1947 Military Bases Agreement, criminal jurisdiction over any offenses committed by American soldiery within the bases was exclusively America's. Outside the bases it was exclusively Philippine. Somehow with the Mendez-Blair agreement which was entered into before our colleague, former Vice President Pelaez, became the secretary, after but without consultation, I hope — under the 1947 agreement, it was provided that in case of any conflict the Minister of Justice or Secretary of Justice would decide whether the issuance of a duty certificate was proper. This was changed by the Mendez-Blair agreement, which returned the situation to what we have now, which is similar to the NATO and the Japanese statute of forces agreements.

Now to my mind the most important aspect of criminal jurisdiction is the provision pertaining to the Philippine program to upgrade the reverted areas and the regions around the reverted areas. Thus the penultimate paragraph of page 3 of the exchange of diplomatic notes of the American embassy states: The two parties take note of the economic and social conditions in the areas surrounding the bases and express their joint interest in developing programs designed to upgrade to upgrade them.” This was one of the points on which we were persistent.

We insisted that if there was any intention whatsoever for the military bases facilities to continue, there must be an effort to upgrade the reverted areas and the regions around the military bases so that it would not look as if the Filipinos residing around the bases were beggars in their own homeland.

It is further amplified by the letter of Secretary Cyrus Vance to Minister Romulo which states in the first paragraph of page three, and I read: “With respect to base lands outside the United States facilities and the surrounding areas, the United States Government is ready to consider the question of economic assistance and other United States programs for suitable projects as well as projects that might appropriately be undertaken by private enterprises. The United States Government is prepared to consider appropriate assistance, subject to the approval of the Congress, for improving economic and social conditions in Angeles City and Olongapo City and surrounding areas and to relate these U.S. efforts to Philippine Government plans for utilization of returned base land areas.

For the information of everyone, the American bases personnel now buy only 20 percent of their food requirements from local sources. The American government has agreed to increase the participation of local sources of food and other products, which may come with some promise of quality and the dependability of the supply.

On a more important question, which touches on the scope of America’s commitments to defend the Philippine territory in case of external attack, the Vance letter defines “metropolitan territory of the Philippines” as follows:

“Metropolitan territory of the Philippines means all of the land areas and all adjacent waters subject to the sovereignty of the Republic of the Philippines, in accordance with international law, lying within the area delineated by Spain and the United States in the Treaty of Paris of December 10, 1898, and in the Treaty of Washington of November 7, 1900, and subsequently amended in the Treaty concluded by the United States and Great Britain on January 2, 1930.”

However, an attack on Philippine armed forces, public vessels or aircraft in the Pacific — to be subject to counter-action — would not have to occur within the metropolitan territory of the Philippines or island territories under its jurisdiction in the Pacific in order to come within the definition of “Pacific area” in Article V of the Mutual Defense Treaty, the Vance letter clarified.

Since the signing of the Amendment, however, there has been some bickering and confusion over the amounts promised by the U.S. Government. Evidently some would wish to make it appear that the amounts are way below what the Philippine panel negotiated for. There are others who feel that for the continued use of the bases, the U.S. Government is simply short-changing the Philippines.

I wish to state that the figures promised, and the actions pledged by the U.S. Government, are substantial and fair. And I am somewhat dismayed by the way some people would seem to want

to cheapen and trivialize this important national issue and distort our position in the sole hope of scoring a point.

The only way to take the real measure of the new bases agreement is to look at the total package that we reaped as a consequence of the negotiations: first, in terms of whether it constitutes a substantial improvement over the old agreement; and second, whether the new provisions and the assistance pledged enhance key programs of the nation today. On both counts, there is no question that we have in the newly revised Military Bases Agreement a document that recognizes our sovereignty, strengthens our national security, and promotes our national economic development.

Where in the past, we were in doubt as to who ruled these bases within our borders, today there is no question that our people and our country are sovereign.

I know what it means when you see your flag flying over that base. I have not gone to those bases since the arrival thereat of American prisoners of war, because I know how alien a Filipino feels inside those bases where his flag does not fly.

Where the question of command was once reposed in alien commanders henceforth it will be in Filipino hands.

And where security assistance from the United States had been clouded by doubts and anxieties on our part, now we have the benefit of a pledge from the American President no less.

To be sure, there are still various aspects to the agreement that will require firming up and study. This is why the five-year clause for automatic review and reassessment and if necessary termination is so important. The venue for relief is provided for.

And I will add that with the agreement, we have succeeded in putting back on course our long-standing relations with the United States, which during these past years had been somewhat problematic and even trying in the light of the irritants and unresolved issues.

Now, we can start afresh. The United States and the Philippines today respectively project new images and new responses to the outside world. It is heart-warming to find that after so much transition and change, we still find out two countries, converging on many interests and goals.

Finally it is my belief that having succeeded in steering our relation with the United States into a new and promising course, we have also immeasurably improved our position vis-à-vis our other foreign policy concerns — namely, regional security and stability in Asia, ASEAN cooperation and community, *détente* with the Socialist countries and effective partnership with Japan and Western Europe.

It is my considered judgment after a long and continuous study of the problem that the new Military Bases Agreement is the wisest, the most effective and the most dignified and prudent

means to attain the three objectives of sovereignty, security, and economic development and modernization.

We have broken new ground. And our vigil over the security, the dignity, and the welfare of our Republic has disclosed to us new possibilities.

I call upon my colleagues in the Batasang Pambansa and all our people to lend their unfailing assistance to the efforts and initiatives now unfolding in our relations with the entire world.

I consider this a historic agreement inasmuch as it completes the liberation of the Philippines. I am sure that many of us, especially those who belong to my generation, remember the feeling of fulfillment, nay, of tearful fulfillment, when on July 4, 1945 we watched the United States High Commissioner bring down the American flag and the Philippine President raise the Philippine national flag to rule supreme and sovereign over our land. This feeling of accomplishment was disturbed only by the nagging thought that the American flag and American sovereignty might still rule supreme in some part of our land.

It is therefore with a feeling of personal fulfillment that we witness the finalization of a new bases agreement. For we the allies in this part of the world in the last World War, finished the task that we had sought to accomplish and attain, which is the full and complete freedom of the Republic of the Philippines.

Therefore, it is not without a sense of achievement that we attain not only full sovereignty and simultaneously lay the foundation for culture security as well as development. Thus, in one single stroke we confront the demons of today and exorcise the specters of tomorrow.

Marcos, Ferdinand E. *Presidential speeches* (Vol. 9). Manila: Office of the President of the Philippines,

1980. <https://tinyurl.com/y6dgp5w>.

**Speech  
of  
His Excellency Ferdinand E. Marcos  
President of the Philippines  
On a New Philippines, a New Republic**

[Delivered on June 18, 1981]

A NEW PHILIPPINES, A NEW REPUBLIC

The speech is culled from Marcos, F. E. (1981), *Speeches by President Ferdinand E. Marcos*. [Manila]: Presidential Library and uploaded at <https://www.officialgazette.gov.ph/1981/06/18/speech-of-president-marcos-on-a-new-philippines-a-new-republic/>.

Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

This speech, which was delivered on June 18, 1981, revolved around his vision of “New Filipinism.” Contextualizing his vision, President Marcos remarked that it was formulated at a time when the world was mired in “crisis and contradictions.” Marcos stressed that it embodied the “ethic of independence, focusing on “substance rather than the shadow of freedom” and independence beyond formality to reality.” As he sounded the clarion call for “innovation in our social, economic, political and cultural life,” he emphasized that “New Filipinism” itself was a “call for innovation” and ventured to say that the vision signified a bloodless “revolution directed against the sterile and self-defeating habits of the race.” In the concluding part of the speech, President Marcos posed the challenge to the Filipino people: “We must liberate ourselves for the sake of a new republic, the inevitable child of the new society.”

Sixteen years ago, on this same sacred ground, we shared together a vision of Filipino greatness. It was this vision which guided us in the gravest crises; we owe to it our triumphs; it has kept us whole.

You will recall that on my second mandate, I gave it a definition– the New Filipinism. I said then that “the New Filipinism represents the discipline and the ethic of independence, that it seeks the

substance rather than the shadow of freedom, that it develops independence beyond formality to reality.”

Let me recall to you the exact words, for they provide a perspective for today:

“Under the influence of this spirit, we have started to re-examine our own narrow outlook on ourselves and the world; we have ceased to think ourselves as a small and insignificant nation, a non-entity in world affairs; we have started to re-examine the time-honored postulates by which we have lived in the past five hundred years, and have lifted our sights to wider horizons and more ambitious and peremptory goals.

“In the foreseeable future, this new spirit will prompt us to re-examine our own basic institutions and perhaps recast them to make them more responsive to the needs of our people. We must not hesitate, from a sense of racial timidity, to change what should be changed. From hereon we should be guided only by our own sense of what will advance, protect and fulfill our national interest.

“We must aim at the reality rather than the formality of democracy. Political and social institutions that merely perpetuate entrenched privileges based on the accident of birth must be remolded or replaced with new ones that promote genuine democracy. . .

“We must not be afraid of innovation in our social, economic, political and cultural life. The New Filipinism is a call for innovation— a revolution directed against the sterile and self-defeating habits of the race but without bloodshed and without fratricide.

“The New Filipinism is. ultimately a call to greatness. But any form of greatness must begin with an act of will. . . Transformed by the New Filipinism, the Filipino people will no longer return to the sterility, mediocrity and timidity of the past. The new spirit of achievement will be indestructible, and will fashion, in time, a great nation of Asia.”

In connection, I asked you, the Filipino people, whether we should venture into a new world of possibility or retreat to the safety of a familiar but sterile past, and your answer was— we should cross the frontier.

Twelve years have passed since we enunciated the New Filipinism. We have not only re-examined our outlook on ourselves and the world; we have, in fact, changed it— as well as the world’s regard for us. That foreseeable future of re-examination of our basic political and social institutions has come to pass: we have radically changed our institutions; we created a new social and political order. In sum, we changed what needed to be changed.

That all this had to be done under a crisis government attests to the strength, the compelling power, of the vision rather than its weakness. There was a profound sense of historical necessity when eight years ago, we have had to proclaim martial law. The measures then undertaken were swift and sweeping, as it became evident that slow deliberation and political opportunism in all its forms, subversion, and secession, were endangering the life and liberty of the nation.

This is neither the time nor place to review once again the undeniable achievements of the period— the reorientation of economic policy, the recasting of attitudes and the revolution in

society. Rather is this the time for another re-examination, for having achieved so much, the question now is whether we have achieved enough.

It was not meant for this generation— a generation which has seen the horrors of war and confronted the challenges of peace— merely to win the struggle for national survival. We were not meant, perhaps, simply to surmount crisis, heroic as that may be, but to achieve national harmony, economic prosperity and social equality. Some may call it fate, others destiny, but whatever its name, history has a will and logic which a people can only ignore at its own peril. Your overwhelming mandate appear to-confirm this fate.

So, then, we must start anew.

Sixteen years ago, we woke up to a world in change. Now we are in a world of crisis and contradictions. The Third World nations need to be self-reliant in a world that is irrevocably interdependent. All nations recognize the imperative necessity for a new world economic order but few nations, especially the rich, would accept a change in their own economies. There is a clamor for peace and a preparation for war. We need to cooperate but persist to take advantage. Meanwhile, the poor, which make up two-thirds of the world's peoples, are bewildered and resentful of the high professions and low intentions of the privileged.

It is against this setting that we have dedicated ourselves to the pursuit of a vision— Jose Rizal's century-old prophecy of a New Philippines. We are also infected with the world's malaise, a particular reflection of its crises and contradictions. We are not, therefore, exempt from the difficulties of the times.

Still, we have seen to the transformation of society. Institutions like barangay democracy have been established in order to give our people true control of their lives in community. At a time when the common people of many nations no longer feel sovereign in their lives, our own people, through the barangays, have a sense of purpose and control. The institutions, let us frankly admit, are imperfect; they are young. But they are anchored on a philosophy that Filipinos recognize as their own— the philosophy, or the ideology, if you will, of national liberation.

But where institutions are the protection of men, it is men who run them, and in this there are more imperfections still. The reason for the failure of some is obvious: they have not "internalized," as Mabini once pointed out in the original revolution, the principles and tenets of the New Society. Thus we have experienced and heard of abuses and injustice, of privilege and indifference, illnesses of old which plague our national life, which can no longer be endured either by this leadership or by our people.

These illnesses— the social cancer, as it were— have their roots in the colonial past. They should no longer be a part of us. We must, therefore, resist all the blandishments of the merchants of mendicancy, the propagators of the past, the advocates of colonial restoration. Social injustice, graft and corruption, the abuse of power and the misuse of privilege, were partly collaboration with and partly resistance of an abject people to a government which was not theirs. But we now live basically on our own terms. We have no right to betray ourselves.

This was the noble purpose of the sacrifices and lives of our heroic forefathers. It was for this purpose that they established the first authentic Filipino republic— the first Asian Republic— nearly a century ago and it is the purpose of our New Republic, which we inaugurate today, keeping faith with the vision of unity, equality, and liberty.

We look back on the First Republic because it was self-proclaimed by the Filipino people on June 12, 1898; for three hundred and fifty years, the inarticulated aspirations of the people had inexorably led to this event. There were, to be sure, two other independence days— on October 14, 1943 under the sponsorship of the Japanese Imperial Army and on July 4, 1946, as a grant of the American government. It is not in denigration of these events that we choose to call ours the New Republic, with its historical roots in Kawit, but out of a rediscovered sense of identity and recovered national pride. Our national liberation must be an act of our own political will.

What is then new in our republic is its fidelity to our historical legacy and its repudiation of the colonial past, in so far that its opportunism and mendacity have left their mark upon us.

Possessed of our identity, restored to our destiny, we can meet any external challenge and bear any difficulty. But the way of national liberation is not imperilled by forces outside of ourselves; it is ourselves that we must ultimately conquer. Tempting, indeed, is the comfort of collaboration against the perils of resistance; a royal road seduces those who would progress without sacrifice, who would be free without effort. Yet history has marked this as a false road whose destination is enslavement and oblivion. In this regard, there can be no one to look to; there can be no outside savior. There is only us— the Filipinos.

We cannot survive, we cannot advance without being one race, one nation. We have known where division has led us— let us dare where unity must lead us.

The national unity that is so vital to our existence is a covenant between each and every Filipino; it is also a covenant between the leader and his people. The rare honor that you have bestowed on me as your thrice-elected leader imposes on my person— and those closest to me— a debt, an obligation, that I cannot shirk and a pledge that I dare not betray. Let history judge me harshly on this, my renewed pledge: that until every Filipino can say with conviction that he has been liberated from the bondage of ignorance, poverty, and disease— that until he can call his mind, body, and spirit truly his own, I shall have failed you and betrayed your trust.

From you, my countrymen, I ask the utmost commitment, the limits of your capacities as citizens, the endurance of all hardships and sacrifices for the common good— not as a personal demand but as a way of your keeping faith with the vision of our race.

Give all that you can give to your country, and, God-willing, I will give you, with your support, a society that will respond to all your needs for a decent and honorable life.

We have not been brought into this world simply to enjoy and indulge a brief existence. The poorest among us have a sense of life as meaningful existence. In our most miserable state, we are a part of mankind and its noble dream. We may call it, as we call it now, Filipino humanism, a nationalist humanism, but behind the concept and the precept is that certain knowledge within us that Man is the wonder of creation, that all of us must, in the end, realize ourselves in the service of our common humanity.

Let us call on the intransigent to realize their just purposes with us; let us awaken the unconscious and enlighten the misled; let us listen to our detractors in honest counsel. Let us, in sum, get together, bind the wounds of the past, and, in one united effort, realize the aspirations of our people. !

We must also be firm in our resolution and not compromise our aims. History is a merciless and at times even a cruel judge. As your president, I will risk the judgment, but as your fellow-countryman, I urgently appeal to you to spare the next generations from the retribution which could be brought about by our own complacency.

We must liberate ourselves for the sake of a new republic, the inevitable child of the new society.

As I asked you twelve years ago, I ask you now: let us cross one more frontier!

*Source:* **Presidential Museum and Library**

Marcos, F. E. (1981). *Speeches by President Ferdinand E. Marcos*. [Manila]: Presidential Library.

## True Filipino Ideology

Ferdinand Marcos

The document is accessible at Marcos, Ferdinand E. Speeches by President Ferdinand E. Marcos. [Manila]: Presidential Library, 1982. <https://tinyurl.com/y5ggjz8u>.

Catapulted to the presidency in 1965, President Ferdinand Marcos secured a second term in 1969. By virtue of Proclamation No. 1081, President Marcos placed the country under martial law on September 21, 1972, following a spate of bombings in Metro Manila. Constitutional authoritarianism supplanted the democratic institutions. On February 25, 1986, after four days of bloodless EDSA People Power Revolution, Marcos was compelled to step down and flee with his family to Hawaii.

In the essay entitled *True Filipino Ideology*, President Marcos propounded an “emergent national ideology.” Tracing the evolution of the ideology, Marcos distinguished two main phases. For the first phase, he spoke of “political liberation,” which passed through two stages: the first one consisted in rebuilding the democratic base through the drafting of a new constitution, asserting the sovereignty over the military bases and national patrimony and allowing the illiterates to exercise their right to vote; and the second was launch of the New Republic “spawned by a new society.” The second phase manifests itself as “social and economic liberation, which was made possible by the “the reforms and transformations in social and economic relationships in the New Society.” The political and socio-economic liberation were invigorated by “cultural re-awakening,” which entails “cultural reconstruction.”

It is a distinct pleasure and a welcome opportunity to meet with men and women who knew the meaning of commitment. But most of all I am heartened by the fact that you perceive in what you call the Marcos ideology a suitable purpose for your purpose and a moving force for year commitment. I am not surprised by this action on your part, for what you call—and others call—the Marcos ideology is not the authorship of one man; the genuine authorship belongs to the Filipino people, and to you, who are conscious of being Filipino, the ideology cannot be but compelling and attractive.

An ideology, as you well know may be formulated and defined by one man or a few, but it cannot be a true ideology unless it stems from the historical experience—the blood and guts—of a people conscious of their destiny. Just as you and I have been shaped by our respective life

experiences, a national ideology springs from the very agonies, sacrifices, dreams and aspirations of a race, a people who have shared a common existence.

That ideology is emergent among our people. I say “emergent” because we have only begun to see ourselves with our own eyes, to confront our history with determined purpose, perhaps, we may even set the date of that beginning a decade ago, when confronted with the gravest crisis our young nation has ever known, we recognized the supreme necessity of survival. Our society was on the verge of collapse, our nation on the brink of dismemberment, and our people at the very edge of bloody, fratricidal conflict.

It was then that we realized that we either had to pull ourselves together or perish separately.

Looking back to that fateful decision ten years ago, we may feel sad that the martial decision had to be taken. But, on the other hand, it was the greatest challenge that we have had to face; and so we are glad that it came at a time when we still had the strength and the fortitude to see it through. For history has taught us that challenges could be so overwhelming as to destroy peoples and civilizations.

Thus we can say that the martial necessity, the martial law experience, has made us better and stronger Filipinos. For in truth we have been transformed.

It is no accident, therefore, that a national ideology had to evolve from that experience, which, however, is but one among many in the history of our people.

From the very first uprising of our colonial history, the Filipino have always had a dream of freedom, dignity, and equality. No Filipino who has read the writings of the heroes of the Propaganda Period cannot but be stirred by the sentiments and ideas of Rizal, Mabini, Bonifacio, del Pilar, Burgos and Aglipay. Their lives and literature are the well-springs of Filipino ideology.

The heroic men and women who fell in Bataan, Corregidor, and in the mountains and hills in the hour of resistance, died for that ideology. The ideology burned in them even if they did not seek to define it.

Now we need to define; it is the task of the moment. A few of our countrymen have strayed to foreign ideologies, different and opposing ideologies, exalting on one side liberty and on the other, equality, pushing, as it were, extreme positions.

These are ideologies alien to our nature for they sprung from foreign soil, shaped by cultures different from our own. For while it is true that Truth is universal to all of mankind, the truths of experience are particularized by history and culture. Unless we can understand this, we cannot take the first step towards national liberation.

Happily, however, we have taken the first steps.

When we exercised the extraordinary powers provided for in the Constitution in order to save a threatened republic and to build a new society, we made a decisive act of freedom. You will recall that the Constitution referred to had to be approved by a foreign legislature and its commander-in-chief provision was intended to quell any act of anti-colonialist resistance by the Filipino people. But we transformed that imposition on our will into a weapon of self-preservation and self-liberation.

Having done so, we proceeded to draft a new charter, one that stems from our own sovereign act, a fundamental law by the Filipino, of the Filipino, and for the Filipino. Thus the New Society was new in its fundamental legal aspect: we had a new charter for a new social existence.

In the eventful decade that followed, we restored our sovereignty on our patrimony: our flag flew over the military bases; parity—over which an entire nation had been divided—was terminated; our foreign policy became the expression not of our servitude servitude but of our independence. For the first time in more than four hundred years, the Filipino could once again claim his soul.

The crown of these political acts was the re-enfranchisement of the Filipinos. We expanded the base of political participation by eliminating illiteracy as a disqualification for suffrage, a heritage from a colonialism which conferred the right to vote to a privileged few. Thus we expanded the electorate from a mere 8 million to a more democratic 23 million.

At the barangay level, the voting age was reduced to fifteen years in recognition of the responsibility of the youth. Workers representation—industrial and agricultural—was effected in the sangunians or councils, again in recognition of the backbone of our society. There cannot be a genuine democracy if the many cannot be heard and properly represented. Such a condition had long infested our body politic; it was not surprising therefore that call after call for national unity had gone unheeded: there was a deep rebellion—the rebellion of the poor.

These are innovations, to be sure. But in one form or another, they were long inarticulated hopes. And it has been the privilege of this leadership to articulate them.

That was the first phase of our ideological evolution. The second phase is that of the New Republic, a republic spawned by a new society.

Having re-established the base of a genuine, viable democracy by a sophisticated political act of liberation, we inaugurated the New Republic whose task was to take off from the radical reforms generated by the new society, of which agrarian reform is the major one. This launched the democratization of wealth by way of response to what we call the rebellion of the poor.

As you know, we called the entire process “revolution from the center,” according to the perception that government is hot above the people but in the center of their lives as a national society. Too long had government been either the partner of the oligarchy or its servitor; in liberating itself from the oligarchy, government once again became the focus of popular power.

We shall be having our barangay elections next week, on May 17. I invite all of you and our people to perceive in the elections the actual power of the people at work. The choice of leaders in the barangay is a direct exercise of power at its most fundamental level. The political business of the barangay is the day-to-day communal existence of our people—their economic, social, and cultural life. Henceforth, leaders who fail at this level cannot hope to succeed on the higher level. National leadership is thus rooted in the very lives of the people.

With that basic political premise, the New Republic thus proceeds from the reforms and transformations in social and economic relationships in the New Society. Economic reforms were designed to spur growth in the countryside; labor reforms were, suited to the conditions of enterprise and social justice; the educational system was made relevant to the objectives of intellectual and moral emancipation; an overview of social and economic needs found form in a new ministry for human settlements.

At the centerpiece of these endeavors is the Kilusan sa Kabuhayan at Kaunlaran—the KKK, the movement for livelihood and progress.

These are material transformations. Taken by themselves alone, they would not sum up our liberation as a people. We may have drastically changed the social arrangements, increased the economic opportunities, of our national society, but unless we enhance our humanity, we can only be robots with full stomachs. What makes us truly human, what binds us to one another, is the hold, the richness, of our culture.

In the short span of a decade, we had such a cultural re-awakening, a rediscovery of tradition, a re-examination of history and heritage, that a virtual artistic resurgence followed. We have produced more paintings, sculpture, music, literature, drama of rare and excellent quality than in the four decades after the second world war. Let me just comment on the misguided observation that writers have been silenced. These comments are being made by people who have difficulty in being silent. They are so busy carping that they miss the gems right under their very noses. But let us not be partisan here. The present fact speaks for itself: there has been and continues to be a flowering of cultural and artistic expression.

What has spurred all these? Our history. Our consciousness of it, our pride in its glories and defeats, its joys and sorrows, its disasters and triumphs. We rediscovered our history in a moment of crisis; we are consequently making it in an hour of challenge.

Our history, in sum, is forging our emergent national ideology.

I will tell you what our ideology is not. While all-embracing, as it covers our political, economic, social, and cultural life, it is not totalitarian; while assertive, it is not dogmatic. It is a deviant Filipino who will be totalitarian and dogmatic, for there is a sense of irony in the Filipino that is resistant to blind obedience. Our numerous revolts in the last century were all reactions not only against the oppressive but also the brazenly unreasonable.

We cannot adhere therefore to zealous and doctrinaire creeds for they warp the spirit and brutalize what is human. We prefer an ideology that is tailored to the strengths and weaknesses—the wholeness of the human being.

We are human and therefore our ideologies must be humane.

On the other hand, our ideology is not a formula for personal advancement or personal wealth or power; it is not, conversely, a formula of suppressing the individual for the sake of the state; rather is it a basis for united action towards a society which shall exist for the benefit of all. It is rooted in the bayanihan spirit exemplified by neighbors and friends who help out in transplanting a house. No individual profits by this common, cooperative action, but the sense of community is preserved and everyone has a sense of satisfaction. We strike the vital balance between the claims of the individual and the demands of the collective thus maintaining, as I said in my books, “a society of equals in a state of liberty.”

We have arrived at this aspiration because of our common experience of colonial oppression, invasion and exploitation not only by foreign powers but also by local tyrants. We knew from the old society a social condition in which “the degradation of the many was pursued for the effloration of the few.” Hence I characterized the politics of that old society as “personalist and populist.” The true Filipino ideology was suppressed so that democracy for the few could prevail. That privileged democracy was reserved for the rich and the educated, more often than not the westernized and the influential. To a certain extent, we still suffer from its residues—but that privileged democracy has absolutely no place in the New Republic.

As we emphasized in the New Society—and we remind ourselves in the New Republic—a social arrangement which perpetuates bondage to the soil, has no right to exist. A political system which regards illiteracy as ignorance rather than educational deprivation is a false democracy. A society which excludes the youth and the workers from the political process cannot be anything more than a society of privilege; it is not a society of opportunity.

And so we arrived at equality as the ideological basis of the New Society as we came to the reconciliation of liberty and equality in the New Republic. The society and the republic emerged as the inevitable response to the rebellion of the poor and government was enlisted to initiate the “revolution from the center.” I say initiated because it will be the people, you and those who are committed towards achieving a better life for our people, who must preserve the gains and continue the numerous missions of that revolution from the center. And what is your singular weapon? The true Filipino ideology which is emergent from our historical experience and national dream.

In its two phases, the ideology presents itself, first, as political liberation, and, in the second, as social and economic liberation. These, in turn, are fuelled by our cultural re-awakening which presents to us the task of cultural reconstruction. Our culture, rediscovered in its richness and vitality, is the spiritual architecture, the intellectual and moral masonry, of our political and socio-economic edifice.

Proud to be Filipino, a pride that comes from genuine self-knowledge and not petty braggadocio, we face the modern challenge to our political and economic development; and the center of all these is the Filipino in all his humanity, a Filipino of flesh-and-blood and not the cold, dry number in a statistical table.

Our greatest national resource is, after all, is the Filipino. Our national development begins in his mind; the success of our efforts depends on His stout heart. He is at the very heart of our institutions, they are meaningless without him, as our hero, Andres Bonifacio, long ago realized.

“Who is for the Philippines except the Filipino?” Mabini asked rhetorically.

Historical experience, no less than our forebears, is quite clear: no one can help us. Only we can help ourselves. And this truth applies to all that is foreign to us, whether it be ideologies or institutions. Our destiny is rooted in our soil, our future determined by our particular time and circumstance; our ideology is thus our self-definition.

In promoting that emergent Filipino ideology, we can only tell our people, “We are simply giving you what is yours. We are giving you yourselves. It is nothing outside you; it is inside you, imbedded in your experience as a Filipino.”

And that is the true Filipino ideology.

Marcos, Ferdinand E. *Speeches by President Ferdinand E. Marcos*. [Manila]: Presidential Library, 1982. <https://tinyurl.com/y5ggjz8u>.

**TOPIC 11: 1986 to present****List of Reading Materials:**

- 1. 1987 Constitution**
- 2. Benigno Aquino III Platform of Government**
- 3. Fidel V. Ramos, Second SONA**
- 4. Inaugural Address of President Estrada**
- 5. Inaugural Address of President Arroyo**
- 6. President Duterte Inaugural Address**
- 7. President Duterte Official Statement UN**
- 8. Proclamation No. 3, s. 1986**
- 9. RA 6657**
- 10. Speech of Ramos 20<sup>th</sup> Philippine Business Conference**

### 1987 Philippine Constitution

The full text of the 1987 Philippine Constitution is culled from <https://www.officialgazette.gov.ph/constitutions/1987-constitution/>.

By virtue of Proclamation no. 3 s. 1986, the Constitutional Commission (ConCom) was created to draft a New Constitution “truly reflective of the ideals and aspirations of the Filipino people.” On April 23, 1986, President Corazon Aquino issued Proclamation no. 9, s. 1986 to set forth the details pertinent to the work of the Constitutional Commission and “ratification or rejection of the proposed new Constitution.” President Aquino appointed forty-eight (48) “national, regional, and sectoral representatives” to the Constitutional Commission. Cecilia Munoz Palma, the first woman to be appointed to the Supreme Court, was elected as the President of the Commission. The body met from June 2, 1986 to October 16, 1986<sup>27</sup>.

The 1987 Philippine Constitution consists of a Preamble and eighteen (18 sections). As embodied in the Charter, the Philippines is a “democratic and republican state” with a presidential system of government whose powers are apportioned among three co-equal branches: executive, legislative and judicial. The Charter provided for a bicameral legislature composed of the Senate and House of Representatives. A Bill of Rights was enshrined in the Constitution.

### PREAMBLE

We, the sovereign Filipino people, imploring the aid of Almighty God, in order to build a just and humane society and establish a Government that shall embody our ideals and aspirations, promote the common good, conserve and develop our patrimony, and secure to ourselves and our posterity the blessings of independence and democracy under the rule of law and a regime of truth, justice, freedom, love, equality, and peace, do ordain and promulgate this Constitution.

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<sup>27</sup> Corazon Aquino, Proclamation No. 3, s. 1986, accessed October 29, 2020, <https://www.officialgazette.gov.ph/1986/03/25/proclamation-no-3-s-1986-2/>; Corazon Aquino, Proclamation No. 9, s. 1986, accessed October 29, 2020, <https://www.officialgazette.gov.ph/1986/04/23/proclamation-no-9-s-1986/>; The 1987 Constitution: A chronological narrative, accessed October 29, 2020, <https://www.officialgazette.gov.ph/constitutions/constitution-25-years/>. The names of the members of the Constitutional Commission are listed in The 1987 Constitution of the Republic of the Philippines-Members of the Constitutional Commission, accessed October 29, 2020, <https://www.officialgazette.gov.ph/constitutions/the-1987-constitution-of-the-republic-of-the-philippines/the-1987-constitution-of-the-republic-of-the-philippines-members-of-the-constitutional-commission/>

## ARTICLE I

### *National Territory*

The national territory comprises the Philippine archipelago, with all the islands and waters embraced therein, and all other territories over which the Philippines has sovereignty or jurisdiction, consisting of its terrestrial, fluvial, and aerial domains, including its territorial sea, the seabed, the subsoil, the insular shelves, and other submarine areas. The waters around, between, and connecting the islands of the archipelago, regardless of their breadth and dimensions, form part of the internal waters of the Philippines.

## ARTICLE II

### *Declaration of Principles and State Policies*

#### *Principles*

SECTION 1. The Philippines is a democratic and republican State. Sovereignty resides in the people and all government authority emanates from them.

SECTION 2. The Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations.

SECTION 3. Civilian authority is, at all times, supreme over the military. The Armed Forces of the Philippines is the protector of the people and the State. Its goal is to secure the sovereignty of the State and the integrity of the national territory.

SECTION 4. The prime duty of the Government is to serve and protect the people. The Government may call upon the people to defend the State and, in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal military or civil service.

SECTION 5. The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

SECTION 6. The separation of Church and State shall be inviolable.

#### *State Policies*

SECTION 7. The State shall pursue an independent foreign policy. In its relations with other states the paramount consideration shall be national sovereignty, territorial integrity, national interest, and the right to self-determination.

SECTION 8. The Philippines, consistent with the national interest, adopts and pursues a policy of freedom from nuclear weapons in its territory.

SECTION 9. The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

SECTION 10. The State shall promote social justice in all phases of national development.

SECTION 11. The State values the dignity of every human person and guarantees full respect for human rights.

SECTION 12. The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception. The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government.

SECTION 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

SECTION 14. The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.

SECTION 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.

SECTION 16. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

SECTION 17. The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

SECTION 18. The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.

SECTION 19. The State shall develop a self-reliant and independent national economy effectively controlled by Filipinos.

SECTION 20. The State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments.

SECTION 21. The State shall promote comprehensive rural development and agrarian reform.

SECTION 22. The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.

SECTION 23. The State shall encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation.

SECTION 24. The State recognizes the vital role of communication and information in nation-building.

SECTION 25. The State shall ensure the autonomy of local governments.

SECTION 26. The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.

SECTION 27. The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption.

SECTION 28. Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest.

### **ARTICLE III**

#### *Bill of Rights*

SECTION 1. No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.

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

SECTION 3. (1) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise as prescribed by law.

(2) Any evidence obtained in violation of this or the preceding section shall be inadmissible for any purpose in any proceeding.

SECTION 4. No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances.

SECTION 5. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights.

SECTION 6. The liberty of abode and of changing the same within the limits prescribed by law shall not be impaired except upon lawful order of the court. Neither shall the right to travel be impaired except in the interest of national security, public safety, or public health, as may be provided by law.

SECTION 7. The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents, and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.

SECTION 8. The right of the people, including those employed in the public and private sectors, to form unions, associations, or societies for purposes not contrary to law shall not be abridged.

SECTION 9. Private property shall not be taken for public use without just compensation.

SECTION 10. No law impairing the obligation of contracts shall be passed.

SECTION 11. Free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty.

SECTION 12. (1) Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel.

(2) No torture, force, violence, threat, intimidation, or any other means which vitiate the free will shall be used against him. Secret detention places, solitary, incommunicado, or other similar forms of detention are prohibited.

(3) Any confession or admission obtained in violation of this or Section 17 hereof shall be inadmissible in evidence against him.

(4) The law shall provide for penal and civil sanctions for violations of this section as well as compensation to and rehabilitation of victims of torture or similar practices, and their families.

SECTION 13. All persons, except those charged with offenses punishable by reclusion perpetua when evidence of guilt is strong, shall, before conviction, be bailable by sufficient sureties, or be released on recognizance as may be provided by law. The right to bail shall not be impaired even when the privilege of the writ of habeas corpus is suspended. Excessive bail shall not be required.

SECTION 14. (1) No person shall be held to answer for a criminal offense without due process of law.

(2) In all criminal prosecutions, the accused shall be presumed innocent until the contrary is proved, and shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy, impartial, and public trial, to meet the witnesses face to face, and to have compulsory process to secure the attendance of witnesses and the production of evidence in his behalf. However, after arraignment, trial may proceed notwithstanding the absence of the accused provided that he has been duly notified and his failure to appear is unjustifiable.

SECTION 15. The privilege of the writ of habeas corpus shall not be suspended except in cases of invasion or rebellion when the public safety requires it.

SECTION 16. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.

SECTION 17. No person shall be compelled to be a witness against himself.

SECTION 18. (1) No person shall be detained solely by reason of his political beliefs and aspirations.

(2) No involuntary servitude in any form shall exist except as a punishment for a crime whereof the party shall have been duly convicted.

SECTION 19. (1) Excessive fines shall not be imposed, nor cruel, degrading or inhuman punishment inflicted. Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it. Any death penalty already imposed shall be reduced to reclusion perpetua.

(2) The employment of physical, psychological, or degrading punishment against any prisoner or detainee or the use of substandard or inadequate penal facilities under subhuman conditions shall be dealt with by law.

SECTION 20. No person shall be imprisoned for debt or non-payment of a poll tax.

SECTION 21. No person shall be twice put in jeopardy of punishment for the same offense. If an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.

SECTION 22. No ex post facto law or bill of attainder shall be enacted.

## **ARTICLE IV**

### *Citizenship*

SECTION 1. The following are citizens of the Philippines:

- (1) Those who are citizens of the Philippines at the time of the adoption of this Constitution;
- (2) Those whose fathers or mothers are citizens of the Philippines;
- (3) Those born before January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority; and
- (4) Those who are naturalized in accordance with law.

SECTION 2. Natural-born citizens are those who are citizens of the Philippines from birth without having to perform any act to acquire or perfect their Philippine citizenship. Those who elect Philippine citizenship in accordance with paragraph (3), Section 1 hereof shall be deemed natural-born citizens.

SECTION 3. Philippine citizenship may be lost or reacquired in the manner provided by law.

SECTION 4. Citizens of the Philippines who marry aliens shall retain their citizenship, unless by their act or omission they are deemed, under the law, to have renounced it.

SECTION 5. Dual allegiance of citizens is inimical to the national interest and shall be dealt with by law.

## **ARTICLE V**

### *Suffrage*

SECTION 1. Suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law, who are at least eighteen years of age, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote for at least six months immediately preceding the election. No literacy, property, or other substantive requirement shall be imposed on the exercise of suffrage.

SECTION 2. The Congress shall provide a system for securing the secrecy and sanctity of the ballot as well as a system for absentee voting by qualified Filipinos abroad.

The Congress shall also design a procedure for the disabled and the illiterates to vote without the assistance of other persons. Until then, they shall be allowed to vote under existing laws and such rules as the Commission on Elections may promulgate to protect the secrecy of the ballot.

## ARTICLE VI

### *The Legislative Department*

SECTION 1. The legislative power shall be vested in the Congress of the Philippines which shall consist of a Senate and a House of Representatives, except to the extent reserved to the people by the provision on initiative and referendum.

SECTION 2. The Senate shall be composed of twenty-four Senators who shall be elected at large by the qualified voters of the Philippines, as may be provided by law.

SECTION 3. No person shall be a Senator unless he is a natural-born citizen of the Philippines, and, on the day of the election, is at least thirty-five years of age, able to read and write, a registered voter, and a resident of the Philippines for not less than two years immediately preceding the day of the election.

SECTION 4. The term of office of the Senators shall be six years and shall commence, unless otherwise provided by law, at noon on the thirtieth day of June next following their election.

No Senator shall serve for more than two consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term for which he was elected.

SECTION 5. (1) The House of Representatives shall be composed of not more than two hundred and fifty members, unless otherwise fixed by law, who shall be elected from legislative districts apportioned among the provinces, cities, and the Metropolitan Manila area in accordance with the number of their respective inhabitants, and on the basis of a uniform and progressive ratio, and those who, as provided by law, shall be elected through a party-list system of registered national, regional, and sectoral parties or organizations.

(2) The party-list representatives shall constitute twenty per centum of the total number of representatives including those under the party list. For three consecutive terms after the ratification of this Constitution, one-half of the seats allocated to party-list representatives shall be filled, as provided by law, by selection or election from the labor, peasant, urban poor, indigenous cultural communities, women, youth, and such other sectors as may be provided by law, except the religious sector.

(3) Each legislative district shall comprise, as far as practicable, contiguous, compact and adjacent territory. Each city with a population of at least two hundred fifty thousand, or each province, shall have at least one representative.

(4) Within three years following the return of every census, the Congress shall make a reapportionment of legislative districts based on the standards provided in this section.

SECTION 6. No person shall be a Member of the House of Representatives unless he is a natural-born citizen of the Philippines and, on the day of the election, is at least twenty-five years of age, able to read and write, and, except the party-list representatives, a registered voter in the district in which he shall be elected, and a resident thereof for a period of not less than one year immediately preceding the day of the election.

SECTION 7. The Members of the House of Representatives shall be elected for a term of three years which shall begin, unless otherwise provided by law, at noon on the thirtieth day of June next following their election.

No member of the House of Representatives shall serve for more than three consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term for which he was elected.

SECTION 8. Unless otherwise provided by law, the regular election of the Senators and the Members of the House of Representatives shall be held on the second Monday of May.

SECTION 9. In case of vacancy in the Senate or in the House of Representatives, a special election may be called to fill such vacancy in the manner prescribed by law, but the Senator or Member of the House of Representatives thus elected shall serve only for the unexpired term.

SECTION 10. The salaries of Senators and Members of the House of Representatives shall be determined by law. No increase in said compensation shall take effect until after the expiration of the full term of all the Members of the Senate and the House of Representatives approving such increase.

SECTION 11. A Senator or Member of the House of Representatives shall, in all offenses punishable by not more than six years imprisonment, be privileged from arrest while the

Congress is in session. No Member shall be questioned nor be held liable in any other place for any speech or debate in the Congress or in any committee thereof.

SECTION 12. All Members of the Senate and the House of Representatives shall, upon assumption of office, make a full disclosure of their financial and business interests. They shall notify the House concerned of a potential conflict of interest that may arise from the filing of a proposed legislation of which they are authors.

SECTION 13. No Senator or Member of the House of Representatives may hold any other office or employment in the Government, or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries, during his term without forfeiting his seat. Neither shall he be appointed to any office which may have been created or the emoluments thereof increased during the term for which he was elected.

SECTION 14. No Senator or Member of the House of Representatives may personally appear as counsel before any court of justice or before the Electoral Tribunals, or quasi-judicial and other administrative bodies. Neither shall he, directly or indirectly, be interested financially in any contract with, or in any franchise or special privilege granted by the Government, or any subdivision, agency, or instrumentality thereof, including any government-owned or controlled corporation, or its subsidiary, during his term of office. He shall not intervene in any matter before any office of the Government for his pecuniary benefit or where he may be called upon to act on account of his office.

SECTION 15. The Congress shall convene once every year on the fourth Monday of July for its regular session, unless a different date is fixed by law, and shall continue to be in session for such number of days as it may determine until thirty days before the opening of its next regular session, exclusive of Saturdays, Sundays, and legal holidays. The President may call a special session at any time.

SECTION 16. (1) The Senate shall elect its President and the House of Representatives its Speaker, by a majority vote of all its respective Members.

Each House shall choose such other officers as it may deem necessary.

(2) A majority of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may compel the attendance of absent Members in such manner, and under such penalties, as such House may provide.

(3) Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds of all its Members, suspend or expel a Member. A penalty of suspension, when imposed, shall not exceed sixty days.

(4) Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may, in its judgment, affect national security; and the yeas and nays on any question shall, at the request of one-fifth of the Members present, be entered in the Journal.

Each House shall also keep a Record of its proceedings.

(5) Neither House during the sessions of the Congress shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION 17. The Senate and the House of Representatives shall each have an Electoral Tribunal which shall be the sole judge of all contests relating to the election, returns, and qualifications of their respective Members. Each Electoral Tribunal shall be composed of nine Members, three of whom shall be Justices of the Supreme Court to be designated by the Chief Justice, and the remaining six shall be Members of the Senate or the House of Representatives, as the case may be, who shall be chosen on the basis of proportional representation from the political parties and the parties or organizations registered under the party-list system represented therein. The senior Justice in the Electoral Tribunal shall be its Chairman.

SECTION 18. There shall be a Commission on Appointments consisting of the President of the Senate, as ex officio Chairman, twelve Senators and twelve Members of the House of Representatives, elected by each House on the basis of proportional representation from the political parties and parties or organizations registered under the party-list system represented therein. The Chairman of the Commission shall not vote, except in case of a tie. The Commission shall act on all appointments submitted to it within thirty session days of the Congress from their submission. The Commission shall rule by a majority vote of all the Members.

SECTION 19. The Electoral Tribunals and the Commission on Appointments shall be constituted within thirty days after the Senate and the House of Representatives shall have been organized with the election of the President and the Speaker. The Commission on Appointments shall meet only while the Congress is in session, at the call of its Chairman or a majority of all its Members, to discharge such powers and functions as are herein conferred upon it.

SECTION 20. The records and books of accounts of the Congress shall be preserved and be open to the public in accordance with law, and such books shall be audited by the Commission on Audit which shall publish annually an itemized list of amounts paid to and expenses incurred for each Member.

SECTION 21. The Senate or the House of Representatives or any of its respective committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure. The rights of persons appearing in or affected by such inquiries shall be respected.

SECTION 22. The heads of departments may upon their own initiative, with the consent of the President, or upon the request of either House, as the rules of each House shall provide, appear before and be heard by such House on any matter pertaining to their departments. Written questions shall be submitted to the President of the Senate or the Speaker of the House of Representatives at least three days before their scheduled appearance. Interpellations shall not be limited to written questions, but may cover matters related thereto. When the security of the State or the public interest so requires and the President so states in writing, the appearance shall be conducted in executive session.

SECTION 23. (1) The Congress, by a vote of two-thirds of both Houses in joint session assembled, voting separately, shall have the sole power to declare the existence of a state of war.

(2) In times of war or other national emergency, the Congress may, by law, authorize the President, for a limited period and subject to such restrictions as it may prescribe, to exercise powers necessary and proper to carry out a declared national policy. Unless sooner withdrawn by resolution of the Congress, such powers shall cease upon the next adjournment thereof.

SECTION 24. All appropriation, revenue or tariff bills, bills authorizing increase of the public debt, bills of local application, and private bills shall originate exclusively in the House of Representatives, but the Senate may propose or concur with amendments.

SECTION 25. (1) The Congress may not increase the appropriations recommended by the President for the operation of the Government as specified in the budget. The form, content, and manner of preparation of the budget shall be prescribed by law.

(2) No provision or enactment shall be embraced in the general appropriations bill unless it relates specifically to some particular appropriation therein. Any such provision or enactment shall be limited in its operation to the appropriation to which it relates.

(3) The procedure in approving appropriations for the Congress shall strictly follow the procedure for approving appropriations for other departments and agencies.

(4) A special appropriations bill shall specify the purpose for which it is intended, and shall be supported by funds actually available as certified by the National Treasurer, or to be raised by a corresponding revenue proposed therein.

(5) No law shall be passed authorizing any transfer of appropriations; however, the President, the President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the Supreme Court, and the heads of Constitutional Commissions may, by law, be authorized to augment any item in

the general appropriations law for their respective offices from savings in other items of their respective appropriations.

(6) Discretionary funds appropriated for particular officials shall be disbursed only for public purposes to be supported by appropriate vouchers and subject to such guidelines as may be prescribed by law.

(7) If, by the end of any fiscal year, the Congress shall have failed to pass the general appropriations bill for the ensuing fiscal year, the general appropriations law for the preceding fiscal year shall be deemed reenacted and shall remain in force and effect until the general appropriations bill is passed by the Congress.

SECTION 26. (1) Every bill passed by the Congress shall embrace only one subject which shall be expressed in the title thereof.

(2) No bill passed by either House shall become a law unless it has passed three readings on separate days, and printed copies thereof in its final form have been distributed to its Members three days before its passage, except when the President certifies to the necessity of its immediate enactment to meet a public calamity or emergency. Upon the last reading of a bill, no amendment thereto shall be allowed, and the vote thereon shall be taken immediately thereafter, and the yeas and nays entered in the Journal.

SECTION 27. (1) Every bill passed by the Congress shall, before it becomes a law, be presented to the President. If he approves the same, he shall sign it; otherwise, he shall veto it and return the same with his objections to the House where it originated, which shall enter the objections at large in its Journal and proceed to reconsider it. If, after such reconsideration, two-thirds of all the Members of such House shall agree to pass the bill, it shall be sent, together with the objections, to the other House by which it shall likewise be reconsidered, and if approved by two-thirds of all the Members of that House, it shall become a law. In all such cases, the votes of each House shall be determined by yeas or nays, and the names of the Members voting for or against shall be entered in its Journal. The President shall communicate his veto of any bill to the House where it originated within thirty days after the date of receipt thereof; otherwise, it shall become a law as if he had signed it.

(2) The President shall have the power to veto any particular item or items in an appropriation, revenue, or tariff bill, but the veto shall not affect the item or items to which he does not object.

SECTION 28. (1) The rule of taxation shall be uniform and equitable. The Congress shall evolve a progressive system of taxation.

(2) The Congress may, by law, authorize the President to fix within specified limits, and subject to such limitations and restrictions as it may impose, tariff

rates, import and export quotas, tonnage and wharfage dues, and other duties or imposts within the framework of the national development program of the Government.

(3) Charitable institutions, churches and parsonages or convents appurtenant thereto, mosques, non-profit cemeteries, and all lands, buildings, and improvements, actually, directly, and exclusively used for religious, charitable, or educational purposes shall be exempt from taxation.

(4) No law granting any tax exemption shall be passed without the concurrence of a majority of all the Members of the Congress.

SECTION 29. (1) No money shall be paid out of the Treasury except in pursuance of an appropriation made by law.

(2) No public money or property shall be appropriated, applied, paid, or employed, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion, or of any priest, preacher, minister, or other religious teacher, or dignitary as such, except when such priest, preacher, minister, or dignitary is assigned to the armed forces, or to any penal institution, or government orphanage or leprosarium.

(3) All money collected on any tax levied for a special purpose shall be treated as a special fund and paid out for such purpose only. If the purpose for which a special fund was created has been fulfilled or abandoned, the balance, if any, shall be transferred to the general funds of the Government.

SECTION 30. No law shall be passed increasing the appellate jurisdiction of the Supreme Court as provided in this Constitution without its advice and concurrence.

SECTION 31. No law granting a title of royalty or nobility shall be enacted.

SECTION 32. The Congress shall, as early as possible, provide for a system of initiative and referendum, and the exceptions therefrom, whereby the people can directly propose and enact laws or approve or reject any act or law or part thereof passed by the Congress or local legislative body after the registration of a petition therefor signed by at least ten per centum of the total number of registered voters, of which every legislative district must be represented by at least three per centum of the registered voters thereof.

## ARTICLE VII

### *Executive Department*

SECTION 1. The executive power shall be vested in the President of the Philippines.

SECTION 2. No person may be elected President unless he is a natural-born citizen of the Philippines, a registered voter, able to read and write, at least forty years of age on the day of the election, and a resident of the Philippines for at least ten years immediately preceding such election.

SECTION 3. There shall be a Vice-President who shall have the same qualifications and term of office and be elected with and in the same manner as the President. He may be removed from office in the same manner as the President.

The Vice-President may be appointed as a Member of the Cabinet. Such appointment requires no confirmation.

SECTION 4. The President and the Vice-President shall be elected by direct vote of the people for a term of six years which shall begin at noon on the thirtieth day of June next following the day of the election and shall end at noon of the same date six years thereafter. The President shall not be eligible for any reelection. No person who has succeeded as President and has served as such for more than four years shall be qualified for election to the same office at any time.

No Vice-President shall serve for more than two consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of the service for the full term for which he was elected.

Unless otherwise provided by law, the regular election for President and Vice-President shall be held on the second Monday of May.

The returns of every election for President and Vice-President, duly certified by the board of canvassers of each province or city, shall be transmitted to the Congress, directed to the President of the Senate. Upon receipt of the certificates of canvass, the President of the Senate shall, not later than thirty days after the day of the election, open all certificates in the presence of the Senate and the House of Representatives in joint public session, and the Congress, upon determination of the authenticity and due execution thereof in the manner provided by law, canvass the votes.

The person having the highest number of votes shall be proclaimed elected, but in case two or more shall have an equal and highest number of votes, one of them shall forthwith be chosen by the vote of a majority of all the Members of both Houses of the Congress, voting separately.

The Congress shall promulgate its rules for the canvassing of the certificates.

The Supreme Court, sitting en banc, shall be the sole judge of all contests relating to the election, returns, and qualifications of the President or Vice-President, and may promulgate its rules for the purpose.

SECTION 5. Before they enter on the execution of their office, the President, the Vice-President, or the Acting President shall take the following oath or affirmation:

“I do solemnly swear (or affirm) that I will faithfully and conscientiously fulfill my duties as President (or Vice-President or Acting President) of the Philippines, preserve and defend its Constitution, execute its laws, do justice to every man, and consecrate myself to the service of the Nation. So help me God.” (In case of affirmation, last sentence will be omitted.)

SECTION 6. The President shall have an official residence. The salaries of the President and Vice-President shall be determined by law and shall not be decreased during their tenure. No increase in said compensation shall take effect until after the expiration of the term of the incumbent during which such increase was approved. They shall not receive during their tenure any other emolument from the Government or any other source.

SECTION 7. The President-elect and the Vice-President-elect shall assume office at the beginning of their terms.

If the President-elect fails to qualify, the Vice-President-elect shall act as President until the President-elect shall have qualified.

If a President shall not have been chosen, the Vice-President-elect shall act as President until a President shall have been chosen and qualified.

If at the beginning of the term of the President, the President-elect shall have died or shall have become permanently disabled, the Vice-President-elect shall become President.

Where no President and Vice-President shall have been chosen or shall have qualified, or where both shall have died or become permanently disabled, the President of the Senate or, in case of his inability, the Speaker of the House of Representatives shall act as President until a President or a Vice-President shall have been chosen and qualified.

The Congress shall, by law, provide for the manner in which one who is to act as President shall be selected until a President or a Vice-President shall have qualified, in case of death, permanent disability, or inability of the officials mentioned in the next preceding paragraph.

SECTION 8. In case of death, permanent disability, removal from office, or resignation of the President, the Vice-President shall become the President to serve the unexpired term. In case of death, permanent disability, removal from office, or resignation of both the President and Vice-President, the President of the Senate or, in case of his inability, the Speaker of the House of Representatives, shall then act as President until the President or Vice-President shall have been elected and qualified.

The Congress shall, by law, provide who shall serve as President in case of death, permanent disability, or resignation of the Acting President. He shall serve until the President or the Vice-President shall have been elected and qualified, and be subject to the same restrictions of powers and disqualifications as the Acting President.

SECTION 9. Whenever there is a vacancy in the Office of the Vice-President during the term for which he was elected, the President shall nominate a Vice-President from among the Members of the Senate and the House of Representatives who shall assume office upon confirmation by a majority vote of all the Members of both Houses of the Congress, voting separately.

SECTION 10. The Congress shall, at ten o'clock in the morning of the third day after the vacancy in the offices of the President and Vice-President occurs, convene in accordance with its rules without need of a call and within seven days enact a law calling for a special election to elect a President and a Vice-President to be held not earlier than forty-five days nor later than sixty days from the time of such call. The bill calling such special election shall be deemed certified under paragraph 2, Section 26, Article VI of this Constitution and shall become law upon its approval on third reading by the Congress. Appropriations for the special election shall be charged against any current appropriations and shall be exempt from the requirements of paragraph 4, Section 25, Article VI of this Constitution. The convening of the Congress cannot be suspended nor the special election postponed. No special election shall be called if the vacancy occurs within eighteen months before the date of the next presidential election.

SECTION 11. Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice-President as Acting President.

Whenever a majority of all the Members of the Cabinet transmit to the President of the Senate and to the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice-President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President of the Senate and to the Speaker of the House of Representatives his written declaration that no inability exists, he shall reassume the powers and duties of his office. Meanwhile, should a majority of all the Members of the Cabinet transmit within five days to the President of the Senate and to the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Congress shall decide the issue. For that purpose, the Congress shall convene, if it is not in session, within forty-eight hours, in accordance with its rules and without need of call.

If the Congress, within ten days after receipt of the last written declaration, or, if not in session, within twelve days after it is required to assemble, determines by a two-thirds vote of both Houses, voting separately, that the President is unable to discharge the powers and duties of his office, the Vice-President shall act as the President; otherwise, the President shall continue exercising the powers and duties of his office.

SECTION 12. In case of serious illness of the President, the public shall be informed of the state of his health. The Members of the Cabinet in charge of national security and foreign relations

and the Chief of Staff of the Armed Forces of the Philippines, shall not be denied access to the President during such illness.

SECTION 13. The President, Vice-President, the Members of the Cabinet, and their deputies or assistants shall not, unless otherwise provided in this Constitution, hold any other office or employment during their tenure. They shall not, during said tenure, directly or indirectly, practice any other profession, participate in any business, or be financially interested in any contract with, or in any franchise, or special privilege granted by the Government or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries. They shall strictly avoid conflict of interest in the conduct of their office.

The spouse and relatives by consanguinity or affinity within the fourth civil degree of the President shall not during his tenure be appointed as members of the Constitutional Commissions, or the Office of the Ombudsman, or as Secretaries, Undersecretaries, chairmen or heads of bureaus or offices, including government-owned or controlled corporations and their subsidiaries.

SECTION 14. Appointments extended by an Acting President shall remain effective, unless revoked by the elected President within ninety days from his assumption or reassumption of office.

SECTION 15. Two months immediately before the next presidential elections and up to the end of his term, a President or Acting President shall not make appointments, except temporary appointments to executive positions when continued vacancies therein will prejudice public service or endanger public safety.

SECTION 16. The President shall nominate and, with the consent of the Commission on Appointments, appoint the heads of the executive departments, ambassadors, other public ministers and consuls, or officers of the armed forces from the rank of colonel or naval captain, and other officers whose appointments are vested in him in this Constitution. He shall also appoint all other officers of the Government whose appointments are not otherwise provided for by law, and those whom he may be authorized by law to appoint. The Congress may, by law, vest the appointment of other officers lower in rank in the President alone, in the courts, or in the heads of departments, agencies, commissions, or boards.

The President shall have the power to make appointments during the recess of the Congress, whether voluntary or compulsory, but such appointments shall be effective only until after disapproval by the Commission on Appointments or until the next adjournment of the Congress.

SECTION 17. The President shall have control of all the executive departments, bureaus, and offices. He shall ensure that the laws be faithfully executed.

SECTION 18. The President shall be the Commander-in-Chief of all armed forces of the Philippines and whenever it becomes necessary, he may call out such armed forces to prevent or

suppress lawless violence, invasion or rebellion. In case of invasion or rebellion, when the public safety requires it, he may, for a period not exceeding sixty days, suspend the privilege of the writ of habeas corpus or place the Philippines or any part thereof under martial law. Within forty-eight hours from the proclamation of martial law or the suspension of the privilege of the writ of habeas corpus, the President shall submit a report in person or in writing to the Congress. The Congress, voting jointly, by a vote of at least a majority of all its Members in regular or special session, may revoke such proclamation or suspension, which revocation shall not be set aside by the President. Upon the initiative of the President, the Congress may, in the same manner, extend such proclamation or suspension for a period to be determined by the Congress, if the invasion or rebellion shall persist and public safety requires it.

The Congress, if not in session, shall, within twenty-four hours following such proclamation or suspension, convene in accordance with its rules without any need of a call.

The Supreme Court may review, in an appropriate proceeding filed by any citizen, the sufficiency of the factual basis of the proclamation of martial law or the suspension of the privilege of the writ or the extension thereof, and must promulgate its decision thereon within thirty days from its filing.

A state of martial law does not suspend the operation of the Constitution, nor supplant the functioning of the civil courts or legislative assemblies, nor authorize the conferment of jurisdiction on military courts and agencies over civilians where civil courts are able to function, nor automatically suspend the privilege of the writ.

The suspension of the privilege of the writ shall apply only to persons judicially charged for rebellion or offenses inherent in or directly connected with the invasion.

During the suspension of the privilege of the writ, any person thus arrested or detained shall be judicially charged within three days, otherwise he shall be released.

SECTION 19. Except in cases of impeachment, or as otherwise provided in this Constitution, the President may grant reprieves, commutations and pardons, and remit fines and forfeitures, after conviction by final judgment.

He shall also have the power to grant amnesty with the concurrence of a majority of all the Members of the Congress.

SECTION 20. The President may contract or guarantee foreign loans on behalf of the Republic of the Philippines with the prior concurrence of the Monetary Board, and subject to such limitations as may be provided by law. The Monetary Board shall, within thirty days from the end of every quarter of the calendar year, submit to the Congress a complete report of its decisions on applications for loans to be contracted or guaranteed by the Government or government-owned and controlled corporations which would have the effect of increasing the foreign debt, and containing other matters as may be provided by law.

SECTION 21. No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate.

SECTION 22. The President shall submit to the Congress within thirty days from the opening of every regular session, as the basis of the general appropriations bill, a budget of expenditures and sources of financing, including receipts from existing and proposed revenue measures.

SECTION 23. The President shall address the Congress at the opening of its regular session. He may also appear before it at any other time.

## ARTICLE VIII

### *Judicial Department*

SECTION 1. The judicial power shall be vested in one Supreme Court and in such lower courts as may be established by law.

Judicial power includes the duty of the courts of justice to settle actual controversies involving rights which are legally demandable and enforceable, and to determine whether or not there has been a grave abuse of discretion amounting to lack or excess of jurisdiction on the part of any branch or instrumentality of the Government.

SECTION 2. The Congress shall have the power to define, prescribe, and apportion the jurisdiction of various courts but may not deprive the Supreme Court of its jurisdiction over cases enumerated in Section 5 hereof.

No law shall be passed reorganizing the Judiciary when it undermines the security of tenure of its Members.

SECTION 3. The Judiciary shall enjoy fiscal autonomy. Appropriations for the Judiciary may not be reduced by the legislature below the amount appropriated for the previous year and, after approval, shall be automatically and regularly released.

SECTION 4. (1) The Supreme Court shall be composed of a Chief Justice and fourteen Associate Justices. It may sit en banc or in its discretion, in divisions of three, five, or seven Members. Any vacancy shall be filled within ninety days from the occurrence thereof.

(2) All cases involving the constitutionality of a treaty, international or executive agreement, or law, which shall be heard by the Supreme Court en banc, and all other cases which under the Rules of Court are required to be heard en banc, including those involving the constitutionality, application, or operation of presidential decrees, proclamations, orders, instructions, ordinances, and other regulations, shall be decided with the concurrence of a majority of the Members

who actually took part in the deliberations on the issues in the case and voted thereon.

(3) Cases or matters heard by a division shall be decided or resolved with the concurrence of a majority of the Members who actually took part in the deliberations on the issues in the case and voted thereon, and in no case, without the concurrence of at least three of such Members. When the required number is not obtained, the case shall be decided en banc: Provided, that no doctrine or principle of law laid down by the court in a decision rendered en banc or in division may be modified or reversed except by the court sitting en banc.

SECTION 5. The Supreme Court shall have the following powers:

(1) Exercise original jurisdiction over cases affecting ambassadors, other public ministers and consuls, and over petitions for certiorari, prohibition, mandamus, quo warranto, and habeas corpus.

(2) Review, revise, reverse, modify, or affirm on appeal or certiorari, as the law or the Rules of Court may provide, final judgments and orders of lower courts in:

(a) All cases in which the constitutionality or validity of any treaty, international or executive agreement, law, presidential decree, proclamation, order, instruction, ordinance, or regulation is in question.

(b) All cases involving the legality of any tax, impost, assessment, or toll, or any penalty imposed in relation thereto.

(c) All cases in which the jurisdiction of any lower court is in issue.

(d) All criminal cases in which the penalty imposed is reclusion perpetua or higher.

(e) All cases in which only an error or question of law is involved.

(3) Assign temporarily judges of lower courts to other stations as public interest may require. Such temporary assignment shall not exceed six months without the consent of the judge concerned.

(4) Order a change of venue or place of trial to avoid a miscarriage of justice.

(5) Promulgate rules concerning the protection and enforcement of constitutional rights, pleading, practice, and procedure in all courts, the admission to the practice of law, the Integrated Bar, and legal assistance to the underprivileged. Such rules shall provide a simplified and inexpensive procedure for the speedy disposition of cases, shall be uniform for all courts of the same grade, and shall not diminish,

increase, or modify substantive rights. Rules of procedure of special courts and quasi-judicial bodies shall remain effective unless disapproved by the Supreme Court.

(6) Appoint all officials and employees of the Judiciary in accordance with the Civil Service Law.

SECTION 6. The Supreme Court shall have administrative supervision over all courts and the personnel thereof.

SECTION 7. (1) No person shall be appointed Member of the Supreme Court or any lower collegiate court unless he is a natural-born citizen of the Philippines. A Member of the Supreme Court must be at least forty years of age, and must have been for fifteen years or more a judge of a lower court or engaged in the practice of law in the Philippines.

(2) The Congress shall prescribe the qualifications of judges of lower courts, but no person may be appointed judge thereof unless he is a citizen of the Philippines and a member of the Philippine Bar.

(3) A Member of the Judiciary must be a person of proven competence, integrity, probity, and independence.

SECTION 8. (1) A Judicial and Bar Council is hereby created under the supervision of the Supreme Court composed of the Chief Justice as ex officio Chairman, the Secretary of Justice, and a representative of the Congress as ex officio Members, a representative of the Integrated Bar, a professor of law, a retired Member of the Supreme Court, and a representative of the private sector.

(2) The regular Members of the Council shall be appointed by the President for a term of four years with the consent of the Commission on Appointments. Of the Members first appointed, the representative of the Integrated Bar shall serve for four years, the professor of law for three years, the retired Justice for two years, and the representative of the private sector for one year.

(3) The Clerk of the Supreme Court shall be the Secretary ex officio of the Council and shall keep a record of its proceedings.

(4) The regular Members of the Council shall receive such emoluments as may be determined by the Supreme Court. The Supreme Court shall provide in its annual budget the appropriations for the Council.

(5) The Council shall have the principal function of recommending appointees to the Judiciary. It may exercise such other functions and duties as the Supreme Court may assign to it.

SECTION 9. The Members of the Supreme Court and judges of lower courts shall be appointed by the President from a list of at least three nominees prepared by the Judicial and Bar Council for every vacancy. Such appointments need no confirmation.

For the lower courts, the President shall issue the appointments within ninety days from the submission of the list.

SECTION 10. The salary of the Chief Justice and of the Associate Justices of the Supreme Court, and of judges of lower courts shall be fixed by law. During their continuance in office, their salary shall not be decreased.

SECTION 11. The Members of the Supreme Court and judges of lower courts shall hold office during good behavior until they reached the age of seventy years or become incapacitated to discharge the duties of their office. The Supreme Court en banc shall have the power to discipline judges of lower courts, or order their dismissal by a vote of a majority of the Members who actually took part in the deliberations on the issues in the case and voted thereon.

SECTION 12. The Members of the Supreme Court and of other courts established by law shall not be designated to any agency performing quasi-judicial or administrative functions.

SECTION 13. The conclusions of the Supreme Court in any case submitted to it for decision en banc or in division shall be reached in consultation before the case is assigned to a Member for the writing of the opinion of the Court. A certification to this effect signed by the Chief Justice shall be issued and a copy thereof attached to the record of the case and served upon the parties. Any Member who took no part, or dissented, or abstained from a decision or resolution must state the reason therefor. The same requirements shall be observed by all lower collegiate courts.

SECTION 14. No decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based.

No petition for review or motion for reconsideration of a decision of the court shall be refused due course or denied without stating the legal basis therefor.

SECTION 15. (1) All cases or matters filed after the effectivity of this Constitution must be decided or resolved within twenty-four months from date of submission for the Supreme Court, and, unless reduced by the Supreme Court, twelve months for all lower collegiate courts, and three months for all other lower courts.

(2) A case or matter shall be deemed submitted for decision or resolution upon the filing of the last pending, brief, or memorandum required by the Rules of Court or by the court itself.

(3) Upon the expiration of the corresponding period, a certification to this effect signed by the Chief Justice or the presiding judge shall forthwith be issued and a copy thereof attached to the record of the case or matter, and served upon the

parties. The certification shall state why a decision or resolution has not been rendered or issued within said period.

(4) Despite the expiration of the applicable mandatory period, the court, without prejudice to such responsibility as may have been incurred in consequence thereof, shall decide or resolve the case or matter submitted thereto for determination, without further delay.

SECTION 16. The Supreme Court shall, within thirty days from the opening of each regular session of the Congress, submit to the President and the Congress an annual report on the operations and activities of the Judiciary.

## ARTICLE IX

### *Constitutional Commissions*

#### *A. Common Provisions*

SECTION 1. The Constitutional Commissions, which shall be independent, are the Civil Service Commission, the Commission on Elections, and the Commission on Audit.

SECTION 2. No Member of a Constitutional Commission shall, during his tenure, hold any other office or employment. Neither shall he engage in the practice of any profession or in the active management or control of any business which in any way be affected by the functions of his office, nor shall he be financially interested, directly or indirectly, in any contract with, or in any franchise or privilege granted by the Government, any of its subdivisions, agencies, or instrumentalities, including government-owned or controlled corporations or their subsidiaries.

SECTION 3. The salary of the Chairman and the Commissioners shall be fixed by law and shall not be decreased during their tenure.

SECTION 4. The Constitutional Commissions shall appoint their officials and employees in accordance with law.

SECTION 5. The Commission shall enjoy fiscal autonomy. Their approved annual appropriations shall be automatically and regularly released.

SECTION 6. Each Commission en banc may promulgate its own rules concerning pleadings and practice before it or before any of its offices. Such rules however shall not diminish, increase, or modify substantive rights.

SECTION 7. Each Commission shall decide by a majority vote of all its Members any case or matter brought before it within sixty days from the date of its submission for decision or resolution. A case or matter is deemed submitted for decision or resolution upon the filing of the

last pleading, brief, or memorandum required by the rules of the Commission or by the Commission itself. Unless otherwise provided by this Constitution or by law, any decision, order, or ruling of each Commission may be brought to the Supreme Court on certiorari by the aggrieved party within thirty days from receipt of a copy thereof.

SECTION 8. Each Commission shall perform such other functions as may be provided by law.

*B. The Civil Service Commission*

SECTION 1. (1) The Civil Service shall be administered by the Civil Service Commission composed of a Chairman and two Commissioners who shall be natural-born citizens of the Philippines and, at the time of their appointment, at least thirty-five years of age, with proven capacity for public administration, and must not have been candidates for any elective position in the elections immediately preceding their appointment.

(2) The Chairman and the Commissioners shall be appointed by the President with the consent of the Commission on Appointments for a term of seven years without reappointment. Of those first appointed, the Chairman shall hold office for seven years, a Commissioner for five years, and another Commissioner for three years, without reappointment. Appointment to any vacancy shall be only for the unexpired term of the predecessor. In no case shall any Member be appointed or designated in a temporary or acting capacity.

SECTION 2. (1) The civil service embraces all branches, subdivisions, instrumentalities, and agencies of the Government, including government-owned or controlled corporations with original charters.

(2) Appointments in the civil service shall be made only according to merit and fitness to be determined, as far as practicable, and, except to positions which are policy-determining, primarily confidential, or highly technical, by competitive examination.

(3) No officer or employee of the civil service shall be removed or suspended except for cause provided by law.

(4) No officer or employee in the civil service shall engage, directly or indirectly, in any electioneering or partisan political campaign.

(5) The right to self-organization shall not be denied to government employees.

(6) Temporary employees of the Government shall be given such protection as may be provided by law.

SECTION 3. The Civil Service Commission, as the central personnel agency of the Government, shall establish a career service and adopt measures to promote morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service. It shall strengthen the merit and rewards system, integrate all human resources development programs for all levels and ranks, and institutionalize a management climate conducive to public accountability. It shall submit to the President and the Congress an annual report on its personnel programs.

SECTION 4. All public officers and employees shall take an oath or affirmation to uphold and defend this Constitution.

SECTION 5. The Congress shall provide for the standardization of compensation of government officials and employees, including those in government-owned or controlled corporations with original charters, taking into account the nature of the responsibilities pertaining to, and the qualifications required for their positions.

SECTION 6. No candidate who has lost in any election shall, within one year after such election, be appointed to any office in the Government or any government-owned or controlled corporations or in any of their subsidiaries.

SECTION 7. No elective official shall be eligible for appointment or designation in any capacity to any public office or position during his tenure.

Unless otherwise allowed by law or by the primary functions of his position, no appointive official shall hold any other office or employment in the Government or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries.

SECTION 8. No elective or appointive public officer or employee shall receive additional, double, or indirect compensation, unless specifically authorized by law, nor accept without the consent of the Congress, any present, emolument, office, or title of any kind from any foreign government.

Pensions or gratuities shall not be considered as additional, double, or indirect compensation.

### *C. The Commission on Elections*

SECTION 1. (1) There shall be a Commission on Elections composed of a Chairman and six Commissioners who shall be natural-born citizens of the Philippines and, at the time of their appointment, at least thirty-five years of age, holders of a college degree, and must not have been candidates for any elective position in the immediately preceding elections. However, a majority thereof, including the Chairman, shall be Members of the Philippine Bar who have been engaged in the practice of law for at least ten years.

(2) The Chairman and the Commissioners shall be appointed by the President with the consent of the Commission on Appointments for a term of seven years without reappointment. Of those first appointed, three Members shall hold office for seven years, two Members for five years, and the last Members for three years, without reappointment. Appointment to any vacancy shall be only for the unexpired term of the predecessor. In no case shall any Member be appointed or designated in a temporary or acting capacity.

SECTION 2. The Commission on Elections shall exercise the following powers and functions:

(1) Enforce and administer all laws and regulations relative to the conduct of an election, plebiscite, initiative, referendum, and recall.

(2) Exercise exclusive original jurisdiction over all contests relating to the elections, returns, and qualifications of all elective regional, provincial, and city officials, and appellate jurisdiction over all contests involving elective municipal officials decided by trial courts of general jurisdiction, or involving elective barangay officials decided by trial courts of limited jurisdiction.

Decisions, final orders, or rulings of the Commission on election contests involving elective municipal and barangay offices shall be final, executory, and not appealable.

(3) Decide, except those involving the right to vote, all questions affecting elections, including determination of the number and location of polling places, appointment of election officials and inspectors, and registration of voters.

(4) Deputize, with the concurrence of the President, law enforcement agencies and instrumentalities of the Government, including the Armed Forces of the Philippines, for the exclusive purpose of ensuring free, orderly, honest, peaceful, and credible elections.

(5) Register, after sufficient publication, political parties, organizations, or coalitions which, in addition to other requirements, must present their platform or program of government; and accredit citizens' arms of the Commission on Elections. Religious denominations and sects shall not be registered. Those which seek to achieve their goals through violence or unlawful means, or refuse to uphold and adhere to this Constitution, or which are supported by any foreign government shall likewise be refused registration.

Financial contributions from foreign governments and their agencies to political parties, organizations, coalitions, or candidates related to elections constitute interference in national affairs, and, when accepted, shall be an additional ground

for the cancellation of their registration with the Commission, in addition to other penalties that may be prescribed by law.

(6) File, upon a verified complaint, or on its own initiative, petitions in court for inclusion or exclusion of voters; investigate and, where appropriate, prosecute cases of violations of election laws, including acts or omissions constituting election frauds, offenses, and malpractices.

(7) Recommend to the Congress effective measures to minimize election spending, including limitation of places where propaganda materials shall be posted, and to prevent and penalize all forms of election frauds, offenses, malpractices, and nuisance candidacies.

(8) Recommend to the President the removal of any officer or employee it has deputized, or the imposition of any other disciplinary action, for violation or disregard of, or disobedience to its directive, order, or decision.

(9) Submit to the President and the Congress a comprehensive report on the conduct of each election, plebiscite, initiative, referendum, or recall.

SECTION 3. The Commission on Elections may sit en banc or in two divisions, and shall promulgate its rules of procedure in order to expedite disposition of election cases, including pre-proclamation controversies. All such election cases shall be heard and decided in division, provided that motions for reconsideration of decisions shall be decided by the Commission en banc.

SECTION 4. The Commission may, during the election period, supervise or regulate the enjoyment or utilization of all franchises or permits for the operation of transportation and other public utilities, media of communication or information, all grants, special privileges, or concessions granted by the Government or any subdivision, agency, or instrumentality thereof, including any government-owned or controlled corporation or its subsidiary. Such supervision or regulation shall aim to ensure equal opportunity, time, and space, and the right to reply, including reasonable, equal rates therefor, for public information campaigns and forums among candidates in connection with the objective of holding free, orderly, honest, peaceful, and credible elections.

SECTION 5. No pardon, amnesty, parole, or suspension of sentence for violation of election laws, rules, and regulations shall be granted by the President without the favorable recommendation of the Commission.

SECTION 6. A free and open party system shall be allowed to evolve according to the free choice of the people, subject to the provisions of this Article.

SECTION 7. No votes cast in favor of a political party, organization, or coalition shall be valid, except for those registered under the party-list system as provided in this Constitution.

SECTION 8. Political parties, or organizations or coalitions registered under the party-list system, shall not be represented in the voters' registration boards, boards of election inspectors, boards of canvassers, or other similar bodies. However, they shall be entitled to appoint poll watchers in accordance with law.

SECTION 9. Unless otherwise fixed by the Commission in special cases, the election period shall commence ninety days before the day of the election and shall end thirty days after.

SECTION 10. Bona fide candidates for any public office shall be free from any form of harassment and discrimination.

SECTION 11. Funds certified by the Commission as necessary to defray the expenses for holding regular and special elections, plebiscites, initiatives, referenda, and recalls, shall be provided in the regular or special appropriations and, once approved, shall be released automatically upon certification by the Chairman of the Commission.

#### *D. Commission on Audit*

SECTION 1. (1) There shall be a Commission on Audit composed of a Chairman and two Commissioners, who shall be natural-born citizens of the Philippines and, at the time of their appointment, at least thirty-five years of age, certified public accountants with not less than ten years of auditing experience, or members of the Philippine Bar who have been engaged in the practice of law for at least ten years, and must not have been candidates for any elective position in the elections immediately preceding their appointment. At no time shall all Members of the Commission belong to the same profession.

(2) The Chairman and the Commissioners shall be appointed by the President with the consent of the Commission on Appointments for a term of seven years without reappointment. Of those first appointed, the Chairman shall hold office for seven years, one Commissioner for five years, and the other Commissioner for three years, without reappointment. Appointment to any vacancy shall be only for the unexpired portion of the term of the predecessor. In no case shall any Member be appointed or designated in a temporary or acting capacity.

SECTION 2. (1) The Commission on Audit shall have the power, authority, and duty to examine, audit, and settle all accounts pertaining to the revenue and receipts of, and expenditures or uses of funds and property, owned or held in trust by, or pertaining to, the Government, or any of its subdivisions, agencies, or instrumentalities, including government-owned or controlled corporations with original charters, and on a post-audit basis: (a) constitutional bodies, commissions and offices that have been granted fiscal autonomy under this Constitution; (b) autonomous state colleges and universities; (c) other government-owned or controlled corporations and their subsidiaries; and (d) such non-governmental entities receiving subsidy or equity, directly or indirectly, from or through the Government, which are required by law or the

granting institution to submit to such audit as a condition of subsidy or equity. However, where the internal control system of the audited agencies is inadequate, the Commission may adopt such measures, including temporary or special pre-audit, as are necessary and appropriate to correct the deficiencies. It shall keep the general accounts of the Government and, for such period as may be provided by law, preserve the vouchers and other supporting papers pertaining thereto.

(2) The Commission shall have exclusive authority, subject to the limitations in this Article, to define the scope of its audit and examination, establish the techniques and methods required therefor, and promulgate accounting and auditing rules and regulations, including those for the prevention and disallowance of irregular, unnecessary, excessive, extravagant, or unconscionable expenditures, or uses of government funds and properties.

SECTION 3. No law shall be passed exempting any entity of the Government or its subsidiary in any guise whatever, or any investment of public funds, from the jurisdiction of the Commission on Audit.

SECTION 4. The Commission shall submit to the President and the Congress, within the time fixed by law, an annual report covering the financial condition and operation of the Government, its subdivisions, agencies, and instrumentalities, including government-owned or controlled corporations, and non-governmental entities subject to its audit, and recommend measures necessary to improve their effectiveness and efficiency. It shall submit such other reports as may be required by law.

## ARTICLE X

### *Local Government*

#### *General Provisions*

SECTION 1. The territorial and political subdivisions of the Republic of the Philippines are the provinces, cities, municipalities, and barangays. There shall be autonomous regions in Muslim Mindanao and the Cordilleras as hereinafter provided.

SECTION 2. The territorial and political subdivisions shall enjoy local autonomy.

SECTION 3. The Congress shall enact a local government code which shall provide for a more responsive and accountable local government structure instituted through a system of decentralization with effective mechanisms of recall, initiative, and referendum, allocate among the different local government units their powers, responsibilities, and resources, and provide for the qualifications, election, appointment and removal, term, salaries, powers and functions and duties of local officials, and all other matters relating to the organization and operation of the local units.

SECTION 4. The President of the Philippines shall exercise general supervision over local governments. Provinces with respect to component cities and municipalities, and cities and municipalities with respect to component barangays shall ensure that the acts of their component units are within the scope of their prescribed powers and functions.

SECTION 5. Each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees, and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of local autonomy. Such taxes, fees, and charges shall accrue exclusively to the local governments.

SECTION 6. Local government units shall have a just share, as determined by law, in the national taxes which shall be automatically released to them.

SECTION 7. Local governments shall be entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their respective areas, in the manner provided by law, including sharing the same with the inhabitants by way of direct benefits.

SECTION 8. The term of office of elective local officials, except barangay officials, which shall be determined by law, shall be three years and no such official shall serve for more than three consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term for which he was elected.

SECTION 9. Legislative bodies of local governments shall have sectoral representation as may be prescribed by law.

SECTION 10. No province, city, municipality, or barangay may be created, divided, merged, abolished, or its boundary substantially altered, except in accordance with the criteria established in the Local Government Code and subject to approval by a majority of the votes cast in a plebiscite in the political units directly affected.

SECTION 11. The Congress may, by law, create special metropolitan political subdivisions, subject to a plebiscite as set forth in Section 10 hereof. The component cities and municipalities shall retain their basic autonomy and shall be entitled to their own local executives and legislative assemblies. The jurisdiction of the metropolitan authority that will hereby be created shall be limited to basic services requiring coordination.

SECTION 12. Cities that are highly urbanized, as determined by law, and component cities whose charters prohibit their voters from voting for provincial elective officials, shall be independent of the province. The voters of component cities within a province, whose charters contain no such prohibition, shall not be deprived of their right to vote for elective provincial officials.

SECTION 13. Local government units may group themselves, consolidate or coordinate their efforts, services, and resources for purposes commonly beneficial to them in accordance with law.

SECTION 14. The President shall provide for regional development councils or other similar bodies composed of local government officials, regional heads of departments and other government offices, and representatives from non-governmental organizations within the regions for purposes of administrative decentralization to strengthen the autonomy of the units therein and to accelerate the economic and social growth and development of the units in the region.

#### *Autonomous Region*

SECTION 15. There shall be created autonomous regions in Muslim Mindanao and in the Cordilleras consisting of provinces, cities, municipalities, and geographical areas sharing common and distinctive historical and cultural heritage, economic and social structures, and other relevant characteristics within the framework of this Constitution and the national sovereignty as well as territorial integrity of the Republic of the Philippines.

SECTION 16. The President shall exercise general supervision over autonomous regions to ensure that the laws are faithfully executed.

SECTION 17. All powers, functions, and responsibilities not granted by this Constitution or by law to the autonomous regions shall be vested in the National Government.

SECTION 18. The Congress shall enact an organic act for each autonomous region with the assistance and participation of the regional consultative commission composed of representatives appointed by the President from a list of nominees from multisectoral bodies. The organic act shall define the basic structure of government for the region consisting of the executive department and legislative assembly, both of which shall be elective and representative of the constituent political units. The organic acts shall likewise provide for special courts with personal, family, and property law jurisdiction consistent with the provisions of this Constitution and national laws.

The creation of the autonomous region shall be effective when approved by majority of the votes cast by the constituent units in a plebiscite called for the purpose, provided that only provinces, cities, and geographic areas voting favorably in such plebiscite shall be included in the autonomous region.

SECTION 19. The first Congress elected under this Constitution shall, within eighteen months from the time of organization of both Houses, pass the organic acts for the autonomous regions in Muslim Mindanao and the Cordilleras.

SECTION 20. Within its territorial jurisdiction and subject to the provisions of this Constitution and national laws, the organic act of autonomous regions shall provide for legislative powers over:

- (1) Administrative organization;
- (2) Creation of sources of revenues;
- (3) Ancestral domain and natural resources;
- (4) Personal, family, and property relations;
- (5) Regional urban and rural planning development;
- (6) Economic, social, and tourism development;
- (7) Educational policies;
- (8) Preservation and development of the cultural heritage; and
- (9) Such other matters as may be authorized by law for the promotion of the general welfare of the people of the region.

SECTION 21. The preservation of peace and order within the regions shall be the responsibility of the local police agencies which shall be organized, maintained, supervised, and utilized in accordance with applicable laws. The defense and security of the regions shall be the responsibility of the National Government.

## ARTICLE XI

### *Accountability of Public Officers*

SECTION 1. Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives.

SECTION 2. The President, the Vice-President, the Members of the Supreme Court, the Members of the Constitutional Commissions, and the Ombudsman may be removed from office, on impeachment for, and conviction of, culpable violation of the Constitution, treason, bribery, graft and corruption, other high crimes, or betrayal of public trust. All other public officers and employees may be removed from office as provided by law, but not by impeachment.

SECTION 3. (1) The House of Representatives shall have the exclusive power to initiate all cases of impeachment.

(2) A verified complaint for impeachment may be filed by any Member of the House of Representatives or by any citizen upon a resolution of endorsement by any Member thereof, which shall be included in the Order of Business within ten session days, and referred to the proper Committee within three session days thereafter. The Committee, after hearing, and by a majority vote of all its Members, shall submit its report to the House within sixty session days from such referral, together with the corresponding resolution. The resolution shall be calendared for consideration by the House within ten session days from receipt thereof.

(3) A vote of at least one-third of all the Members of the House shall be necessary either to affirm a favorable resolution with the Articles of Impeachment of the Committee, or override its contrary resolution. The vote of each Member shall be recorded.

(4) In case the verified complaint or resolution of impeachment is filed by at least one-third of all the Members of the House, the same shall constitute the Articles of Impeachment, and trial by the Senate shall forthwith proceed.

(5) No impeachment proceedings shall be initiated against the same official more than once within a period of one year.

(6) The Senate shall have the sole power to try and decide all cases of impeachment. When sitting for that purpose, the Senators shall be on oath or affirmation. When the President of the Philippines is on trial, the Chief Justice of the Supreme Court shall preside, but shall not vote. No person shall be convicted without the concurrence of two-thirds of all the Members of the Senate.

(7) Judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold any office under the Republic of the Philippines, but the party convicted shall nevertheless be liable and subject to prosecution, trial, and punishment according to law.

(8) The Congress shall promulgate its rules on impeachment to effectively carry out the purpose of this section.

SECTION 4. The present anti-graft court known as the Sandiganbayan shall continue to function and exercise its jurisdiction as now or hereafter may be provided by law.

SECTION 5. There is hereby created the independent Office of the Ombudsman, composed of the Ombudsman to be known as Tanodbayan, one overall Deputy and at least one Deputy each for Luzon, Visayas, and Mindanao. A separate Deputy for the military establishment may likewise be appointed.

SECTION 6. The officials and employees of the Office of the Ombudsman, other than the Deputies, shall be appointed by the Ombudsman according to the Civil Service Law.

SECTION 7. The existing Tanodbayan shall hereafter be known as the Office of the Special Prosecutor. It shall continue to function and exercise its powers as now or hereafter may be provided by law, except those conferred on the Office of the Ombudsman created under this Constitution.

SECTION 8. The Ombudsman and his Deputies shall be natural-born citizens of the Philippines, and at the time of their appointment, at least forty years old, of recognized probity and independence, and members of the Philippine Bar, and must not have been candidates for any elective office in the immediately preceding election. The Ombudsman must have for ten years or more been a judge or engaged in the practice of law in the Philippines.

During their tenure, they shall be subject to the same disqualifications and prohibitions as provided for in Section 2 of Article IX-A of this Constitution.

SECTION 9. The Ombudsman and his Deputies shall be appointed by the President from a list of at least six nominees prepared by the Judicial and Bar Council, and from a list of three nominees for every vacancy thereafter. Such appointments shall require no confirmation. All vacancies shall be filled within three months after they occur.

SECTION 10. The Ombudsman and his Deputies shall have the rank of Chairman and Members, respectively, of the Constitutional Commissions, and they shall receive the same salary, which shall not be decreased during their term of office.

SECTION 11. The Ombudsman and his Deputies shall serve for a term of seven years without reappointment. They shall not be qualified to run for any office in the election immediately succeeding their cessation from office.

SECTION 12. The Ombudsman and his Deputies, as protectors of the people, shall act promptly on complaints filed in any form or manner against public officials or employees of the Government, or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations, and shall, in appropriate cases, notify the complainants of the action taken and the result thereof.

SECTION 13. The Office of the Ombudsman shall have the following powers, functions, and duties:

(1) Investigate on its own, or on complaint by any person, any act or omission of any public official, employee, office or agency, when such act or omission appears to be illegal, unjust, improper, or inefficient.

(2) Direct, upon complaint or at its own instance, any public official or employee of the Government, or any subdivision, agency or instrumentality thereof, as well

as of any government-owned or controlled corporation with original charter, to perform and expedite any act or duty required by law, or to stop, prevent, and correct any abuse or impropriety in the performance of duties.

(3) Direct the officer concerned to take appropriate action against a public official or employee at fault, and recommend his removal, suspension, demotion, fine, censure, or prosecution, and ensure compliance therewith.

(4) Direct the officer concerned, in any appropriate case, and subject to such limitations as may be provided by law, to furnish it with copies of documents relating to contracts or transactions entered into by his office involving the disbursement or use of public funds or properties, and report any irregularity to the Commission on Audit for appropriate action.

(5) Request any government agency for assistance and information necessary in the discharge of its responsibilities, and to examine, if necessary, pertinent records and documents.

(6) Publicize matters covered by its investigation when circumstances so warrant and with due prudence.

(7) Determine the causes of inefficiency, red tape, mismanagement, fraud, and corruption in the Government and make recommendations for their elimination and the observance of high standards of ethics and efficiency.

(8) Promulgate its rules of procedure and exercise such other powers or perform such functions or duties as may be provided by law.

SECTION 14. The Office of the Ombudsman shall enjoy fiscal autonomy. Its approved annual appropriations shall be automatically and regularly released.

SECTION 15. The right of the State to recover properties unlawfully acquired by public officials or employees, from them or from their nominees or transferees, shall not be barred by prescription, laches, or estoppel.

SECTION 16. No loan, guaranty, or other form of financial accommodation for any business purpose may be granted, directly or indirectly, by any government-owned or controlled bank or financial institution to the President, the Vice-President, the Members of the Cabinet, the Congress, the Supreme Court, and the Constitutional Commissions, the Ombudsman, or to any firm or entity in which they have controlling interest, during their tenure.

SECTION 17. A public officer or employee shall, upon assumption of office and as often thereafter as may be required by law, submit a declaration under oath of his assets, liabilities, and net worth. In the case of the President, the Vice-President, the Members of the Cabinet, the Congress, the Supreme Court, the Constitutional Commissions and other constitutional offices,

and officers of the armed forces with general or flag rank, the declaration shall be disclosed to the public in the manner provided by law.

SECTION 18. Public officers and employees owe the State and this Constitution allegiance at all times, and any public officer or employee who seeks to change his citizenship or acquire the status of an immigrant of another country during his tenure shall be dealt with by law.

## ARTICLE XII

### *National Economy and Patrimony*

SECTION 1. The goals of the national economy are a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged.

The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets. However, the State shall protect Filipino enterprises against unfair foreign competition and trade practices.

In the pursuit of these goals, all sectors of the economy and all regions of the country shall be given optimum opportunity to develop. Private enterprises, including corporations, cooperatives, and similar collective organizations, shall be encouraged to broaden the base of their ownership.

SECTION 2. All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated. The exploration, development, and utilization of natural resources shall be under the full control and supervision of the State. The State may directly undertake such activities, or it may enter into co-production, joint venture, or production-sharing agreements with Filipino citizens, or corporations or associations at least sixty per centum of whose capital is owned by such citizens. Such agreements may be for a period not exceeding twenty-five years, renewable for not more than twenty-five years, and under such terms and conditions as may be provided by law. In cases of water rights for irrigation, water supply, fisheries, or industrial uses other than the development of water power, beneficial use may be the measure and limit of the grant.

The State shall protect the nation's marine wealth in its archipelagic waters, territorial sea, and exclusive economic zone, and reserve its use and enjoyment exclusively to Filipino citizens.

The Congress may, by law, allow small-scale utilization of natural resources by Filipino citizens, as well as cooperative fish farming, with priority to subsistence fishermen and fishworkers in rivers, lakes, bays, and lagoons.

The President may enter into agreements with foreign-owned corporations involving either technical or financial assistance for large-scale exploration, development, and utilization of minerals, petroleum, and other mineral oils according to the general terms and conditions provided by law, based on real contributions to the economic growth and general welfare of the country. In such agreements, the State shall promote the development and use of local scientific and technical resources.

The President shall notify the Congress of every contract entered into in accordance with this provision, within thirty days from its execution.

SECTION 3. Lands of the public domain are classified into agricultural, forest or timber, mineral lands, and national parks. Agricultural lands of the public domain may be further classified by law according to the uses which they may be devoted. Alienable lands of the public domain shall be limited to agricultural lands. Private corporations or associations may not hold such alienable lands of the public domain except by lease, for a period not exceeding twenty-five years, renewable for not more than twenty-five years, and not to exceed one thousand hectares in area. Citizens of the Philippines may lease not more than five hundred hectares, or acquire not more than twelve hectares thereof by purchase, homestead, or grant.

Taking into account the requirements of conservation, ecology, and development, and subject to the requirements of agrarian reform, the Congress shall determine, by law, the size of lands of the public domain which may be acquired, developed, held, or leased and the conditions therefor.

SECTION 4. The Congress shall, as soon as possible, determine by law the specific limits of forest lands and national parks, marking clearly their boundaries on the ground. Thereafter, such forest lands and national parks shall be conserved and may not be increased nor diminished, except by law. The Congress shall provide, for such period as it may determine, measures to prohibit logging in endangered forests and watershed areas.

SECTION 5. The State, subject to the provisions of this Constitution and national development policies and programs, shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being.

The Congress may provide for the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain.

SECTION 6. The use of property bears a social function, and all economic agents shall contribute to the common good. Individuals and private groups, including corporations, cooperatives, and similar collective organizations, shall have the right to own, establish, and

operate economic enterprises, subject to the duty of the State to promote distributive justice and to intervene when the common good so demands.

SECTION 7. Save in cases of hereditary succession, no private lands shall be transferred or conveyed except to individuals, corporations, or associations qualified to acquire or hold lands of the public domain.

SECTION 8. Notwithstanding the provisions of Section 7 of this Article, a natural-born citizen of the Philippines who has lost his Philippine citizenship may be a transferee of private lands, subject to limitations provided by law.

SECTION 9. The Congress may establish an independent economic and planning agency headed by the President, which shall, after consultations with the appropriate public agencies, various private sectors, and local government units, recommend to Congress, and implement continuing integrated and coordinated programs and policies for national development.

Until the Congress provides otherwise, the National Economic and Development Authority shall function as the independent planning agency of the government.

SECTION 10. The Congress shall, upon recommendation of the economic and planning agency, when the national interest dictates, reserve to citizens of the Philippines or to corporations or associations at least sixty per centum of whose capital is owned by such citizens, or such higher percentage as Congress may prescribe, certain areas of investments. The Congress shall enact measures that will encourage the formation and operation of enterprises whose capital is wholly owned by Filipinos.

In the grant of rights, privileges, and concessions covering the national economy and patrimony, the State shall give preference to qualified Filipinos.

The State shall regulate and exercise authority over foreign investments within its national jurisdiction and in accordance with its national goals and priorities.

SECTION 11. No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines at least sixty per centum of whose capital is owned by such citizens, nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than fifty years. Neither shall any such franchise or right be granted except under the condition that it shall be subject to amendment, alteration, or repeal by the Congress when the common good so requires. The State shall encourage equity participation in public utilities by the general public. The participation of foreign investors in the governing body of any public utility enterprise shall be limited to their proportionate share in its capital, and all the executive and managing officers of such corporation or association must be citizens of the Philippines.

SECTION 12. The State shall promote the preferential use of Filipino labor, domestic materials and locally produced goods, and adopt measures that help make them competitive.

SECTION 13. The State shall pursue a trade policy that serves the general welfare and utilizes all forms and arrangements of exchange on the basis of equality and reciprocity.

SECTION 14. The sustained development of a reservoir of national talents consisting of Filipino scientists, entrepreneurs, professionals, managers, high-level technical manpower and skilled workers and craftsmen in all fields shall be promoted by the State. The State shall encourage appropriate technology and regulate its transfer for the national benefit.

The practice of all professions in the Philippines shall be limited to Filipino citizens, save in cases prescribed by law.

SECTION 15. The Congress shall create an agency to promote the viability and growth of cooperatives as instruments for social justice and economic development.

SECTION 16. The Congress shall not, except by general law, provide for the formation, organization, or regulation of private corporations. Government-owned or controlled corporations may be created or established by special charters in the interest of the common good and subject to the test of economic viability.

SECTION 17. In times of national emergency, when the public interest so requires, the State may, during the emergency and under reasonable terms prescribed by it, temporarily take over or direct the operation of any privately owned public utility or business affected with public interest.

SECTION 18. The State may, in the interest of national welfare or defense, establish and operate vital industries and, upon payment of just compensation, transfer to public ownership utilities and other private enterprises to be operated by the Government.

SECTION 19. The State shall regulate or prohibit monopolies when the public interest so requires. No combinations in restraint of trade or unfair competition shall be allowed.

SECTION 20. The Congress shall establish an independent central monetary authority, the members of whose governing board must be natural-born Filipino citizens, of known probity, integrity, and patriotism, the majority of whom shall come from the private sector. They shall also be subject to such other qualifications and disabilities as may be prescribed by law. The authority shall provide policy direction in the areas of money, banking, and credit. It shall have supervision over the operations of banks and exercise such regulatory powers as may be provided by law over the operations of finance companies and other institutions performing similar functions.

Until the Congress otherwise provides, the Central Bank of the Philippines, operating under existing laws, shall function as the central monetary authority.

SECTION 21. Foreign loans may only be incurred in accordance with law and the regulation of the monetary authority. Information on foreign loans obtained or guaranteed by the Government shall be made available to the public.

SECTION 22. Acts which circumvent or negate any of the provisions of this Article shall be considered inimical to the national interest and subject to criminal and civil sanctions, as may be provided by law.

### ARTICLE XIII

#### *Social Justice and Human Rights*

SECTION 1. The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.

To this end, the State shall regulate the acquisition, ownership, use, and disposition of property and its increments.

SECTION 2. The promotion of social justice shall include the commitment to create economic opportunities based on freedom of initiative and self-reliance.

#### *Labor*

SECTION 3. The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.

It shall guarantee the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law. They shall be entitled to security of tenure, humane conditions of work, and a living wage. They shall also participate in policy and decision-making processes affecting their rights and benefits as may be provided by law.

The State shall promote the principle of shared responsibility between workers and employers and the preferential use of voluntary modes in settling disputes, including conciliation, and shall enforce their mutual compliance therewith to foster industrial peace.

The State shall regulate the relations between workers and employers, recognizing the right of labor to its just share in the fruits of production and the right of enterprises to reasonable returns on investments, and to expansion and growth.

*Agrarian and Natural Resources Reform*

SECTION 4. The State shall, by law, undertake an agrarian reform program founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to such priorities and reasonable retention limits as the Congress may prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation. In determining retention limits, the State shall respect the right of small landowners. The State shall further provide incentives for voluntary land-sharing.

SECTION 5. The State shall recognize the right of farmers, farmworkers, and landowners, as well as cooperatives, and other independent farmers' organizations to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing, and other support services.

SECTION 6. The State shall apply the principles of agrarian reform or stewardship, whenever applicable in accordance with law, in the disposition or utilization of other natural resources, including lands of the public domain under lease or concession suitable to agriculture, subject to prior rights, homestead rights of small settlers, and the rights of indigenous communities to their ancestral lands.

The State may resettle landless farmers and farmworkers in its own agricultural estates which shall be distributed to them in the manner provided by law.

SECTION 7. The State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of local marine and fishing resources, both inland and offshore. It shall provide support to such fishermen through appropriate technology and research, adequate financial, production, and marketing assistance, and other services. The State shall also protect, develop, and conserve such resources. The protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion. Fishworkers shall receive a just share from their labor in the utilization of marine and fishing resources.

SECTION 8. The State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization, employment creation, and privatization of public sector enterprises. Financial instruments used as payment for their lands shall be honored as equity in enterprises of their choice.

*Urban Land Reform and Housing*

SECTION 9. The State shall, by law, and for the common good, undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlements areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners.

SECTION 10. Urban or rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with law and in a just and humane manner.

No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.

### *Health*

SECTION 11. The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.

SECTION 12. The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health manpower development and research, responsive to the country's health needs and problems.

SECTION 13. The State shall establish a special agency for disabled persons for rehabilitation, self-development and self-reliance, and their integration into the mainstream of society.

### *Women*

SECTION 14. The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.

### *Role and Rights of People's Organizations*

SECTION 15. The State shall respect the role of independent people's organizations to enable the people to pursue and protect, within the democratic framework, their legitimate and collective interests and aspirations through peaceful and lawful means.

People's organizations are bona fide associations of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure.

SECTION 16. The right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall, by law, facilitate the establishment of adequate consultation mechanisms.

### *Human Rights*

SECTION 17. (1) There is hereby created an independent office called the Commission on Human Rights.

(2) The Commission shall be composed of a Chairman and four Members who must be natural-born citizens of the Philippines and a majority of whom shall be members of the Bar. The term of office and other qualifications and disabilities of the Members of the Commission shall be provided by law.

(3) Until this Commission is constituted, the existing Presidential Committee on Human Rights shall continue to exercise its present functions and powers.

(4) The approved annual appropriations of the Commission shall be automatically and regularly released.

SECTION 18. The Commission on Human Rights shall have the following powers and functions:

(1) Investigate, on its own or on complaint by any party, all forms of human rights violations involving civil and political rights;

(2) Adopt its operational guidelines and rules of procedure, and cite for contempt for violations thereof in accordance with the Rules of Court;

(3) Provide appropriate legal measures for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad, and provide for preventive measures and legal aid services to the underprivileged whose human rights have been violated or need protection;

(4) Exercise visitorial powers over jails, prisons, or detention facilities;

(5) Establish a continuing program of research, education, and information to enhance respect for the primacy of human rights;

- (6) Recommend to the Congress effective measures to promote human rights and to provide for compensation to victims of violations of human rights, or their families;
- (7) Monitor the Philippine Government's compliance with international treaty obligations on human rights;
- (8) Grant immunity from prosecution to any person whose testimony or whose possession of documents or other evidence is necessary or convenient to determine the truth in any investigation conducted by it or under its authority;
- (9) Request the assistance of any department, bureau, office, or agency in the performance of its functions;
- (10) Appoint its officers and employees in accordance with law; and
- (11) Perform such other duties and functions as may be provided by law.

SECTION 19. The Congress may provide for other cases of violations of human rights that should fall within the authority of the Commission, taking into account its recommendations.

## **ARTICLE XIV**

### *Education, Science and Technology, Arts, Culture, and Sports*

#### *Education*

SECTION 1. The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.

SECTION 2. The State shall:

- (1) Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society;
- (2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural right of parents to rear their children, elementary education is compulsory for all children of school age;
- (3) Establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged;

(4) Encourage non-formal, informal, and indigenous learning systems, as well as self-learning, independent, and out-of-school study programs particularly those that respond to community needs; and

(5) Provide adult citizens, the disabled, and out-of-school youth with training in civics, vocational efficiency, and other skills.

SECTION 3. (1) All educational institutions shall include the study of the Constitution as part of the curricula.

(2) They shall inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency.

(3) At the option expressed in writing by the parents or guardians, religion shall be allowed to be taught to their children or wards in public elementary and high schools within the regular class hours by instructors designated or approved by the religious authorities of the religion to which the children or wards belong, without additional cost to the Government.

SECTION 4. (1) The State recognizes the complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.

(2) Educational institutions, other than those established by religious groups and mission boards, shall be owned solely by citizens of the Philippines or corporations or associations at least sixty per centum of the capital of which is owned by such citizens. The Congress may, however, require increased Filipino equity participation in all educational institutions.

The control and administration of educational institutions shall be vested in citizens of the Philippines.

No educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one-third of the enrollment in any school. The provisions of this subsection shall not apply to schools established for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.

(3) All revenues and assets of non-stock, non-profit educational institutions used actually, directly, and exclusively for educational purposes shall be exempt from

taxes and duties. Upon the dissolution or cessation of the corporate existence of such institutions, their assets shall be disposed of in the manner provided by law.

Proprietary educational institutions, including those cooperatively owned, may likewise be entitled to such exemptions subject to the limitations provided by law including restrictions on dividends and provisions for reinvestment.

(4) Subject to conditions prescribed by law, all grants, endowments, donations, or contributions used actually, directly, and exclusively for educational purposes shall be exempt from tax.

SECTION 5. (1) The State shall take into account regional and sectoral needs and conditions and shall encourage local planning in the development of educational policies and programs.

(2) Academic freedom shall be enjoyed in all institutions of higher learning.

(3) Every citizen has a right to select a profession or course of study, subject to fair, reasonable, and equitable admission and academic requirements.

(4) The State shall enhance the right of teachers to professional advancement. Non-teaching academic and non-academic personnel shall enjoy the protection of the State.

(5) The State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.

### *Language*

SECTION 6. The national language of the Philippines is Filipino. As it evolves, it shall be further developed and enriched on the basis of existing Philippine and other languages.

Subject to provisions of law and as the Congress may deem appropriate, the Government shall take steps to initiate and sustain the use of Filipino as a medium of official communication and as language of instruction in the educational system.

SECTION 7. For purposes of communication and instruction, the official languages of the Philippines are Filipino and, until otherwise provided by law, English.

The regional languages are the auxiliary official languages in the regions and shall serve as auxiliary media of instruction therein.

Spanish and Arabic shall be promoted on a voluntary and optional basis.

SECTION 8. This Constitution shall be promulgated in Filipino and English and shall be translated into major regional languages, Arabic, and Spanish.

SECTION 9. The Congress shall establish a national language commission composed of representatives of various regions and disciplines which shall undertake, coordinate, and promote researches for the development, propagation, and preservation of Filipino and other languages.

### *Science and Technology*

SECTION 10. Science and technology are essential for national development and progress. The State shall give priority to research and development, invention, innovation, and their utilization; and to science and technology education, training, and services. It shall support indigenous, appropriate, and self-reliant scientific and technological capabilities, and their application to the country's productive systems and national life.

SECTION 11. The Congress may provide for incentives, including tax deductions, to encourage private participation in programs of basic and applied scientific research. Scholarships, grants-in-aid, or other forms of incentives shall be provided to deserving science students, researchers, scientists, inventors, technologists, and specially gifted citizens.

SECTION 12. The State shall regulate the transfer and promote the adaptation of technology from all sources for the national benefit. It shall encourage the widest participation of private groups, local governments, and community-based organizations in the generation and utilization of science and technology.

SECTION 13. The State shall protect and secure the exclusive rights of scientists, inventors, artists, and other gifted citizens to their intellectual property and creations, particularly when beneficial to the people, for such period as may be provided by law.

### *Arts and Culture*

SECTION 14. The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression.

SECTION 15. Arts and letters shall enjoy the patronage of the State. The State shall conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations.

SECTION 16. All the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition.

SECTION 17. The State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies.

SECTION 18. (1) The State shall ensure equal access to cultural opportunities through the educational system, public or private cultural entities, scholarships, grants and other incentives, and community cultural centers, and other public venues.

(2) The State shall encourage and support researches and studies on the arts and culture.

### *Sports*

SECTION 19. (1) The State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry.

(2) All educational institutions shall undertake regular sports activities throughout the country in cooperation with athletic clubs and other sectors.

## **ARTICLE XV**

### *The Family*

SECTION 1. The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.

SECTION 2. Marriage, as an inviolable social institution, is the foundation of the family and shall be protected by the State.

SECTION 3. The State shall defend:

(1) The right of spouses to found a family in accordance with their religious convictions and the demands of responsible parenthood;

(2) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development;

(3) The right of the family to a family living wage and income; and

(4) The right of families or family associations to participate in the planning and implementation of policies and programs that affect them.

SECTION 4. The family has the duty to care for its elderly members but the State may also do so through just programs of social security.

## ARTICLE XVI

### *General Provisions*

SECTION 1. The flag of the Philippines shall be red, white, and blue, with a sun and three stars, as consecrated and honored by the people and recognized by law.

SECTION 2. The Congress may, by law, adopt a new name for the country, a national anthem, or a national seal, which shall all be truly reflective and symbolic of the ideals, history, and traditions of the people. Such law shall take effect only upon its ratification by the people in a national referendum.

SECTION 3. The State may not be sued without its consent.

SECTION 4. The Armed Forces of the Philippines shall be composed of a citizen armed force which shall undergo military training and serve, as may be provided by law. It shall keep a regular force necessary for the security of the State.

SECTION 5. (1) All members of the armed forces shall take an oath or affirmation to uphold and defend this Constitution.

(2) The State shall strengthen the patriotic spirit and nationalist consciousness of the military, and respect for people's rights in the performance of their duty.

(3) Professionalism in the armed forces and adequate remuneration and benefits of its members shall be a prime concern of the State. The armed forces shall be insulated from partisan politics.

No member of the military shall engage directly or indirectly in any partisan political activity, except to vote.

(4) No member of the armed forces in the active service shall, at any time, be appointed or designated in any capacity to a civilian position in the Government including government-owned or controlled corporations or any of their subsidiaries.

(5) Laws on retirement of military officers shall not allow extension of their service.

(6) The officers and men of the regular force of the armed forces shall be recruited proportionately from all provinces and cities as far as practicable.

(7) The tour of duty of the Chief of Staff of the armed forces shall not exceed three years. However, in times of war or other national emergency declared by the Congress, the President may extend such tour of duty.

SECTION 6. The State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. The authority of local executives over the police units in their jurisdiction shall be provided by law.

SECTION 7. The State shall provide immediate and adequate care, benefits, and other forms of assistance to war veterans and veterans of military campaigns, their surviving spouses and orphans. Funds shall be provided therefor and due consideration shall be given them in the disposition of agricultural lands of the public domain and, in appropriate cases, in the utilization of natural resources.

SECTION 8. The State shall, from time to time, review to upgrade the pensions and other benefits due to retirees of both the government and the private sectors.

SECTION 9. The State shall protect consumers from trade malpractices and from substandard or hazardous products.

SECTION 10. The State shall provide the policy environment for the full development of Filipino capability and the emergence of communication structures suitable to the needs and aspirations of the nation and the balanced flow of information into, out of, and across the country, in accordance with a policy that respects the freedom of speech and of the press.

SECTION 11. (1) The ownership and management of mass media shall be limited to citizens of the Philippines, or to corporations, cooperatives or associations, wholly-owned and managed by such citizens.

The Congress shall regulate or prohibit monopolies in commercial mass media when the public interest so requires. No combinations in restraint of trade or unfair competition therein shall be allowed.

(2) The advertising industry is impressed with public interest, and shall be regulated by law for the protection of consumers and the promotion of the general welfare.

Only Filipino citizens or corporations or associations at least seventy per centum of the capital of which is owned by such citizens shall be allowed to engage in the advertising industry.

The participation of foreign investors in the governing body of entities in such industry shall be limited to their proportionate share in the capital thereof, and all the executive and managing officers of such entities must be citizens of the Philippines.

SECTION 12. The Congress may create a consultative body to advise the President on policies affecting indigenous cultural communities, the majority of the members of which shall come from such communities.

## ARTICLE XVII

### *Amendments or Revisions*

SECTION 1. Any amendment to, or revision of, this Constitution may be proposed by:

- (1) The Congress, upon a vote of three-fourths of all its Members; or
- (2) A constitutional convention.

SECTION 2. Amendments to this Constitution may likewise be directly proposed by the people through initiative upon a petition of at least twelve per centum of the total number of registered voters, of which every legislative district must be represented by at least three per centum of the registered voters therein. No amendment under this section shall be authorized within five years following the ratification of this Constitution nor oftener than once every five years thereafter.

The Congress shall provide for the implementation of the exercise of this right.

SECTION 3. The Congress may, by a vote of two-thirds of all its Members, call a constitutional convention, or by a majority vote of all its Members, submit to the electorate the question of calling such a convention.

SECTION 4. Any amendment to, or revision of, this Constitution under Section 1 hereof shall be valid when ratified by a majority of the votes cast in a plebiscite which shall be held not earlier than sixty days nor later than ninety days after the approval of such amendment or revision.

Any amendment under Section 2 hereof shall be valid when ratified by a majority of the votes cast in a plebiscite which shall be held not earlier than sixty days nor later than ninety days after the certification by the Commission on Elections of the sufficiency of the petition.

## ARTICLE XVIII

### *Transitory Provisions*

SECTION 1. The first elections of Members of the Congress under this Constitution shall be held on the second Monday of May, 1987.

The first local elections shall be held on a date to be determined by the President, which may be simultaneous with the election of the Members of the Congress. It shall include the election of all Members of the city or municipal councils in the Metropolitan Manila area.

SECTION 2. The Senators, Members of the House of Representatives, and the local officials first elected under this Constitution shall serve until noon of June 30, 1992.

Of the Senators elected in the election of 1992, the first twelve obtaining the highest number of votes shall serve for six years and the remaining twelve for three years.

SECTION 3. All existing laws, decrees, executive orders, proclamations, letters of instructions, and other executive issuances not inconsistent with this Constitution shall remain operative until amended, repealed, or revoked.

SECTION 4. All existing treaties or international agreements which have not been ratified shall not be renewed or extended without the concurrence of at least two-thirds of all the Members of the Senate.

SECTION 5. The six-year term of the incumbent President and Vice-President elected in the February 7, 1986 election is, for purposes of synchronization of elections, hereby extended to noon of June 30, 1992.

The first regular elections for the President and Vice-President under this Constitution shall be held on the second Monday of May, 1992.

SECTION 6. The incumbent President shall continue to exercise legislative powers until the first Congress is convened.

SECTION 7. Until a law is passed, the President may fill by appointment from a list of nominees by the respective sectors the seats reserved for sectoral representation in paragraph (2), Section 5 of Article VI of this Constitution.

SECTION 8. Until otherwise provided by the Congress, the President may constitute the Metropolitan Authority to be composed of the heads of all local government units comprising the Metropolitan Manila area.

SECTION 9. A sub-province shall continue to exist and operate until it is converted into a regular province or until its component municipalities are reverted to the mother province.

SECTION 10. All courts existing at the time of the ratification of this Constitution shall continue to exercise their jurisdiction, until otherwise provided by law. The provisions of the existing

Rules of Court, judiciary acts, and procedural laws not inconsistent with this Constitution shall remain operative unless amended or repealed by the Supreme Court or the Congress.

SECTION 11. The incumbent Members of the Judiciary shall continue in office until they reach the age of seventy years or become incapacitated to discharge the duties of their office or are removed for cause.

SECTION 12. The Supreme Court shall, within one year after the ratification of this Constitution, adopt a systematic plan to expedite the decision or resolution of cases or matters pending in the Supreme Court or the lower courts prior to the effectivity of this Constitution. A similar plan shall be adopted for all special courts and quasi-judicial bodies.

SECTION 13. The legal effect of the lapse, before the ratification of this Constitution, of the applicable period for the decision or resolution of the cases or matters submitted for adjudication by the courts, shall be determined by the Supreme Court as soon as practicable.

SECTION 14. The provisions of paragraphs (3) and (4), Section 15 of Article VIII of this Constitution shall apply to cases or matters filed before the ratification of this Constitution, when the applicable period lapses after such ratification.

SECTION 15. The incumbent Members of the Civil Service Commission, the Commission on Elections, and the Commission on Audit shall continue in office for one year after the ratification of this Constitution, unless they are sooner removed for cause or become incapacitated to discharge the duties of their office or appointed to a new term thereunder. In no case shall any Member serve longer than seven years including service before the ratification of this Constitution.

SECTION 16. Career civil service employees separated from the service not for cause but as a result of the reorganization pursuant to Proclamation No. 3 dated March 25, 1986 and the reorganization following the ratification of this Constitution shall be entitled to appropriate separation pay and to retirement and other benefits accruing to them under the laws of general application in force at the time of their separation. In lieu thereof, at the option of the employees, they may be considered for employment in the Government or in any of its subdivisions, instrumentalities, or agencies, including government-owned or controlled corporations and their subsidiaries. This provision also applies to career officers whose resignation, tendered in line with the existing policy, had been accepted.

SECTION 17. Until the Congress provides otherwise, the President shall receive an annual salary of three hundred thousand pesos; the Vice-President, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court, two hundred forty thousand pesos each; the Senators, the Members of the House of Representatives, the Associate Justices of the Supreme Court, and the Chairmen of the Constitutional Commissions, two hundred four thousand pesos each; and the Members of the Constitutional Commissions, one hundred eighty thousand pesos each.

SECTION 18. At the earliest possible time, the Government shall increase the salary scales of the other officials and employees of the National Government.

SECTION 19. All properties, records, equipment, buildings, facilities, and other assets of any office or body abolished or reorganized under Proclamation No. 3 dated March 25, 1986 or this Constitution shall be transferred to the office or body to which its powers, functions, and responsibilities substantially pertain.

SECTION 20. The first Congress shall give priority to the determination of the period for the full implementation of free public secondary education.

SECTION 21. The Congress shall provide efficacious procedures and adequate remedies for the reversion to the State of all lands of the public domain and real rights connected therewith which were acquired in violation of the Constitution or the public land laws, or through corrupt practices. No transfer or disposition of such lands or real rights shall be allowed until after the lapse of one year from the ratification of this Constitution.

SECTION 22. At the earliest possible time, the Government shall expropriate idle or abandoned agricultural lands as may be defined by law, for distribution to the beneficiaries of the agrarian reform program.

SECTION 23. Advertising entities affected by paragraph (2), Section 11 of Article XVI of this Constitution shall have five years from its ratification to comply on a graduated and proportionate basis with the minimum Filipino ownership requirement therein.

SECTION 24. Private armies and other armed groups not recognized by duly constituted authority shall be dismantled. All paramilitary forces including Civilian Home Defense Forces not consistent with the citizen armed force established in this Constitution, shall be dissolved or, where appropriate, converted into the regular force.

SECTION 25. After the expiration in 1991 of the Agreement between the Republic of the Philippines and the United States of America concerning Military Bases, foreign military bases, troops, or facilities shall not be allowed in the Philippines except under a treaty duly concurred in by the Senate and, when the Congress so requires, ratified by a majority of the votes cast by the people in a national referendum held for that purpose, and recognized as a treaty by the other contracting State.

SECTION 26. The authority to issue sequestration or freeze orders under Proclamation No. 3 dated March 25, 1986 in relation to the recovery of ill-gotten wealth shall remain operative for not more than eighteen months after the ratification of this Constitution. However, in the national interest, as certified by the President, the Congress may extend said period.

A sequestration or freeze order shall be issued only upon showing of a prima facie case. The order and the list of the sequestered or frozen properties shall forthwith be registered with the proper court. For orders issued before the ratification of this Constitution, the corresponding

judicial action or proceeding shall be filed within six months from its ratification. For those issued after such ratification, the judicial action or proceeding shall be commenced within six months from the issuance thereof.

The sequestration or freeze order is deemed automatically lifted if no judicial action or proceeding is commenced as herein provided.

SECTION 27. This Constitution shall take effect immediately upon its ratification by a majority of the votes cast in a plebiscite held for the purpose and shall supersede all previous Constitutions.

Ratified: February 2, 1987

**INAUGURAL ADDRESS  
OF  
HIS EXCELLENCY BENIGNO S. AQUINO III  
PRESIDENT OF THE PHILIPPINES**

[June 30, 2010, Quirino Grandstand, Rizal Park, Manila]

The inaugural address is retrieved from <https://www.officialgazette.gov.ph/about/gov/exec/bsaiiii/platform-of-government/>

The political career of Benigno Simeon Aquino III, popularly known as Noynoy, began in 1998 when he won the congressional seat, serving as Representative of the 2<sup>nd</sup> district of Tarlac for the constitutionally mandated term limit of three consecutive terms until 2007. Aquino secured a Senate seat in the May 2007 elections under the Genuine Opposition party. Launching his presidential bid in 2009, he joined the 2010 presidential race and won the presidency in the first fully automated elections in the country.

At the outset, President Aquino, in his Platform of Government, recognized the compelling need for a “national leadership in need of transformational change. Aquino hastened to say that his parents’ (Ninoy’s and Cory’s) “legacy of change” heralded “renewed hope.” He envisioned a country founded on “re-awakened sense of right and wrong” and “strong solidarity of our society and its communities” and fueled by an “organized and widely-shared rapid expansion of our economy.” Adhering to “transformational leadership,” President Aquino affirmed his commitment to combat corruption, alleviate poverty, prioritize education, safeguard public health and equitably dispense justice.

**A Social Contract with the Filipino People**

**BENIGNO S. AQUINO III**

**PLATFORM OF GOVERNMENT**

**A NATIONAL LEADERSHIP IN NEED OF TRANSFORMATIONAL CHANGE**

Its legitimacy is under question;

It persecutes those who expose the truth about its illegitimacy and corruption;

It stays in power by corrupting individuals and institutions;

It confuses the people with half-truths and outright lies;

It rewards, rather than punishes, wrongdoing;

It offers no lasting solutions for the many problems of the country;

It weakens the democratic institutions that hold our leaders accountable.

It hinders our local governments from delivering basic services;

It has no vision of governance beyond political survival and self-enrichment.

### **A PEOPLE CRYING OUT FOR CHANGE**

Corruption robs our children of their protection, nutrition and education.

Corruption destroys our families and communities.

Corruption steals from our farmers and workers.

Corruption deters businessmen from investing in our economy.

This has eroded our spirit as individuals, as communities, as a people.

We have lost trust in the democratic institutions we so courageously re-established after the dictatorship.

Our proven capacity for collective outrage and righteous resistance has been weakened.

We have ceased to depend on the patriotism and civic engagement that used to animate many of our efforts.

We have become divided and alienated, focusing only on ourselves and on our individual pursuits.

Our moral faculties as a people have been paralyzed.

We have retreated into a dark world of self-absorption and cynicism. Our collective despair has reached its lowest point.

### **THEN FINALLY, THE GIFT OF LIGHT**

Cory Aquino passed on to the next life. From our sadness, we awakened to a shaft of light cutting through the darkness. She left the Filipinos a legacy of selfless love for country and people. Filipinos' connection with each other was rekindled. In death, she enabled us to hope again for decent government. The millions who connected with Cory at her funeral represented something more than euphoria, sentiment or transient emotions. They represented the reverent memory of a good leader in the past and the firm hope of having a similarly good leader in the future.

### **A PEOPLE'S CAMPAIGN OF RENEWED HOPE...**

Anchored on Ninoy's and Cory's legacy of change through the ways of democracy

Embraces the qualities of integrity, humility and trustworthiness in public leadership

Recognizes the absence of these qualities in government as a major cause of widespread poverty, misery and despair.

### **THE VISION FOR THE PHILIPPINES:**

#### **A COUNTRY WITH...**

1. A re-awakened sense of right and wrong, through the living examples of our highest leaders;
2. An organized and widely-shared rapid expansion of our economy through a government dedicated to honing and mobilizing our people's skills and energies as well as the responsible harnessing of our natural resources;
3. A collective belief that doing the right thing does not only make sense morally, but translates into economic value as well;

4. Public institutions rebuilt on the strong solidarity of our society and its communities.

**OUR MISSION:**

We will start to make these changes first in ourselves—by doing the right things, by giving value to excellence and integrity and rejecting mediocrity and dishonesty, and by giving priority to others over ourselves.

We will make these changes across many aspects of our national life.

**A COMMITMENT TO TRANSFORMATIONAL LEADERSHIP:**

1. From a President who tolerates corruption to a President who is the nation's first and most determined fighter of corruption.
2. From a government that merely conjures economic growth statistics that our people know to be unreal to a government that prioritizes jobs that empower the people and provide them with opportunities to rise above poverty.
3. From relegating education to just one of many concerns to making education the central strategy for investing in our people, reducing poverty and building national competitiveness.
4. From treating health as just another area for political patronage to recognizing the advancement and protection of public health, which includes responsible parenthood, as key measures of good governance.
5. From justice that money and connections can buy to a truly impartial system of institutions that deliver equal justice to rich or poor.

**ECONOMY**

6. From government policies influenced by well-connected private interests to a leadership that executes all the laws of the land with impartiality and decisiveness.
7. From treating the rural economy as just a source of problems to recognizing farms and rural enterprises as vital to achieving food security and more equitable economic growth, worthy of re-investment for sustained productivity.
8. From government anti-poverty programs that instill a dole-out mentality ® to well-considered programs that build capacity and create opportunity among the poor and the marginalized in the country.

9. From a government that dampens private initiative and enterprise to a government that creates conditions conducive to the growth and competitiveness of private businesses, big, medium and small.

10. From a government that treats its people as an export commodity and a means to earn foreign exchange, disregarding the social cost to Filipino families to a government that creates jobs at home, so that working abroad will be a choice rather than a necessity; and when its citizens do choose to become OFWs, their welfare and protection will still be the government's priority.

#### GOVERNMENT SERVICE

11. From Presidential appointees chosen mainly out of political accommodation to discerning selection based on integrity, competence and performance in serving the public good.

12. From demoralized but dedicated civil servants, military and police personnel destined for failure and frustration due to inadequate operational support to professional, motivated and energized bureaucracies with adequate means to perform their public service missions.

#### GENDER EQUALITY

13. From a lack of concern for gender disparities and shortfalls, to the promotion of equal gender opportunity in all spheres of public policies and programs.

#### PEACE & ORDER

14. From a disjointed, short-sighted Mindanao policy that merely reacts to events and incidents to one that seeks a broadly supported just peace and will redress decades of neglect of the Moro and other peoples of Mindanao.

#### ENVIRONMENT

15. From allowing environmental blight to spoil our cities, where both the rich and the poor bear with congestion and urban decay to planning alternative, inclusive urban developments where people of varying income levels are integrated in productive, healthy and safe communities.

16. From a government obsessed with exploiting the country for immediate gains to the detriment of its environment to a government that will encourage sustainable use of resources to benefit the present and future generations.

This platform is a commitment to change that Filipinos can depend on.

With trust in their leaders, everyone can work and build a greater future together.

**Message**  
**of**  
**His Excellency Fidel V. Ramos**  
**President of the Philippines**  
**To the Congress**  
**On the State of the Nation**

[Delivered at the Batasang Pambansa, Quezon City, on July 26, 1993]

This document is accessible at <https://www.officialgazette.gov.ph/1993/07/26/fidel-v-ramos-second-state-of-the-nation-address-july-26-1993/>.

Fidel V. Ramos, commonly known as FVR or Eddie, played a pivotal role in the bloodless and non-violent People Power Revolution of 1986 that overthrew the authoritarian regime of Ferdinand Marcos. When Corazon Aquino clinched the presidency, Aquino named Ramos as Chief of Staff of the Armed Forces of the Philippines and later as Secretary of National Defense. Supported by President Aquino, Ramos was catapulted to power, defeating Agrarian Reform Secretary, Miriam Defensor Santiago, by a narrow margin.

President Ramos delivered his second State of the Nation Address (SONA) on July 26, 1993. Ramos opened his address by challenging the honorable members of the Congress “to seize the decisive moment.” He then proceeded to propound and discuss his vision for the country under the catchphrase “Philippines 2000.” Ramos envisaged that the country had evolved into a Newly Industrialized Country (NIC) by the year 2000.

**“Let’s Seize the Moment!”**

Mr. Senate President; Mr. Speaker of the House; ladies and gentlemen of Congress; Your Excellencies; special guests; mahal na kababayan:

Noong isang taon, ang ating mga kababayan ay naghahangad ng panibagong pagsisimula. Ngayon, tapatan nating masasabi na nabigyan natin ang ating bansa ng bagong pag-asa.

A year ago, our people asked of us a new beginning.

Today, we can truly claim we have given our country that fresh start.

We have arrested the decline—of the economy and the national spirit—which had so demoralized our people.

We are concluding a just and honorable peace with the military rebels, the insurgents, and the southern secessionists.

A new spirit of cooperation existing between Congress and the presidency has avoided the gridlock which obstructed policy making in previous administrations. And this is as it should be. Executive and legislature are not meant to function in confrontation with each other.

Our investors and businessmen can almost take political stability for granted once again. The stock market index has reached a record high.

### **Window of Opportunity**

It is true that in some of our concerns—as in the economy—the forward movement has barely begun. There is still so much to be done. But today I can report to you of a country and people renewed in purpose.

Analyzing our situation in April, the World Bank noted:

The Philippines now faces its best prospect for sustained development in almost two decades. A window of opportunity exists for the new government.

This optimism about our prospects is not unusual. It is shared by many—here and abroad. But “a window of opportunity” is only that. A momentary opening—which can close sooner than we expect.

Ladies and gentlemen of Congress:

I invite you to join me in taking advantage of this opportunity and to seize the decisive moment together.

This is the challenge to leadership. Everywhere the old politics is in disfavor—because it has failed to respond to the transformations taking place in the world.

We must learn new ways of looking at the world. We need new answers to our problems. In this spirit, we offer a strategic framework for Philippine development.

### **The Strategic Framework: “Philippines 2000”**

Modernization in our time requires the guidance and direction of a stable and resolute government.

Compare the Philippine State with the East Asian dragons. The East Asian States are able to assert their countries' strategic interests because they are relatively free from the influence of pressure groups. The Philippine State, in the past, had been unable to act consistently in the national interest because it could not resist the importunings of oligarchic groups. And the economy had been governed largely by politics instead of markets.

Because of this experience, we now know that development cannot take place in our country unless we put our house in order. And this—to me—means accomplishing three things: One, restoring political and civic stability. Two, opening the economy: dismantling monopolies and cartels injurious to the public interest, and leveling the playing field of enterprise. Three, addressing the problem of corruption and criminality.

These three tasks—once completed—shall secure the environment for self-sustaining growth—and enable the government to positively and consistently act in the national interest.

Our strategic framework to establish effective government—of putting our house in order—so that our drive for development can begin—we call “Philippines 2000.”

“Philippines 2000” has two components.

The first is the Medium-Term Philippine Development Plan for 1993-1998 [MTPDP 93-98]. Guided by the principles of people empowerment and global excellence, it proposes specific policies and programs to stimulate economic activity and mobilize the entrepreneurial spirit in ordinary Filipinos. I strongly urge your approval of this medium-term Philippine development plan.

The second component of “Philippines 2000” addresses the larger environment—the political, social, and cultural climate—in which economic growth must take place.

The crucial question is: Can we reform an undemocratic economy by using a democratic political framework?

Authoritarianism eased the way to economic power and higher living standards for our East Asian neighbors. In contrast, we are working to reconcile our democratic politics with an oligarchic economy left over from the colonial period—not by changing the political system, but by democratizing the economy.

The time for authoritarianism has passed—in our country and in the world. Instead of the discipline of command, we must invoke the self-discipline of civic responsibility.

We Filipinos have always accepted that people with more are obliged to help people with less—in the name of a common, compassionate humanity. This traditional moral code we shall make a principle of public policy.

The few who have can never be secure in their possessions for as long as they live among so many who have not. Let me now take up our most urgent sectoral concerns one by one.

## **A. POLITICAL STABILITY AND PEACE AND ORDER**

### **1. Stability and Civic Order**

Examples from East Asia teach us that the first—and foremost—requirement of economic development is stability, which is the long-term predictability of the social system. This is why we are seeking a comprehensive and lasting peace. As proposed by the National Unification Commission, we will pursue the “paths to peace” by undertaking social, economic, and political reforms that address the root causes of armed conflict; by encouraging people to participate in the peace process; by working for a negotiated settlement with the armed groups; and by establishing programs for the reintegration of rebel groups into the mainstream of society through a general amnesty program. At the same time, let us effect the modernization of our Armed Forces. The cooling down of tensions in the region enables us to set new priorities in defense spending.

### **2. Peace and Order**

Peace and order are the other face of national stability. If we are to release the full energies of the nation, people who live, work, and produce must be secure in their persons, in their property, and in their homes. We have enhanced our institutional capability to cope with crime—through the overhaul of the command-and-leadership structure of the Philippine National Police. To this end, I propose that the PNP law (R.A. 6975) be amended to correct its many weaknesses. We will dismantle the private armies that remain. We will not allow any more criminal brotherhoods, as in Calauan, to exist. This includes purging local police forces of scalawags and bullies. Last year, I proposed we restore the death penalty. I ask you to enact that measure as soon as possible. We must show determination to prevent any reversions to barbarism. In particular, I see the merit of bringing the anti-crime effort to the level of the barangay and the neighborhood—by evolving new forms of collaboration between citizens and law enforcers. This way, we can steadily constrict the space where crime can operate. The challenge is clear: Crime can only come under full control when criminals—in or out of government—know we’re going to catch them, convict them, and jail them.

## **B. THE ECONOMY**

Opening the economy is, likewise, a political task. In order to level the field of competition, we need to dismantle the structure of protectionism and controls, and restructure the monopolies and cartels that operate against public interest. On the other hand, we must encourage and support Filipino and Philippine-based corporations that have proven their efficiency, competitiveness, and civic consciousness. the critical question is no longer whether we will grow. It is how we can

sustain and speed up this process. We have experienced a full year of steady, although unspectacular, growth. In the first three quarters of this administration, our GNP in real terms increased by an average of 1.3%. This is indeed modest—compared to the galloping growth of our neighbors. But this is no mean achievement, given our crippling power crisis. You gave me powers to break some of the barriers to the construction of generating plants that prolonged the crisis. We, in turn, ploughed through the maze of regulations and opened the gate.

Today, new plants are operating and others are under construction. The economy will soon have the power needed for growth. The power crisis is on its way to resolution because of the united actions of Congress and the executive branch. This is where our strength lies, in unity of purpose and harmony of actions. But these alone will not be sufficient for the economy to be strong and resilient for global competition. We therefore also have introduced reforms to restructure the system in favor of efficiency away from protecting the inefficient. We will continue policies of sound monetary management and containment of public sector deficits to ensure that private sector enterprise will invest, expand production, generate employment, and realize fair returns, particularly for exporters. As the power crisis eases, and as we carry out structural reforms, the economy should accelerate. The indicators are increasingly hopeful, such as:

- Inflation went down to 6.7% and interest rates declined to 10.2% in June.
- The foreign exchange rate is at a level that spurs exports.
- Gross international reserves were at an all-time high of US\$6.7 billion early this year.
- Investments registered with the Board of Investments grew by 111% in the first semester compared to the first semester of 1992.

But against these, we must admit these undeniable shortcomings:

- Revenues of the national government have fallen short of our goals.
- Expenditures in public investments fell short of programmed levels.
- Unemployment and underemployment have been reduced only minimally.

### 1. The Test of Reforms

What must we do so reforms will result in a robust and expanded economy? First and foremost, we must not relent in our campaign to level the field of business competition: Global competitiveness must begin at home. Government will not retreat in its campaign against injurious monopolies and tax evaders. And so, I ask for the urgent passage of anti-trust and anti-racketeering legislation.

Let us recognize that an economy controlled by rent-seekers cannot produce free competition and efficiency. The economy must be open to all who bring in new capital, new knowledge, new ideas, and new levels of efficiency. We must broaden the base of economic participation. Let us, therefore, make this Ninth Congress the instrument to free and democratize our economy. By all means, let us join hands in an economic summit—the sooner, the better.

## 2. The Financial System

The independent Central Monetary Authority assures us of a new regime of price stability. Opening of the financial system to foreign banks should bring more foreign investment and expertise. We have substantially recovered from the balance-of-payments crisis in the mid-eighties. The 1992 commercial bank restructuring package largely put to rest our problem on commercial debt. This year, we reentered the international capital market. Our two bond issues have been oversubscribed—confirming our credit-worthiness and international confidence in our future. But we must be prudent in availing of such credits. Instead, we should turn more to grants, concessional credits, and long-term loans. These will help fund our development projects. In response to recent reports on a supposed change in debt policy, let me state very clearly that it is in our national interest to maintain our current policy. Let us not risk curtailment of credit flows and cut the lifeline of business and commerce.

## 3. The Budget

I will soon submit to you, ladies and gentlemen of Congress, our proposed budget for 1994—detailing how we intend to finance our development plan. Our spending plan clearly states our priorities on how to do more with less. We will put the highest priority in those activities that pay the most dividends in productivity and growth. And we must resist the usual temptation to spend merely on what is popular just to win votes. The 1994 budgets should be approved by Congress well before Christmas 1993, well before the lights go on again at that time.

## 4. Resource Mobilization

To meet the requirements of the development plan, we must mobilize resources through greater revenue generation rather than excessive borrowings.

We have to increase revenues to cover current shortfalls and fund public expenditures.

Our tax base has been eroded by proliferation of exemptions, infirmities of tax laws, deficiencies in collections, and widespread evasion. Tax exemptions, while well meant, are often abused by the underserving. The revenues lost from the exemptions have escalated from P3.3 billion in 1986 to P25 billion in 1992—or two-thirds of the capital budget of the national government for 1993. This amount does not even include exemptions which have not been monitored.

So let us review existing exemption laws and replace them for those deserving beneficiaries with direct budget support—so that the whole system will be transparent, accountable, and manageable.

We also have to cure infirmities in tax laws—such as deductions for married couples with joint incomes.

In your last session, this Congress passed laws to strengthen the enforcement powers of our revenue agencies. For these I am truly grateful.

I have ordered both Commissioners of Internal Revenue and of Customs to use these powers to go relentlessly after evaders, smugglers, and dishonest collectors.

I am convinced that citizens will faithfully comply with their tax obligations if there are no free riders on their backs. But because of existing contractual obligations, the payoff from tax reforms may not be sufficient to finance the needs of development. I therefore ask the support of Congress for a new revenue package for urgent enactment. This will widen the tax base and rationalize the existing structure.

Reforms in tax administration must aim to achieve simplicity, uniformity, and efficiency. This is the best way to arrest the present epidemic of tax avoidance and evasion.

Growth cannot take place without some sacrifice from everyone of us. But let us agree that the tax burden must fall heaviest on those who can best bear it.

But we must not tax at levels that will become a drag on the economy. Consequently, I also ask your help to tap other public funds in special and trust accounts, such as those of the Philippine Tourism Authority and the duty-free shop, and make these available for our budget program. The law creating the Central Monetary Authority adds to the heavy demands on scarce fiscal resources that cannot be entirely covered by additional tax revenues.

For our part, we will accelerate sales of public assets and shares in private corporations, and get government out of the business of the private sector. I therefore ask you to extend the life of the committee on privatization and the asset privatization trust, which otherwise will end this year.

I also urge Congress to set guidelines for the Presidential Commission on Good Government in making compromise settlements on ill-gotten wealth cases—on terms fair to the government and only with those who have demonstrated commitment to help in the development of our country.

My vision of a tax system is a broad-based one with just a few exemptions and at rates that yield no premium to tax evasion, where all enterprises and citizens carry their equitable share.

#### 5. Promoting Investment

Congress has acted quickly—and decisively—on the framework for investments.

We now have a real opportunity to secure a fair share of the investments flowing into the ASEAN region. What is important is that we continue to improve our country's attractiveness for investments—by emphasizing our comparative advantage.

#### 6. Industry

Manufacturing and other industrial activities can proceed with greater vigor as the power situation improves in terms of competitiveness and productivity. We will champion exports as the key to sustainable economic growth.

And we will redouble our efforts to disperse industries to the countryside with emphasis on the small and medium enterprises.

The former military baselands—which were the cause of so much concern on the departure of the U.S. military—have now become attractive sites for economic expansion.

Subic has become one of our brightest areas for foreign investment. Similarly, we have been able to move substantially to transform Clark Air Base and Camp John Hay from calamity areas to growth centers.

## 7. Agriculture and Agrarian Reform

We have identified key production areas [KPAs] for specific commodities—areas where not just soil and climate but also markets are most suitable. For example, if we concentrated on growing rice and corn only where they will best grow, with adequate irrigation we can produce as much grain—as we have been producing on 5 million hectares—on only 2 million hectares.

We can then free some 3 million hectares now devoted to marginal rice and corn growing to other uses—to pasture, to aquaculture, and to high-value crops. These efforts in agriculture must be matched by equally resolute efforts at agrarian reform. This reform has been often pledged, but only half-heartedly redeemed.

My administration has stepped up the pace of the CARP implementation. During this first year, we have acquired, distributed and titled some 382,000 hectares, with nearly a quarter of a million farmers benefited. This is 41% of all land titles distributed by the Department of Agrarian Reform during the last 30 years.

But you and I know agrarian reform is more than just the redistribution of land. We have therefore taken decisive steps also to ensure that the land remains productive for farmers. We increased agricultural support services and livelihood assistance to CARP beneficiaries. We encouraged them to organize cooperatives and to take advantage of economies of scale to enhance their productivity.

Last year we launched 257 agrarian reform communities [ARCs] nationwide—with at least one in each congressional district in the countryside—where farmer-beneficiaries can better feel the impact of localized support services in terms of higher incomes.

Our goal is to have 1,000 of these ARCs of progress by 1998. This is not enough, however, for the kind of rural transformation that we seek. We have to conserve agricultural lands. That is why our tax package includes a land conversion tax.

## 8. Tourism

In tourism, we are beginning to reap dividends from our efforts to improve the country's image and develop "environment-friendly ecotourism."

Tourist arrivals reached 1.15 million in 1992—up by nearly 200,000 compared to 1991. These generated tourist receipts of some \$1.7 billion, an increase of 30.6% over the previous year's.

Tourism arrangements made with our ASEAN neighbors and new tourism estate development will boost our earnings from this source.

## 9. Infrastructure Development and Energy

In infrastructure, we have requirements long neglected. Our network of roads, bridges, air and sea ports is grossly overloaded and poorly maintained.

Since the funding for our infrastructure development needs is immense, I propose the amendment of the Build-Operate-Transfer law to encourage greater participation from private capital. Such participation must now be motivated by risk reward for efficiency and without the guarantee of government.

In energy, the dark time is almost over. By year-end, we shall have added 900 megawatts to the Luzon grid. This should—once and for all—put an end to the brownouts in households in Luzon.

By the second half of 1994, we shall have reliable power service for industry.

In the Visayas, power has been adequate, and projects are ongoing to be sure that no deficiency occurs.

In Mindanao, the National Power Corporation has just announced the complete restoration of power normalcy effective today.

In rural electrification, we have energized 94% of all our towns and cities, and 63% of our barangays. But we should strive harder so that more of our countrymen shall have electricity. There are bills in Congress which we support to strengthen the NEA to enable it to carry out its mission better.

We continue to develop geothermal energy—a competitively priced, indigenous, and environment-friendly option. PNOC's additional plants between now and 1998 will increase baseload geothermal capacity by 150%. More geothermal resources must be found. We therefore urge Congress to enact the Geothermal Bill to encourage more exploration.

Our development program in power is indeed designed to provide comprehensively for our industrial future.

## **C. ENVIRONMENT**

In the past, many nations—ours included—tried to attain wealth by withdrawing from their ecological capital. We are all now paying dearly to restore what we took out of our forests in the past.

So while we still can, we must seek growth that does not exploit our country's natural wealth. Thus, we strongly uphold our commitment to the Rio Declaration and Agenda 21—which is the global blueprint for sustainable development.

Over the past year, we banned logging in virgin forests, and restricted harvesting to second-growth timber. We continue to pursue a no-nonsense campaign against illegal loggers.

We strictly enforced the interim guidelines on land use conversion to preserve prime agricultural land.

We initiated the use of low-lead and sulfur-free gasoline.

And we closed down Smokey Mountain while providing alternative livelihood options for its residents.

Nevertheless, we need to provide an environmental protection outlook on old and new problems. We are therefore submitting new codes covering mining, land management, forestry, and fishery. In addition, we need laws to improve solid waste management and to set up a nationwide potable water program for our communities.

## **D. THE QUALITY OF GOVERNMENT**

### **1. The Bureaucracy**

A bureaucracy that is mission-driven, and manned by a well-motivated and innovative workforce, provides the foundation upon which we can pursue our goals vigorously. This is a critical requirement for securing our environment for development—a civil service honest and efficient to facilitate the workings of the free market.

One of my first moves was to issue Memorandum Order No. 27, ordering all departments and agencies to eliminate duplication of functions, achieve greater cost-effectiveness, and rechannel resources to priority projects.

But our efforts have been hampered by multiple barriers to change—which are, ironically, engraved in the civil service law. Although it was not so intended, the civil service law sometimes acts as a brake on efforts at reform.

It is time we addressed this issue together. Give me the authority to reorganize the bureaucracy—and I assure you that we shall achieve the kind of organization required for efficient, effective, and quality administration.

By the same token, let us recognize that an efficient bureaucracy depends on decently paid civil servants. I ask Congress to amend our existing compensation laws—so that government can begin to attract into and retain talent in the service—especially from among our best and brightest.

## 2. Administration of Justice

I know you are as concerned as I am about our people's perception of the judiciary. I have said it before and I say it to you again. I have no doubt the majority of our judges are as honest, hardworking, and dedicated as they have solemnly sworn to be. But we cannot permit the erosion of people's faith in the judiciary, which is the indispensable third pillar in our democratic system of government.

The most urgent problem is how to deal with our clogged dockets, with over 300,000 undecided cases in our Regional Trial Courts alone.

And so, instead of just blaming our judges for the delay, let us find practical ways of helping them along. Thus, I urge the passage of laws which will relieve the Supreme Court of the burden of reviewing decisions of certain administrative agencies. Likewise, the jurisdiction of the municipal trial courts can be broadened. And we should also strengthen the barangay justice system and pass the Legal Education Reform bill and the proposal for an academy for judges and prosecutors.

The establishment of this academy is part of our program of professionalizing our prosecution service. One must now pass a qualifying examination as part of the requirements for entry into the national prosecution service. The performance of our prosecutors' field offices is now monitored and evaluated on a quarterly basis.

For a more focused rehabilitation of our prisoners, we are now reviewing a program to regionalize our prison system, which will also free a vast and valuable asset in Muntinlupa.

## 3. Local Government

The improvement of administration at national level must be matched by a similar advance in local government administration.

The expectations are high in our local communities because more resources, powers and responsibilities have been devolved to local governments. But the objectives of the Local Government Code of 1991 will be realized only with the proper use of these powers by local authorities.

We need to correct the law so that the mismatches in internal revenue allocations and the cost of devolved functions, which have disadvantaged some local government units, will be solved.

Effective governance will depend on the harmony of actions between national and local governments as well as among local governments themselves. Inconsistencies in their respective areas will disrupt day to day affairs of commerce and economic life. Devolved powers have to be exercised judiciously without conflict with national policies. And the use of resources has to be subject to the same discipline of prudence and accountability. The national government will extend assistance in enhancing the management capabilities of local authorities.

## **E. HUMAN RESOURCE DEVELOPMENT**

Development is impossible if it is not people-powered and people-centered. Whenever foreign observers look at our country, their principal wonder is how we have managed to languish in underdevelopment in spite of our tremendous human resources, especially our labor force—their literacy, their competence, their resourcefulness, their high sense of moral values.

It is time we fully harnessed this precious asset to bring about greater productivity and social cohesion.

### **1. Population Policy**

We have embarked on a clear population policy that recognizes the need to moderate our population growth rate. At 2.3%, it is the highest in our part of the world. This rate of growth impairs our capability to improve our quality of life. It strains both our natural environment and our resources for providing jobs, education, housing, health, and other social services.

Government has committed itself squarely to a family planning program based on choice—and with the goal of bringing down the growth rate to under 2% by 1998.

For this, education and advocacy are our principal tools. And we look to partnership with the private sector and nongovernment organizations in reaching out to our people.

We must achieve an appropriate growth and distribution of our population consistent with sustainable development. We must reduce—and eventually reverse—migration into cities and uplands and thereby check the congestion in our major urban centers and environmental degradation in our uplands.

### **2. Education**

Ensuring full and unimpeded access by all to both primary and secondary schools is the most effective way of empowering ordinary people.

Education reform must also develop a curriculum strong in science, mathematics, and languages. It must include the enhancement of the conditions of teachers—in both their livelihood and their work.

Vocational education and technical training should keep to their basic purpose, which is to prepare young people for worthwhile jobs, and to teach new technologies that our economy needs.

College- and university-level education should focus on developing competent professionals and on nurturing a culture of scientific excellence.

We will expand the public school network to the rural barangays which are still without public elementary schools, and all municipalities still without any high school, public or private.

All these require fundamental reorientation of our values and a continuing review of our education and training policies.

### 3. Health Care

Of all government public services, we have reason to be proud of our National Health Care Program. For several years now, health care stood high in our people's esteem because service delivery is sustained and dedicated. We have moved to improve these services further.

In particular, government has implemented new policies and programs to increase life expectancy by extensive immunization, improved nutrition, and environmental sanitation.

### 4. Housing

We look at the housing problem not only as an opportunity to propel economic activity but more as a challenge to alleviate the sad plight of our people in our slum dwellings.

The challenge is to ensure continued investments in low-cost housing through stable financing and by devising new and imaginative arrangements that will maximize the private sector's role.

I will certify to Congress a bill that makes contributions to Pag-IBIG mandatory beyond a certain salary ceiling and taps other sources for socialized housing. This will help raise funds for the housing effort.

## **F. FOREIGN RELATIONS**

In foreign relations, we too, are striking out in new directions.

The visits I have been making to our neighbors are meant to signal the priority we are giving to ASEAN and the larger Asia-Pacific region.

With the United States, we are entering a new era based on partnership and cooperation—while further strengthening our relationships with Europe and the countries of the Middle East.

Now more than ever, we must place our diplomacy in the service of our economy and our external security.

Our foreign missions have focused on attracting investments, developing export markets, promoting tourism; gathering economic information, and facilitating the inflow of development aid.

In cooperation with our partners in ASEAN, we are promoting confidence-building measures among the claimants to the disputed areas of the South China Sea. And we are taking part in our cooperative arrangements to advance regional security.

In addition to our preferential trade arrangements, we in ASEAN have also come together to give our six countries the economic weight, the cultural variety, the talent pool, the technological resilience, and the attractiveness to investors that we need to become a major player in the world.

## **G. FIGHTING POVERTY**

The central thrust of all our programs is the alleviation of poverty. We must fight poverty in ways that will not merely wait for the economy to develop.

We must make sure that growth is broad-based and socially equitable—that growth leaves no social group behind.

Particularly vulnerable are our marginalized sectors—subsistence farmers and agricultural workers, marginal fishermen, cultural communities, the elderly, the disabled, the street children, the urban underclass of unskilled workers, squatters, and their families.

The economy's return to growth shall by itself help ease poverty. But we shall also be needing focused, targeted, and specific safety nets for these vulnerable groups. We are therefore partial to policies and programs that encourage community organizing to attain self-reliance for the poor communities. And we will match their self-organizing initiatives with more social expenditures, food and education subsidies, rural credit, and livelihood programs.

All of these we should do. We cannot leave our poor to wait for the benefits from economic growth to trickle down to where they are.

### **Toward Self-Sustaining Growth**

Ladies and gentlemen of Congress:

In closing, let me declare that I do believe we have started creating the conditions for self-sustaining growth. We can end once and for all, by our cooperative efforts, the cycles of boom and bust which have characterized our economic performance.

But this much we must realize: reform will not come easy. Some reforms may bring difficult adjustments and even hardships before they do any good. The most we can do is to ensure that reforms hurt least our most vulnerable social groups.

The ultimate truth is that we cannot afford to fail—in our venture of reform and development. The consequences of failure will be grave.

Radical insurgency should never flare up all over again: These last 18 years, it has already cost us 40,000 dead.

The roots of Philippine rebellion lie deeply buried in the poverty, inequality, and injustice of our social system; in the inefficiency, corruption, indifference, and arrogance of those in power. Again and again, the violence of rebellion has broken out—in leftist insurgencies, military mutinies, and separatist movements. We cannot keep using force and violence to suppress these outbreaks. We must try to recognize their root causes so that we can apply lasting solutions. To do that, we must understand how far rebels are motivated by people's frustrations over their inability to break through the barriers and patterns of oligarchic power that control their lives.

Only then can we redress, once and for all, the imbalance in national society between the few who are rich and the many who are poor. Only then can we make economic growth meaningful to the masses of our people.

We are at a critical hour in our life as a nation. Depending on how we act, our country shall either prosper or falter. Depending on how well we match our words with deeds, our nation shall enter into its second century dragged down by crisis and factionalism—or raised by achievement and pride.

Our history teaches us that the exercise of power must be guided by principle. For power exercised without principle is ruthless, and principle without the exercise of power cannot move our nation forward.

Mga mahal na kababayan, sa tulong at gabay ng ating Panginoon, magsimula na tayong kumilos upang harapin ang dakilang kapalaran na ating inaasam.

Invoking God's blessings, let us move forward and fulfill our destiny.

Mabuhay ang "Philippines 2000!!!"

Mabuhay ang Pilipinas !!!

Maraming salamat sa inyong lahat

**Talumpati sa Pagtanggap ng Tungkulin  
ng  
Kagalang-galang Joseph Ejercito Estrada  
Pangulo ng Pilipinas**

*[Inihayag sa Quirino Grandstand, Manila noong ika-30 ng June 1998]*

The inaugural speech forms part of Manuel L. Quezon III, 20 Speeches that Moved a Nation (Pasig City: Anvil Publishing, in cooperation with Platypus Publishing, 2002), 98-101 and is retrieved from <https://www.officialgazette.gov.ph/1998/06/30/inaugural-address-of-president-estrada-official-english-translation-june-30-1998/>

Pursuing a movie career for over three decades, Joseph Marcelo Ejercito, Estrada, the screen name Joseph “Erap” Estrada, was a popular Filipino actor who typically portrayed the role of the champion of the masses. The actor made his first foray into politics in the 1960s when he clinched the mayoralty in the municipality of San Juan. After serving as Senator, he ascended to power as Vice President. Running under the banner of “Erap para sa Mahirap” in May 1998 national elections, Estrada garnered the presidency by a large margin of votes. The actor-politician faced impeachment proceedings on allegations of corruption. His presidency was short-lived as he was toppled by the EDSA People Power II Revolution in January 2001. In September 2007, the Sandiganbayan, the anti-graft court, imposed the penalty of *reclusion perpetua* upon Estrada on charges of plunder. He was released from detention when President Gloria Macapagal Arroyo granted him executive clemency on October 25, 2007.

President Joseph Estrada started his inaugural address by emphasizing that “the day of the Filipino masses” had come after they had “waited long enough for their turn and he was “finally leading them.” Identifying himself with the masses, President Estrada vowed that the welfare of the masses must be his government’s overriding priority. Estrada made a serious commitment to deliver basic services, build roads, and eradicate crimes. The actor-politician vowed to prosecute graft and corruption cases. In concluding his speech, he called upon the Filipino people to make use of the people power “for the people themselves.”

INAUGURAL ADDRESS  
OF  
HIS EXCELLENCY JOSEPH EJERCITO ESTRADA  
[Delivered at the Quirino Grandstand, Manila on June 30, 1998]

Good afternoon.

The light is fading, the day is almost over, and yet this late afternoon is the morning of a new day. The day of the Filipino masses. One of their own is finally leading them.

The last time I was here at the Quirino grandstand, I was with President Cory Aquino, Cardinal Sin, and other religious leaders and fighters for democracy. We were here with many of you to stand up and be counted as friends of the democracy. Ask yourselves then, how could anyone call me a dictatorial type?

The last time I was there, in the old senate building, we were only Twelve —

Twelve against a superpower;

Twelve against a government under its thumb:

Twelve against public opinion:

But twelve for the sovereignty and honor of our country.

Ask yourselves who has principles.

Maybe I felt strongly about getting all the wrong priorities out of the way so we can focus on the right things at once.

Maybe I felt that we cannot wait for time to heal our wounds and that we should help along the healing process.

Who has been hurt and insulted than I? I have been hurt, and my mother even more deeply at having to listen to all those insults against her son in tri-media. I am but human and I don't want to forgive. But I must. And I have. I must work with those who hurt me because we have only one country between us. I must work with them and they must live with me, because every Filipino is needed to meet the challenge of national survival in the regional crisis.

If I seemed impatient, it was only for peace. We must put yesterday behind us, so we can work for a brighter tomorrow. I did not mean for us to forget the past. I don't. But I hope we will not let the past get in the way of a future that calls for cooperation to achieve peace and prosperity.

Finally, I felt that the common people have waited long enough for their turn, for their day to come.

That day is here.

And it comes not a moment too soon on the centennial of the birth of Filipino freedom.

One hundred years after Kawit, fifty years after independence, twelve years after Edsa, and seven years after the rejection of foreign bases, it is now the turn of the masses to experience liberation.

We stand in the shadow of those who fought to make us free—free from foreign domination, free from domestic tyranny, free from superpower dictation, free from economic backwardness. We acknowledge a debt of gratitude to Jose Rizal, Andres Bonifacio, Emilio Aguinaldo, Manuel Quezon, Ramon Magsaysay, Cory Aquino, Fidel Ramos, and the magnificent twelve of the 1991 senate who voted for Filipino sovereignty and honor.

These are the men and women who gave birth to the idea of Filipino freedom; who struggled in war to give it recognition; and worked in peace to make it come true. Cory Aquino brought freedom back after it was taken away and Fidel Ramos showed how power should respect the people's freedom of choice in elections.

They also began the slow and difficult work of making freedom more meaningful — not just for the rich but also for the poor who are more but have nothing.

It is time. Time to speed up the improvement of the living conditions of the common people. Time for them to have a fairer share of the national wealth they create and a bigger stake in their own country.

Some will say we cannot rush these things. First, focus on the economy again. Of course, we must improve the economy. How else can the people's lives improve? But why not both together? Why must economic progress always be at the people's expense?

When it was a question of economic reforms to rebuild business confidence and restore business profits, the reforms were never too fast or too hard, especially for the common people to bear.

Six years after Cory Aquino, the foundations of a strong economy were laid. In the six years of the Ramos administration, the economy was paying big dividends to its biggest stockholders. This time, why not to the common people as well, for a change? Must we always measure progress only by the golf courses of the rich?

I hope this message will not be taken badly by the rich. It has always been their turn, and it is also their turn again. For it is the priority of my administration to create the environment of peace and order in which business does well. But, surely, it is time for the masses to enjoy first priority in the programs of the government.

As far as resources permit, to the best of our ability and the limit of our energy, we will put a roof over their heads, food on their tables and clothes on their backs. We will educate their children and foster their health. We will bring peace and security, jobs and dignity to their lives. We will put more infrastructure at their service, to multiply their productivity and raise their incomes.

But this time things will be different. What wealth will be generated will be more equitably shared. What sacrifices are demanded will be more evenly carried. This much I promise, for every stone of sacrifice you carry, I will carry twice the weight.

This I promise the people. You will not be alone again in making sacrifices, and you will not be the last again to enjoy the rewards when they come.

I ask the rich to take a share of the sacrifices commensurate with their strength. What each of us carries is not our individual burden alone, but the fate of our country that we must all share, and which none of us can escape.

While I ask you to share these sacrifices with me, I will not impose any more on you when it comes to my job as president. The job is mine now and I'll do it.

There is no excuse for the spread of crime in any society, unless government is an accomplice. There is no criminal organization or criminal activity that can stand up to the government if the government is sincere about stamping it out.

We know that the major crimes in this country are committed by hoodlums in uniform. We know they are protected by hoodlums in barong and acquitted by hoodlums in robes. We know that the most damaging crimes against society are not those of petty thieves in rags, but those of economic saboteurs in expensive clothes: the dishonest stockholders, the wheeling dealing businessmen, influence-peddlers, price-padders and other crooks in government.

I promise to use all the powers of government to stamp out crime, big and small.

There will be no excuses and no exceptions. I sent friends to jail before; it was not my fault that the courts let them go.

No government is so powerless that it cannot protect its citizens, especially when they are victimized by government agents.

No government is so helpless, it cannot prosecute criminals, especially when the criminals are officials operating in the open.

And the government of a country, where most of the people are hungry, need jobs and lack education, cannot allow its taxes to be stolen or wasted, its assets thrown to friends, the national patrimony conceded to foreigners, and the best opportunities limited only to those who can afford.

There are things that a real government, even in the worst economic conditions, can do. This government will do it.

Government can stamp out crime, as I tried to do as chairman of the PACC, and as I will do as president of the Republic. This time nobody will clip my powers.

Government can provide basic services without the extra cost of pork barrel or kickback; roads for work; infrastructure for productivity; schools for skills; clinics for health; police for safety,

and a lean and mean military machine for national defense. This I promise and I will deliver. I will give you at once a government that works, while we wait for the dividends of yet another round of sacrifice that must fall on your shoulders again.

Government cannot afford to feed all the hungry in our country, but it would be a crime if any money for food went to government officials and fixers instead.

Government cannot afford to build all the roads that are needed, but it would be a crime to build fewer roads to line more pockets.

Government cannot afford to bring back the millions of overseas Filipino workers to jobs and dignity back home, but we shall protect their interests abroad and their families back home.

Government cannot afford to give all the youth the complete education promised by the Constitution, but it would be a crime if any money for education was misspent on inferior textbooks and substandard classrooms built by pork barrel.

I appeal to the coming congress to search its conscience for a way to stand behind me, rather than against me, on the pork barrel issue and find a way to convert pork into tuition subsidies in the public and private schools.

These are crimes that I will make it my personal apostolate to punish:

—low crimes in the streets by rich or poor alike;

—high crimes on Ayala or Binondo;

—and graft and corruption throughout the government—executive, legislative and judicial.

This early, members of my family are swamped with offers of funny deals. I will treat all such offers as evidence for future criminal prosecutions for graft and corruption.

I warn these people. Going after criminals will just be a job for me, but if you drag in my family, it will be personal.

What I promise is not big. What I envision is ordinary. My promises are made to be fulfilled in a working day; they are hopes of ordinary Filipinos like myself, in circumstances less than ideal with the economic recession, but they are long overdue.

I want to bring peace to our lives and harmony to our society. I want to bring order to our streets and justice to our institutions. I want to impart energy to our economy and more equitableness in the distribution of its fruits.

I want every Filipino, rich or poor, to feel that the safest place in the world for him is his own country.

And, lastly, I hope to bring all Filipinos together so as to achieve that power of common purpose that will enable us to escape the crisis of our region and achieve our centennial dream.

Freedom.

Freedom from oppression. Yes; but freedom from want also.

Freedom from fear and freedom of opportunity.

And, of course, freedom for its own sake which is the heart and soul of the Filipino.

It was here, one hundred years ago, that Asia sitting in darkness saw the first light of freedom.

Share my resolve to make that light shine brighter yet by making our freedom more real for the majority of the people.

For the past twelve years, the call has been for people power to defend democracy, advanced economic development and other things. It is time to use that power for the people themselves.

Now, power is with the people; one of their own has made it.

Source:

Manuel L. Quezon III, *20 Speeches that Moved a Nation* (Pasig City: Anvil Publishing, in cooperation with Platypus Publishing, 2002), 98-101.

**INAUGURAL ADDRESS  
OF  
HER EXCELLENCY GLORIA MACAPAGAL-ARROYO**

[Delivered at Our Lady of EDSA Shrine, Mandaluyong on January 20, 2001]

The inaugural address is retrieved from <https://www.officialgazette.gov.ph/2001/01/20/inaugural-address-of-president-arroyo-january-20-2001/>

Gloria Macapagal-Arroyo, popularly referred to as GMA, was a university professor when she joined the government service during the term of President Corazon Aquino. Arroyo carved out a niche in local politics. She clinched a seat in the Senate in 1992 on her first try and was re-elected as Senator, garnering the highest number of votes in the 1995 senatorial elections. In 1998, she won an overwhelming victory in the vice-presidential elections. On January 20, 2001, Vice President Arroyo was installed as the new Chief Executive with Chief Justice of the Supreme Court Hilario Davide, Jr. administering the oath of office to Arroyo. Contrary to her declaration in 2002, she ran in the 2004 presidential elections and received a clear mandate from the electorate to lead the country.

President Arroyo opened the inaugural address by “humbly accepting Presidency” with “both trepidation and a sense of awe.” In her bid to build a “new Philippines,” Arroyo invoked the success of EDSA ’86 and EDSA 2001 and the “heroism and sacrifices of the Filipino people” in Bataan and Corregidor. She proceeded to present her program of government. Guided by “four core beliefs,” her administration was resolved to eradicate poverty, raise “moral standards in government and society,” foster a “new politics of party programs and process of dialogue with the people,” and cultivate “work ethic and dignified lifestyle.” She concluded her address by calling upon the Filipino people to support her in constructing “an edifice of peace, progress, and economic stability.”

In all humility, I accept the Presidency of the Republic.

I do so with both trepidation and a sense of awe.

Trepidation, because it is now, as the Good Book says, a time to heal and a time to build. The task is formidable, so I pray that we will all be one – one in our priorities, one in our values and commitments, and one because of Edsa 2001.

A sense of awe, because the Filipino has done it again on the hallowed ground of Edsa.

People Power and the oneness of will and vision have made a new beginning possible. I cannot but recall at this point, therefore, Ninoy Aquino's words:

“I have carefully weighed the virtues and the faults of the Filipino, and I have come to the conclusion that he is worth dying for.”

As we break from the past in our quest for a new Philippines, the unity, the Filipino's sense of history, and his unshakeable faith in the Almighty that prevailed in EDSA '86 and EDSA 2001 will continue to guide and inspire us.

I am certain that Filipinos of unborn generations will look back with pride to EDSA 2001, just as we look back with pride to Mactan, the Katipunan and other revolts, Bataan and Corregidor, and EDSA '86.

I am certain that pride will reign supreme as they recall the heroism and sacrifices and prayers of Jaime Cardinal Sin, former Presidents Corazon Aquino and Fidel Ramos, the legislators who fought the good fight in Congress, the leaders whose principles were beyond negotiation, the witnesses in the impeachment trial who did not count the cost of testifying, the youth and students who walked out of their classes to be here at EDSA, the generals in the Armed Forces and the Philippine National Police, and the Filipino out there who stood up to be counted in these troubled times.

The Filipino, crises and all, is truly worth living and dying for.

Ngunit saan tayo tutungo mula rito?

Jose Rizal, the first to articulate selfdetermination in a free society, provides the answer.

Rizal counseled the Filipino to lead a life of commitment. “He must think national, go beyond self.”

“A stone is worthless,” Rizal wrote, “if it is not part of an edifice.”

We are the stones, and the Philippines is our edifice.

On many occasions I have given my views on what our program of government should be. This is not the time or place to repeat them all. However, I can tell you that they converge on four core beliefs.

1. We must be bold in our national ambitions, so that our challenge must be that within this decade, we will win the fight against poverty.
2. We must improve moral standards in government and society, in order to provide a strong foundation for good governance.
3. We must change the character of our politics, in order create fertile ground for true reforms. Our politics of personality and patronage must give way to a new politics of party programs and process of dialogue with the people.
4. Finally, I believe in leadership by example. We should promote solid traits such as work ethic and a dignified lifestyle, matching action to rhetoric, performing rather than grandstanding.

The first of my core beliefs pertains to the elimination of poverty. This is our unfinished business from the past. It dates back to the creation of our Republic, whose seeds were sown in the revolution launched in 1896 by the plebeian Andres Bonifacio. It was an unfinished revolution, for to this day, poverty remains our national problem. We need to complete what Andres Bonifacio began. The ultimate solution to poverty has both a political and an economic aspect.

Let me first talk about the political aspect.

In doing so, I will refer to one of my core beliefs, that of the need for new politics. Politics and political power as traditionally practiced and used in the Philippines are among the roots of the social and economic inequities that characterize our national problems. Thus, to achieve true reforms, we need to outgrow our traditional brand of politics based on patronage and personality. Traditional politics is the politics of the status quo. It is a structural part of our problem.

We need to promote a new politics of true party programs and platforms, of an institutional process of dialogue with our citizenry. This new politics is the politics of genuine reform. It is a structural part of the solution.

We have long accepted the need to level the playing field in business and economics. Now, we must accept the need to level the playing field in politics as well. We have long aspired to be a world class economy. Now, we must also aspire to develop a world class political system, one in tune with the 21st Century.

The world of the 21st Century that our youth will inherit is truly a new economy, where relentless forces such as capital market flows and advances in information and communications technology create both peril and opportunity.

To tap the opportunities, we need an economic philosophy of transparency and private enterprise, for these are the catalysts that nurture the entrepreneurial spirit to be globally competitive.

To extend the opportunities to our rural countryside, we must create a modernized and socially equitable agricultural sector.

To address the perils, we must give a social bias to balance our economic development, and these are embodied in safety nets for sectors affected by globalization, and safeguards for our environment.

To ensure that our gains are not dissipated through corruption, we must improve moral standards. As we do so, we create fertile ground for good governance based on a sound moral foundation, a philosophy of transparency, and an ethic of effective implementation.

Considering the divisions of today, our commitment will entail a lot of sacrifices among us all, as we work to restore the dignity and preeminence of the Filipino.

Join me, therefore, as we begin to tear down the walls that divide. Let us build an edifice of peace, progress, and economic stability.

People Power has dramatized the Filipino's capacity for greatness.

People of People Power, I ask for your support and prayers. Together, we will light the healing and cleansing flame.

This we owe to the Philippines. This we owe to every Filipino.

Thank you and may the Good Lord bless us all.

**INAUGURAL ADDRESS  
OF  
HIS EXCELLENCY RODRIGO ROA DUTERTE  
PRESIDENT OF THE PHILIPPINES**

[June 30, 2016, Rizal Ceremonial Hall, Malacañan, Manila]

This inaugural address is posted at <https://www.officialgazette.gov.ph/2016/06/30/inaugural-address-of-president-rodrigo-roa-duterte-june-30-2016/>

In 1977, Rodrigo Roa Duterte, more commonly known as Digong, was designated as city prosecutor at the City Prosecutor’s Office in Davao City. His political career began at the local level when President Corazon Aquino appointed him as OIC, Vice Mayor of Davao City in 1986. In 1988, Duterte made his first mayoralty bid and was elected to that position. He had served as mayor for seven terms for more than twenty-two years (22). For waging a fierce battle against criminality, Mayor Duterte was given the epithets “the Punisher” and “Duterte Harry.” In 1998, Duterte, barred by term-limit from running for the mayoralty post, vied for and won a seat in the 1<sup>st</sup> Congressional District of Davao City under 11<sup>th</sup> Congress. During the presidential elections of May 9, 2016, Duterte scored a resounding victory.<sup>28</sup>

President Duterte prefaced his inaugural address, which he delivered on on June 30, 2016, by conceding that the “support and cooperation of the people” were crucial to the success of a “leader” in attaining “anything of national importance or significance.” Touching on the maladies that besieged the country, Duterte argued that the “real problem” was the “erosion of trust and faith in the government.” Defending himself against his critics, President Duterte pointed out that the devastating effects of corruption, criminality, and drug addiction. Duterte expressed his resolve to bring about “real change” in the country. In concluding his address, he made it clear that his mandate was to serve the Fiipino people.

President Fidel Ramos, sir, salamat po sa tulong mo for making me President; President Joseph Ejercito Estrada; Senate President Franklin Drilon and the members of the Senate; Speaker Feliciano Belmonte and the members of the House of Representatives; Chief Justice Maria

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<sup>28</sup> President Rodrigo Roa Duterte, November 11, 2020, <http://www.philippineshonolulu.org/philippines-honolulu/about-the-philippines-honolulu/the-president-25/the-president-7/>; Nash Jenkins, Why Did the Philippines Just Elect a Guy Who Jokes About Rape as Its President?, Time, May 10, 2016, <https://time.com/4324073/rodrigo-duterte-philippines-president-why-elected/>

Lourdes Sereno and Associate Justices of the Supreme Court; His Excellency Guisepppe Pinto and the members of the Diplomatic Corps; incoming members of the Cabinet; fellow workers in government; my fellow countrymen.

No leader, however strong, can succeed at anything of national importance or significance unless he has the support and cooperation of the people he is tasked to lead and sworn to serve.

It is the people from whom democratic governments draw strength and this administration is no exception. That is why we have to listen to the murmurings of the people, feel their pulse, supply their needs and fortify their faith and trust in us whom they elected to public office.

There are many amongst us who advance the assessment that the problems that bedevil our country today which need to be addressed with urgency, are corruption, both in the high and low echelons of government, criminality in the streets, and the rampant sale of illegal drugs in all strata of Philippine society and the breakdown of law and order. True, but not absolutely so. For I see these ills as mere symptoms of a virulent social disease that creeps and cuts into the moral fiber of Philippine society. I sense a problem deeper and more serious than any of those mentioned or all of them put together. But of course, it is not to say that we will ignore them because they have to be stopped by all means that the law allows.

Erosion of faith and trust in government – that is the real problem that confronts us. Resulting therefrom, I see the erosion of the people's trust in our country's leaders; the erosion of faith in our judicial system; the erosion of confidence in the capacity of our public servants to make the people's lives better, safer and healthier.

Indeed ours is a problem that dampens the human spirit. But all is not lost.

I know that there are those who do not approve of my methods of fighting criminality, the sale and use of illegal drugs and corruption. They say that my methods are unorthodox and verge on the illegal. In response let me say this:

I have seen how corruption bled the government of funds, which were allocated for the use in uplifting the poor from the mire that they are in.

I have seen how illegal drugs destroyed individuals and ruined family relationships.

I have seen how criminality, by means all foul, snatched from the innocent and the unsuspecting, the years and years of accumulated savings. Years of toil and then, suddenly, they are back to where they started.

Look at this from that perspective and tell me that I am wrong.

In this fight, I ask Congress and the Commission on Human Rights and all others who are similarly situated to allow us a level of governance that is consistent to our mandate. The fight will be relentless and it will be sustained.

As a lawyer and a former prosecutor, I know the limits of the power and authority of the president. I know what is legal and what is not.

My adherence to due process and the rule of law is uncompromising.

You mind your work and I will mind mine. [applause and cheers]

“Malasakit,” “Tunay na Pagbabago; Tinud-anay (real) nga Kausaban (change)” – these are words which catapulted me to the presidency. These slogans were conceptualized not for the sole purpose of securing the votes of the electorate. “Tinud-anay nga kabag-uhan (real change). Mao kana ang tumong sa atong pang-gobyerno (this is the direction of our government).”

Far from that. These were battle cries articulated by me in behalf of the people hungry for genuine and meaningful change. But the change, if it is to be permanent and significant, must start with us and in us.

To borrow the language of F. Sionil Jose, we have become our own worst enemies. And we must have the courage and the will to change ourselves.

Love of country, subordination of personal interests to the common good, concern and care for the helpless and the impoverished – these are among the lost and faded values that we seek to recover and revitalize as we commence our journey towards a better Philippines. The ride will be rough. But come and join me just the same. Together, shoulder to shoulder, let us take the first wobbly steps in this quest.

There are two quotations from revered figures that shall serve as the foundation upon which this administration shall be built.

“The test of government is not whether we add more to the abundance of those who have much; it is whether we provide for those who have little.”

– Franklin Delano Roosevelt

And from (Abraham) Lincoln I draw this inspiration:

“You cannot strengthen the weak by weakening the strong; You cannot help the poor by discouraging the rich; You cannot help the wage earner by pulling down the wage payer; You cannot further the brotherhood by inciting class hatred among men.”

My economic and financial, political policies are contained in those quotations, though couched in general terms. Read between the lines. I need not go into specifics now. They shall be supplied to you in due time.

However, there are certain policies and specifics of which cannot wait for tomorrow to be announced.

Therefore, I direct all department secretaries and the heads of agencies to reduce requirements and the processing time of all applications, from the submission to the release. I order all department secretaries and heads of agencies to remove redundant requirements and compliance with one department or agency, shall be accepted as sufficient for all.

I order all department secretaries and heads of agencies to refrain from changing and bending the rules government contracts, transactions and projects already approved and awaiting implementation. Changing the rules when the game is on-going is wrong.

I abhor secrecy and instead advocate transparency in all government contracts, projects and business transactions from submission of proposals to negotiation to perfection and finally, to consummation.

Do them and we will work together. Do not do them, we will part sooner than later.

On the international front and community of nations, let me reiterate that the Republic of the Philippines will honor treaties and international obligations.

On the domestic front, my administration is committed to implement all signed peace agreements in step with constitutional and legal reforms.

I am elated by the expression of unity among our Moro brothers and leaders, and the response of everyone else to my call for peace.

I look forward to the participation of all other stakeholders, particularly our indigenous peoples, to ensure inclusivity in the peace process.

Let me remind in the end of this talk, that I was elected to the presidency to serve the entire country. I was not elected to serve the interests of any one person or any group or any one class. I serve every one and not only one.

That is why I have adapted as an article of faith, the following lines written by someone whose name I could no longer recall. He said:

“I have no friends to serve, I have no enemies to harm.”

Prescinding there from, I now ask everyone, and I mean everyone, to join me as we embark on this crusade for a better and brighter tomorrow.

But before I end, let me express the nations, on behalf of the people, our condolences to the Republic of Turkey of what has happened in the place. We offer our deepest condolences.

Why am I here? Hindi kasali ito diyan. The past tense was, I am here because I love my country and I love the people of the Philippines. I am here, why? Because I am ready to start my work for the nation.

Thank you and good afternoon.

**General Debate**  
**75th Session of the General Assembly**  
**Week of 22 September 2020 (Tuesday), General Assembly Hall, New York**

**Theme:**

**“The future we want, the United Nations we need: reaffirming our collective commitment to multilateralism – confronting COVID-19 through effective multilateral action.”**

**PHILIPPINE STATEMENT**

**PRESIDENT RODRIGO ROA DUTERTE**

This official statement is retrieved from [file:///C:/Users/joey/Desktop/2020sep22-Statement-of-President-Rodrigo-Roa-Duterte-during-the-General-Debate-of-the-75th-Session-of-the-United-Nations-General-Assembly%20\(1\).pdf](file:///C:/Users/joey/Desktop/2020sep22-Statement-of-President-Rodrigo-Roa-Duterte-during-the-General-Debate-of-the-75th-Session-of-the-United-Nations-General-Assembly%20(1).pdf).

In 1977, Rodrigo Roa Duterte, more commonly known as Digong, was designated as city prosecutor at the City Prosecutor’s Office in Davao City. His political career began at the local level when President Corazon Aquino appointed him as OIC, Vice Mayor of Davao City in 1986. In 1988, Duterte made his first mayoralty bid and was elected to that position. He had served as mayor for seven terms for more than twenty-two years (22). For waging a fierce battle against criminality, Mayor Duterte was given the epithets “the Punisher” and “Duterte Harry.” In 1998, Duterte, barred by term-limit from running for the mayoralty post, vied for and won a seat in the 1<sup>st</sup> Congressional District of Davao City under 11<sup>th</sup> Congress. During the presidential elections of May 9, 2016, Duterte scored a resounding victory.<sup>29</sup>

For the first time, President Duterte participated in the virtual 75<sup>th</sup> United Nations (UN) General Assembly on September 23, 2020 (Manila time). In his pre-recorded address before the General Debate of the General Assembly, Duterte asserted the 2016 Hague Tribunal’s ruling on the South China Sea: “The Philippines affirms that commitment in the South China Sea in accordance with UNCLOS and the 2016 Arbitral Award. The Award is now part of international law, beyond compromise and beyond the reach of passing governments to dilute, diminish or abandon.” The President took the opportunity to censure those “interest groups” that “have weaponized human rights” and the efforts to

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<sup>29</sup> President Rodrigo Roa Duterte, November 11, 2020, <http://www.philippineshonolulu.org/philippines-honolulu/about-the-philippines-honolulu/the-president-25/the-president-7/>; Nash Jenkins, Why Did the Philippines Just Elect a Guy Who Jokes About Rape as Its President?, Time, May 10, 2016, <https://time.com/4324073/rodrigo-duterte-philippines-president-why-elected/>

“discredit” the “popularly elected government.” Furthermore, he urged “coordinated international plans and efforts” to address the COVID-19 pandemic.

Mr. President of the United Nations General Assembly; Mr. Secretary-General; Heads of state and government; Excellencies:

I am honored to address you today on behalf of the Filipino people on the 75th anniversary of the United Nations.

The invisible enemy that is COVID-19 has brought about an unfamiliar global landscape and unleashed a crisis without precedent. It is the biggest test the world and the United Nations faced since World War II.

While the United Nations has brought relief and hope to so many countries and peoples around the world, it now finds itself saddled by a virus that has taken many lives and wrecked economies and social order.

We are at a crossroads. How we address COVID-19 will define our future.

For the Philippines, this means putting up all of the peoples of our united nations at the core of this response.

We will need to ask hard and fundamental questions about the vision and mission that the United Nations conceptualized 75 years ago.

We need to ask ourselves whether or not we have remained true and faithful to the United Nations’ principles and ideals.

Mr. President, in the light of the realities of the present, the Philippines grieves with all of the families all over the world who lost their loved ones to this horrible virus.

We extend our heartfelt condolences.

We salute all frontliners who put their lives on the line even in countries not their own. So also do we honor and recognize the healthcare professionals who selflessly answered the call to combat the COVID-19 pandemic despite its virulence and unknown characteristics.

While each nation has its own strategy in fighting the pandemic, what the world needs are coordinated international plans and efforts to pursue a common purpose.

COVID-19 knows no border. It knows no nationality. It knows no race. It knows no gender. It knows no age. It knows no creed.

The Philippines values the role that the United Nations plays in its fight against the pandemic. As a middle-income country whose economic advances have been derailed by the pandemic, we welcome the launch of the UN COVID Response and Recovery Fund.

Ensuring universal access to anti COVID-19 technologies and products is pivotal in the global pandemic recovery.

The world is in the race to find a safe and effective vaccine.

When the world finds that vaccine, access to it must not be denied nor withheld. It should be made available to all, rich and poor nations alike, as a matter of policy.

The Philippines joins our partners in the ASEAN and the Non-Aligned Movement in raising our collective voice: the COVID-19 vaccine must be considered a global public good. Let us be clear on this.

We call for a global health agenda with enough resources and policy space for the World Health Organization.

We need a WHO that is quick to coordinate and quicker to respond. The Philippines will do its part in the pooling of global resources. Our health workers are among the best.

Mr. President, just as we needed stability and confidence because of the pandemic, geopolitical tensions continue to rise.

Escalating tensions benefit no one. New flashpoints heighten fears and tend to tear peoples apart.

When elephants fight, it is the grass that gets trampled flat.

Given the size and military might of the contenders, we can only imagine and be aghast at the terrible toll on human life and property that shall be inflicted if the “word war” deteriorates into a real war of nuclear weapons and missiles.

I therefore call on the stakeholders in the South China Sea, the Korean Peninsula, the Middle East and Africa: if we cannot be friends as yet, then in God’s name, let us not hate each other too much. I heard it once said, and I say it to myself in complete agreement.

Mr. President: Filipino migrant workers have been devastated by the pandemic. Many have lost not only their livelihood, but also their health and lives as well. Yet they go on in the frontlines, healing, caring for others in the different parts of the world.

The Philippine Government has embarked on an unprecedented repatriation program. More than 345,000 overseas Filipino workers needed to come home then. We have brought back half and are bringing back the rest.

We thank the countries that have provided Filipino migrants with residence permits, access to testing, treatment and related health services in this pandemic.

We brought back most of our seafarers who were stranded because of COVID- 19 restrictions. We pioneered with the IMO the Green Lane for safe changes of seafaring crews.

In these times, we need stronger cooperation in promoting and protecting the rights of migrants, regardless of their migrant status.

We must all adhere to the Global Compact for Safe, Orderly and Regular Migration. Unless states include all migrants in their response to this pandemic, “no one among us is safe, until everyone is safe”, as the Secretary-General has said.

With the poverty rate reduced at 16.6 percent; and a sustained economic growth rate of 6.4 percent between 2010 and 2019, the Philippines was on track to becoming an upper-middle income country by the end of 2020. But the pandemic has placed our economy in recession.

Despite this downward pressure on growth, the Philippines remains committed to the Sustainable Development Goals.

Mr. President: The same urgency needed to fight COVID-19 is needed to address the climate crisis. This is a global challenge that has worsened existing inequalities and vulnerabilities from within and between nations.

Climate change has worsened the ravages of the pandemic.

Peoples in developing countries like the Philippines suffer the most. We cannot afford to suffer more.

The Philippines joined the Paris Agreement to fight climate change. We call on all parties, especially those who have not made good their commitment to fight climate change, to honor the same.

We call on all parties to strengthen communities and peoples for preparedness and resilience. We are talking about mankind and Earth, our one and only home.

Mr. President: The Philippines will continue to protect the human rights of its people, especially from the scourge of illegal drugs, criminality, and terrorism.

A number of interest groups have weaponized human rights; some well-meaning, others ill-intentioned.

They attempt to discredit the functioning institutions and mechanisms of a democratic country and a popularly elected government which in its last two years, still enjoy the same widespread approval and support.

These detractors pass themselves off as human rights advocates while preying on the most vulnerable humans; even using children as soldiers or human shields in encounters. Even schools are not spared from their malevolence and anti-government propaganda.

They hide their misdeeds under the blanket of human rights but the blood oozes through.

To move forward, open dialogue and constructive engagement with the United Nations is the key.

But these must be done in full respect of the principles of objectivity, non-interference, non-selectivity and genuine dialogue. These are the fundamental bases for productive international cooperation on human rights.

Mr. President: Terrorism looms large.

As I said at the Aqaba Process, the Philippines will do everything and partner with anyone who would sincerely desire to protect the innocent from terrorism in all its manifestations.

The Marawi siege, where foreign terrorist fighters took part, taught us that an effective legal framework is crucial. Our 2020 Anti-Terrorism Act shores up the legal framework by focusing on both terrorism and the usual reckless response to it.

Its enactment was done pursuant to our commitment, and the strict adherence to the relevant Security Council resolutions and the UN Global Counter-Terrorism Strategy.

Most importantly, we remain committed to rebuild stricken communities and address the root causes of terrorism and violent extremism in my country.

We must remain mindful of our obligations and commitment to the Charter of the United Nations and as amplified by the 1982 Manila Declaration on the Peaceful Settlement of International Disputes.

The Philippines affirms that commitment in the South China Sea in accordance with UNCLOS and the 2016 Arbitral Award.

The Award is now part of international law, beyond compromise and beyond the reach of passing governments to dilute, diminish or abandon.

We firmly reject attempts to undermine it.

We welcome the increasing number of states that have come in support of the award and what it stands for — the triumph of reason over rashness, of law over disorder, of amity over ambition. This – as it should - is the majesty of the law.

Mr. President: The global health crisis has further complicated the global security environment. But no aspiration nor ambition can justify the use of weapons that destroy indiscriminately and completely.

There is no excuse for deaths that a nuclear war could cause nor the reckless use of chemical and biological weapons that can cause mass destruction.

These weapons of death put us all at mortal risk, especially if they fall in the hands of terrorists without a shred of humanity in their souls.

We call on all Member States to fully implement the Nuclear Non-Proliferation Treaty, and the Chemical and the Biological Weapons Conventions.

I have asked the Philippine Senate to ratify the Treaty on the Prohibition of Nuclear Weapons. Importantly, we were among those to sign it first.

Mr. President: The Philippines has a long history of opening its doors to the refugees – from the White Russians following the 1917 Revolution, the European Jews in the Second World War, the Vietnamese in the late 1960s, and the Iranians displaced by the 1979 revolution, among others.

The Philippines continues to honor this humanitarian tradition in accordance with our obligations under the 1951 Convention on the Status of Refugees and the 1967 Protocol.

But lest we forget: helping the most vulnerable – those displaced by conflict, persecution, and political instability – is a shared responsibility of all countries.

As I have said many times: The doors of the Philippines are open, as they have always been, to everyone fleeing for safety, such as the Rohingyas.

In the face of a mounting refugee crisis worldwide, let us work together towards ending the conflicts and conditions that force people to flee their homes.

Mr. President: As our societies become more diverse yet interdependent, social cohesion issues come to the fore.

Mutual understanding always accompanied by mutual tolerance between those of different faiths and cultures is the only foundation of societies at peace with itself and all others.

Finally, I express gratitude to the gallant peacekeepers, including our own, who advance the cause of peace in the most difficult situations.

From the Golan Heights in the Middle East to Liberia in West Africa, Filipino peacekeepers put themselves in the frontlines between the vulnerable and those who seek harm.

We are committed to increasing the Philippine footprint in UN peacekeeping operations with increased participation of women.

Again Mr. President: To defeat the COVID-19 pandemic and other challenges, we must work with seamless unity which demands complete mutual trust and the conviction that we will win or lose together.

We cannot bring back the dead but we can spare the living; and we can build back better, healthier, and more prosperous and just societies.

To this end, we rededicate ourselves to multilateralism. The UN remains humanity's essential Organization. But it is only as effective as we make it.

To make significant changes, we need to be bold. We need the same collective courage that finally made the United Nations a reality 75 years ago.

We need to act on long-standing recommendations to improve the Security Council's composition and working methods; to strengthen the role of the General Assembly; and to streamline the processes and the operations of the UN.

Indeed, to be ready for the new global normal, it cannot be business as usual for the UN.

Let us empower UN – reform it - to meet the challenges of today and tomorrow.

Let us strengthen it so it can fully deliver its mandate to maintain peace and security, uphold justice and human rights, and promote freedom and social progress for all.

After all, we are the United Nations. Thank you.

**Proclamation no. 3, s. 1986**

**DECLARING A NATIONAL POLICY TO IMPLEMENT REFORMS MANDATED BY  
THE PEOPLE PROTECTING THEIR BASIC RIGHTS, ADOPTING A PROVISIONAL  
CONSTITUTION, AND PROVIDING FOR AN ORDERLY TRANSITION TO A  
GOVERNMENT UNDER A NEW CONSTITUTION**

Corazon Aquino

This document is extracted from the Presidential Management Staff Library,  
[https://www.officialgazette.gov.ph/downloads/1986/03mar/19860325-  
PROC-0003-CCA.pdf](https://www.officialgazette.gov.ph/downloads/1986/03mar/19860325-PROC-0003-CCA.pdf).

Born into an affluent political family, Maria Corazon Cojuangco Aquino, popularly called Cory Aquino, was married to Senator Benigno Simeon Aquino, Jr., a vehement critic of President Ferdinand Marcos. Describing herself as a “plain housewife,” Cory Aquino, began her foray into politics in 1986 when she heeded the strong popular clamor to join the presidential race in the February snap elections called by President Marcos if only to deflect the growing local and international pressure and criticism and confirm that he had the support of the Filipino people. Cory Aquino ascended to power in the immediate aftermath of the bloodless and non-violent People Power Revolution. The revolution marked the demise of the authoritarian regime and restoration of democracy in the country.

President Aquino signed Proclamation no. 3 on March 25, 1986 to facilitate the “orderly transition to a Government under a New Constitution” and to guarantee human rights and freedom of the Filipino people. By virtue of this proclamation, a Provisional Constitution, also called Freedom Constitution, was promulgated. The Preamble recognized the “mandate of the people,” and presented the circumstances of the installation of the government. The Constitution repealed some of the provisions of the 1973 Constitution, among which were the abolition of the National Assembly and Office of the Prime Minister and vested the President with extensive powers. With the dissolution of the National Assembly, the Constitution authorized the President to exercise legislative power “until a legislature is elected and convened.” Furthermore, the Provisional Constitution empowered the President to exercise “control” and “general supervision over all local governments.” As stipulated in Article V, the President was mandated to

appoint a Commission “to draft a New Constitution” over a span of sixty (60) days.

**WHEREAS**, the new government was installed through a direct exercise of the power of the Filipino people assisted by units of the New Armed Forces of the Philippines;

**WHEREAS**, the heroic action of the people was done in defiance of the provisions of the 1973 Constitution, as amended;

**WHEREAS**, the direct mandate of the people as manifested by their extraordinary action demands the complete reorganization of the government, restoration of democracy, protection of basic rights, rebuilding of confidence in the entire government system, eradication of graft and corruption, restoration of peace and order, maintenance of the supremacy of civilian authority over the military, and the transition to government under a New Constitution in the shortest time possible;

**WHEREAS**, during the period of transition to a New Constitution it must be guaranteed that the government will respect basic human rights and fundamental freedoms;

**WHEREFORE, I, CORAZON C. AQUINO**, President of the Philippines, by virtue of the power vested in me by the sovereign mandate of the people; do hereby promulgate the following Constitution:

## **PROVISIONAL CONSTITUTION**

### **OF**

## **THE REPUBLIC OF THE PHILIPPINES**

### **ARTICLE 1**

#### **ADOPTION OF CERTAIN PROVISIONS OF THE**

#### **1973 CONSTITUTION, AS AMENDED**

SECTION 1. The provisions of ARTICLE I (National Territory), ARTICLE III (Citizenship), ARTICLE IV (Bill of Rights), ARTICLE V (Duties and Obligations of Citizens), and ARTICLE VI (Suffrage) of the 1973 Constitution, as amended, remain in the force and effect and are hereby adopted in *toto* as part of this Provisional Constitution.

SECTION 2. The provision of ARTICLE II (Declaration of Principles and State Policies), ARTICLE VII (The President), ARTICLE X (The Judiciary), ARTICLE XI (Local Government), ARTICLE XIII (Accountability of Public Officers), ARTICLE XIV (The National Economy and

Patrimony of the Nation), ARTICLE XV (General Provisions) of the 1973 Constitution, as amended, are hereby adopted as part of this Provisional Constitution, as amended, are hereby adopted as part of this Provisional Constitution, insofar as they are not inconsistent with the provisions of this Proclamation.

## **ARTICLE II**

### **THE PRESIDENT,**

#### **THE VICE-PRESIDENT, AND THE CABINET**

SECTION 1. Until a legislature is elected and convened under a New Constitution, the President shall continue to exercise legislative power.

The President shall give priority to measures to achieve the mandate of the people to:

- a) Completely reorganize the government and eradicate unjust and oppressive structures, and all iniquitous vestiges of the previous regime;
- b) Make effective the guarantees of civil, political, human, social, economic and cultural rights and freedoms of the Filipino people, and provide remedies against violations thereof;
- c) Rehabilitate the economy and promote the nationalist aspirations of the people;
- d) Recover ill-gotten properties amassed by the leaders and supporters of the previous regime and protect the interest of the people through orders of sequestration or freezing of assets of accounts;
- e) Eradicate graft and corruption in government and punish those guilty thereof; and,
- f) Restore peace and order, settle the problem of insurgency, and pursue national reconciliation based on justice.

SECTION 2. The President shall be assisted by a Cabinet which shall be composed of Ministers with or without portfolio who shall be appointed by the President. They shall be accountable to and hold office at the pleasure of the President.

SECTION 3. The President shall have control of and exercise general supervision over all local governments.

SECTION 4. In case of permanent vacancy arising from death, incapacity or resignation of the President, the Vice-President shall become President.

In case of death, permanent incapacity, or resignation of the Vice-President, the Cabinet shall choose from among themselves the Minister with portfolio who shall act as President.

SECTION 5. The Vice-President may be appointed Member of the Cabinet and may perform such other functions as may be assigned to him by the President.

SECTION 6. The President, the Vice-President, and the Members of the Cabinet shall be subject to the disabilities provided for in Section 8, Article VII, and in Section 6 and 7 Article IX, respectively, of the 1973 Constitution, as amended.

### **ARTICLE III**

#### **GOVERNMENT REORGANIZATION**

SECTION 1. In the reorganization of the government, priority shall be given to measures to promote economy, efficiency, and the eradication of graft and corruption.

SECTION 2. All elective and appointive officials and employees under the 1973 Constitution shall continue in the office until otherwise provided by proclamation or executive order or upon the designation or appointment and qualification of their successors, if such is made within a period of one year from February 25, 1986.

SECTION 3. Any public office or employees separated from the service as a result of the reorganization effected under this Proclamation shall, if entitled under the laws then in force, receive the retirement and other benefits accruing thereunder.

SECTION 4. The records, equipment, buildings, facilities and other properties of all government offices shall be carefully preserved. In case any office or body is abolished or reorganized pursuant to this Proclamation, its funds and properties shall be transferred to the office or body to which its powers, functions, and responsibilities substantially pertain.

### **ARTICLE IV**

#### **EXISTING LAWS**

SECTION 1. All existing laws, decrees, executive orders, proclamations, letters of instruction, implementing rules and regulations, and other executive issuances not inconsistent with this Proclamation shall remain operative until amended, modified, or repealed by the President or the regular legislative body to be established under a New Constitution.

SECTION 2. The President may review all contracts, concessions, permits, or other forms of privileges for the exploration, development, exploitation, or utilization of natural resources

entered into, granted, issued, or acquired before the date of this proclamation and when the national interest requires, amend, modify, or revoke them.

## **ARTICLE V**

### **ADOPTION OF A NEW CONSTITUTION**

SECTION 1. Within sixty (60) days from date of this Proclamation, a Commission shall be appointed by the President to draft a New Constitution. The Commission shall be composed of not less than thirty (30) nor more than fifty (50) natural born citizens of the Philippines, of recognized probity, known for their independence, nationalism and patriotism. They shall be chosen by the President after consultation with various sectors of society.

SECTION 2. The Commission shall complete its work within as short a period as may be consistent with the need both to hasten the return of normal constitutional government to draft a document truly reflective of the ideals and aspirations of the Filipino people.

SECTION 3. The Commission shall conduct public hearings to insure that the people will have adequate participation in the formulation of the New Constitution.

SECTION 4. The plenary session of the Commission shall be public and fully recorded.

SECTION 5. The New Constitution shall be presented by the Commission to the President who shall fix the date for the holding of a plebiscite. It shall become valid and effective upon ratification by a majority of the votes cast in such plebiscite which shall be held within a period of sixty (60) days following its submission to the President.

## **ARTICLE VI**

### **HOLDING OF ELECTIONS**

SECTION 1. National elections shall be held as may be provided by the New Constitution.

SECTION 2. Local elections shall be held on a date to be determined by the President which shall be held on a date to be determined by the President which shall not be earlier than the date of the plebiscite for the ratification of the New Constitution.

## **ARTICLE VII**

### **EFFECTIVE DATE**

SECTION 1. This Proclamation shall take effect upon its promulgation by the President.

SECTION 2. Pursuant to the letter and spirit of this Proclamation, a consolidated official text of the Provisional Constitution shall be promulgated by the President and published in English and Pilipino in the official Gazette and in newspapers of general circulation to insure widespread dissemination.

DONE in the City of Manila, the 25<sup>th</sup> of March, in the year of Our Lord, Nineteen Hundred and Eighty-Six.

(Sgd.) **CORAZON C. AQUINO**

By the President:

(Sgd.) **JOKER P. ARROYO**

Executive Secretary

**Republic Act no. 6657**

**AN ACT INSTITUTING A COMPREHENSIVE AGRARIAN REFORM PROGRAM TO PROMOTE SOCIAL JUSTICE AND INDUSTRIALIZATION, PROVIDING THE MECHANISM FOR ITS IMPLEMENTATION, AND FOR OTHER PURPOSES**

Corazon Aquino

A copy of this document is available at <https://www.officialgazette.gov.ph/1988/06/10/republic-act-no-6657/>

Born into an affluent political family, Maria Corazon Cojuangco Aquino, popularly called Cory Aquino, was married to Senator Benigno Simeon Aquino, Jr., a vehement critic of President Ferdinand Marcos. Describing herself as a “plain housewife,” Cory Aquino, began her foray into politics in 1986 when she heeded the strong popular clamor to join the presidential race in the February snap elections called by President Marcos if only to deflect the growing local and international pressure and criticism and confirm that he had the support of the Filipino people. Cory Aquino ascended to power in the immediate aftermath of the bloodless and non-violent People Power Revolution. The revolution marked the demise of the authoritarian regime and restoration of democracy in the country.

On June 10, 1988, President Aquino signed Republic Act no. 6657, An Act Instituting a Comprehensive Agrarian Reform Program to Promote Social Justice

and Industrialization, Providing the Mechanism for its Implementation, and For Other Purposes, also known as the Comprehensive Agrarian Reform Law (CARL) of 1988. In pursuit of “social justice,” “sound rural development,” and industrialization,” the program gave utmost importance to “landless farmers and farmworkers.” In terms of scope, the program covers “all public and private agricultural lands, including other lands of the public domain suitable for agriculture” irrespective of “tenurial arrangement and commodity produced.” The CARL stipulates that “the distribution of all lands covered by this Act shall be “implemented immediately and completed within 10 years from effectivity thereof.” The CARL set the retention limits on land ownership of agriculture lands at 5 hectares.

## **CHAPTER I**

### **Preliminary Chapter**

SECTION 1. Title. – This Act shall be known as the Comprehensive Agrarian Reform Law of 1988.

SECTION 2. Declaration of Principles and Policies. — It is the policy of the State to pursue a Comprehensive Agrarian Reform Program (CARP). The welfare of the landless farmers and farmworkers will receive the highest consideration to promote social justice and to move the nation toward sound rural development and industrialization, and the establishment of owner cultivatorship of economic-size farms as the basis of Philippine agriculture.

To this end, a more equitable distribution and ownership of land, with due regard to the rights of landowners to just compensation and to the ecological needs of the nation, shall be undertaken to provide farmers and farmworkers with the opportunity to enhance their dignity and improve the quality of their lives through greater productivity of agricultural lands.

The agrarian reform program is founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farm workers, to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to the priorities and retention limits set forth in this Act, having taken into account ecological, developmental, and equity considerations, and subject to the payment of just compensation. The State shall respect the right of small landowners and shall provide incentives for voluntary land-sharing.

The State shall recognize the right of farmers, farmworkers and landowners, as well as cooperatives and other independent farmers’ organizations, to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial production, marketing and other support services.

The State shall apply the principles of agrarian reform, or stewardship, whenever applicable, in accordance with law, in the disposition or utilization of other natural resources, including lands of the public domain, under lease or concession, suitable to agriculture, subject to prior rights, homestead rights of small settlers and the rights of indigenous communities to their ancestral lands.

The State may resettle landless farmers and farmworkers in its own agricultural estates, which shall be distributed to them in the manner provided by law.

By means of appropriate incentives, the State shall encourage the formation and maintenance of economic-size family farms to be constituted by individual beneficiaries and small landowners.

The State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of communal marine and fishing resources, both inland and offshore. It shall provide support to such fishermen through appropriate technology and research, adequate financial, production and marketing assistance and other services. The State shall also protect, develop and conserve such resources. The protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion. Fishworkers shall receive a just share from their labor in the utilization of marine and fishing resources.

The State shall be guided by the principles that land has a social function and land ownership has a social responsibility. Owners of agricultural lands have the obligation to cultivate directly or through labor administration the lands they own and thereby make the land productive.

The State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization, employment and privatization of public sector enterprises. Financial instruments used as payment for lands shall contain features that shall enhance negotiability and acceptability in the marketplace.

The State may lease undeveloped lands of the public domain to qualified entities for the development of capital intensive farms, and traditional and pioneering crops especially those for exports subject to the prior rights of the beneficiaries under this Act.

**SECTION 3. Definitions.** – For the purpose of this Act, unless the context indicates otherwise:

(a) Agrarian Reform means the redistribution of lands, regardless of crops or fruits produced to farmers and regular farmworkers who are landless, irrespective of tenurial arrangement, to include the totality of factors and support services designed to lift the economic status of the beneficiaries and all other arrangements alternative to the physical redistribution of lands, such as production or profit-sharing, labor administration, and the distribution of shares of stocks, which will allow beneficiaries to receive a just share of the fruits of the lands they work.

(b) Agriculture, Agricultural Enterprise or Agricultural Activity means the cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry or fish,

including the harvesting of such farm products, and other farm activities and practices performed by a farmer in conjunction with such farming operations done by persons whether natural or juridical.

(c) Agricultural Land refers to land devoted to agricultural activity as defined in this Act and not classified as mineral, forest, residential, commercial or industrial land.

(d) Agrarian Dispute refers to any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship or otherwise, over lands devoted to agriculture, including disputes concerning farmworkers' associations or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of such tenurial arrangements.

It includes any controversy relating to compensation of lands acquired under this Act and other terms and conditions of transfer of ownership from landowners to farmworkers, tenants and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee.

(e) Idle or Abandoned Land refers to any agricultural land not cultivated, tilled or developed to produce any crop nor devoted to any specific economic purpose continuously for a period of three (3) years immediately prior to the receipt of notice of acquisition by the government as provided under this Act, but does not include land that has become permanently or regularly devoted to non-agricultural purposes. It does not include land which has become unproductive by reason of force majeure or any other fortuitous event, provided that prior to such event, such land was previously used for agricultural or other economic purpose.

(f) Farmer refers to a natural person whose primary livelihood is cultivation of land or the production of agricultural crops, either by himself, or primarily with the assistance of his immediate farm household, whether the land is owned by him, or by another person under a leasehold or share tenancy agreement or arrangement with the owner thereof.

(g) Farmworker is a natural person who renders services for value as an employee or laborer in an agricultural enterprise or farm regardless of whether his compensation is paid on a daily, weekly, monthly or "pakyaw" basis. The term includes an individual whose work has ceased as a consequence of, or in connection with, a pending agrarian dispute and who has not obtained a substantially equivalent and regular farm employment.

(h) Regular Farmworker is a natural person who is employed on a permanent basis by an agricultural enterprise or farm.

(i) Seasonal Farmworker is a natural person who is employed on a recurrent, periodic or intermittent basis by an agricultural enterprise or farm, whether as a permanent or a non-permanent laborer, such as “dumaan”, “sacada”, and the like.

(j) Other Farmworker is a farmworker who does not fall under paragraphs (g), (h) and (i).

(k) Cooperatives shall refer to organizations composed primarily of small agricultural producers, farmers, farmworkers, or other agrarian reform beneficiaries who voluntarily organize themselves for the purpose of pooling land, human, technological, financial or other economic resources, and operated on the principle of one member, one vote. A juridical person may be a member of a cooperative, with the same rights and duties as a natural person.

## **CHAPTER II**

### **Coverage**

SECTION 4. Scope. – The Comprehensive Agrarian Reform Law of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands, as provided in Proclamation No. 131 and Executive Order No. 229, including other lands of the public domain suitable for agriculture.

More specifically, the following lands are covered by the Comprehensive Agrarian Reform Program:

(a) All alienable and disposable lands of the public domain devoted to or suitable for agriculture. No reclassification of forest or mineral lands to agricultural lands shall be undertaken after the approval of this Act until Congress, taking into account ecological, developmental and equity considerations, shall have determined by law, the specific limits of the public domain.

(b) All lands of the public domain in excess of the specific limits as determined by Congress in the preceding paragraph;

(c) All other lands owned by the Government devoted to or suitable for agriculture; and

(d) All private lands devoted to or suitable for agriculture regardless of the agricultural products raised or that can be raised thereon.

SECTION 5. Schedule of Implementation. – The distribution of all lands covered by this Act shall be implemented immediately and completed within ten (10) years from the effectivity thereof.

SECTION 6. Retention Limits. – Except as otherwise provided in this Act, no person may own or retain, directly or indirectly, any public or private agricultural land, the size of which shall vary according to factors governing a viable family-size farm, such as commodity produced, terrain, infrastructure, and soil fertility as determined by the Presidential Agrarian Reform Council (PARC) created hereunder, but in no case shall retention by the landowner exceed five (5) hectares. Three (3) hectares may be awarded to each child of the landowner, subject to the following qualifications: (1) that he is at least fifteen (15) years of age; and (2) that he is actually tilling the land or directly managing the farm: Provided, That landowners whose lands have been covered by Presidential Decree No. 27 shall be allowed to keep the areas originally retained by them thereunder: Provided, further, That original homestead grantees or their direct compulsory heirs who still own the original homestead at the time of the approval of this Act shall retain the same areas as long as they continue to cultivate said homestead.

The right to choose the area to be retained, which shall be compact or contiguous, shall pertain to the landowner: Provided, however, That in case the area selected for retention by the landowner is tenanted, the tenant shall have the option to choose whether to remain therein or be a beneficiary in the same or another agricultural land with similar or comparable features. In case the tenant chooses to remain in the retained area, he shall be considered a leaseholder and shall lose his right to be a beneficiary under this Act. In case the tenant chooses to be a beneficiary in another agricultural land, he loses his right as a leaseholder to the land retained by the landowner. The tenant must exercise this option within a period of one (1) year from the time the landowner manifests his choice of the area for retention.

In all cases, the security of tenure of the farmers or farmworkers on the land prior to the approval of this Act shall be respected.

Upon the effectivity of this Act, any sale, disposition, lease, management, contract or transfer of possession of private lands executed by the original landowner in violation of this Act shall be null and void: Provided, however, That those executed prior to this Act shall be valid only when registered with the Register of Deeds within a period of three (3) months after the effectivity of this Act. Thereafter, all Registers of Deeds shall inform the Department of Agrarian Reform (DAR) within thirty (30) days of any transaction involving agricultural lands in excess of five (5) hectares.

SECTION 7. Priorities. – The Department of Agrarian Reform (DAR) in coordination with the Presidential Agrarian Reform Council (PARC) shall plan and program the acquisition and distribution of all agricultural lands through a period of ten (10) years from the effectivity of this Act. Lands shall be acquired and distributed as follows:

Phase One: Rice and corn lands under Presidential Decree No. 27; all idle or abandoned lands; all private lands voluntarily offered by the owners for agrarian reform; all lands foreclosed by government financial institutions; all lands acquired by the Presidential Commission on Good Government (PCGG); and all other lands owned by the government devoted to or suitable for agriculture, which shall be acquired and distributed immediately upon the effectivity of this Act, with the implementation to be completed within a period of not more than four (4) years;

Phase Two: All alienable and disposable public agricultural lands; all arable public agricultural lands under agro-forest, pasture and agricultural leases already cultivated and planted to crops in accordance with Section 6, Article XIII of the Constitution; all public agricultural lands which are to be opened for new development and resettlement; and all private agricultural lands in excess of fifty (50) hectares, insofar as the excess hectarage is concerned, to implement principally the rights of farmers and regular farmworkers, who are the landless, to own directly or collectively the lands they till, which shall be distributed immediately upon the effectivity of this Act, with the implementation to be completed within a period of not more than four (4) years.

Phase Three: All other private agricultural lands commencing with large landholdings and proceeding to medium and small landholdings under the following schedule:

- (a) Landholdings above twenty-four (24) hectares up to fifty (50) hectares, to begin on the fourth (4th) year from the effectivity of this Act and to be completed within three (3) years; and
- (b) Landholdings from the retention limit up to twenty-four (24) hectares, to begin on the sixth (6th) year from the effectivity of this Act and to be completed within four (4) years; to implement principally the right of farmers and regular farmworkers who are landless, to own directly or collectively the lands they till.

The schedule of acquisition and redistribution of all agricultural lands covered by this program shall be made in accordance with the above order of priority, which shall be provided in the implementing rules to be prepared by the Presidential Agrarian Reform Council (PARC), taking into consideration the following: the need to distribute land to the tillers at the earliest practicable time; the need to enhance agricultural productivity; and the availability of funds and resources to implement and support the program.

In any case, the PARC, upon recommendation by the Provincial Agrarian Reform Coordinating Committee (PARCCOM), may declare certain provinces or regions as priority land reform areas, in which case the acquisition and distribution of private agricultural lands therein may be implemented ahead of the above schedules.

In effecting the transfer within these guidelines, priority must be given to lands that are tenanted.

The PARC shall establish guidelines to implement the above priorities and distribution scheme, including the determination of who are qualified beneficiaries: Provided, That an owner-tiller may be a beneficiary of the land he does not own but is actually cultivating to the extent of the difference between the area of the land he owns and the award ceiling of three (3) hectares.

SECTION 8. Multinational Corporations. – All lands of the public domain leased, held or possessed by multinational corporations or associations, and other lands owned by the government or by government-owned or controlled corporations, associations, institutions, or entities, devoted to existing and operational agri-business or agro-industrial enterprises, operated by multinational corporations and associations, shall be programmed for acquisition and distribution immediately upon the effectivity of this Act, with the implementation to be completed within three (3) years.

Lands covered by the paragraph immediately preceding, under lease, management, grower or service contracts, and the like, shall be disposed of as follows:

(a) Lease, management, grower or service contracts covering such lands covering an aggregate area in excess of 1,000 hectares, leased or held by foreign individuals in excess of 500 hectares are deemed amended to conform with the limits set forth in Section 3 of Article XII of the Constitution.

(b) Contracts covering areas not in excess of 1,000 hectares in the case of such corporations and associations, and 500 hectares, in the case of such individuals, shall be allowed to continue under their original terms and conditions but not beyond August 29, 1992, or their valid termination, whichever comes sooner, after which, such agreements shall continue only when confirmed by the appropriate government agency. Such contracts shall likewise continue even after the land has been transferred to beneficiaries or awardees thereof, which transfer shall be immediately commenced and implemented, and completed within the period of three (3) years mentioned in the first paragraph hereof.

(c) In no case will such leases and other agreements now being implemented extend beyond August 29, 1992, when all lands subject hereof shall have been distributed completely to qualified beneficiaries or awardees.

Such agreements can continue thereafter only under a new contract between the government or qualified beneficiaries or awardees, on the one hand, and said enterprises, on the other.

Lands leased, held or possessed by multinational corporations, owned by private individuals and private non-governmental corporations, associations, institutions and entities, citizens of the Philippines, shall be subject to immediate compulsory acquisition and distribution upon the expiration of the applicable lease, management, grower or

service contract in effect as of August 29, 1987, or otherwise, upon its valid termination, whichever comes sooner, but not later than after ten (10) years following the effectivity of this Act. However during the said period of effectivity, the government shall take steps to acquire these lands for immediate distribution thereafter.

In general, lands shall be distributed directly to the individual worker-beneficiaries. In case it is not economically feasible and sound to divide the land, then they shall form a workers' cooperative or association which will deal with the corporation or business association or any other proper party for the purpose of entering into a lease or growers agreement and for all other legitimate purposes. Until a new agreement is entered into by and between the workers' cooperative or association and the corporation or business association or any other proper party, any agreement existing at the time this Act takes effect between the former and the previous landowner shall be respected by both the workers' cooperative or association and the corporation, business, association or such other proper party. In no case shall the implementation or application of this Act justify or result in the reduction of status or diminution of any benefits received or enjoyed by the worker-beneficiaries, or in which they may have a vested right, at the time this Act becomes effective.

The provisions of Section 32 of this Act, with regard to production and income-sharing shall apply to farms operated by multinational corporations.

During the transition period, the new owners shall be assisted in their efforts to learn modern technology in production. Enterprises which show a willingness and commitment and good-faith efforts to impart voluntarily such advanced technology will be given preferential treatment where feasible.

In no case shall a foreign corporation, association, entity or individual enjoy any rights or privileges better than those enjoyed by a domestic corporation, association, entity or individual.

**SECTION 9. Ancestral Lands.** – For purposes of this Act, ancestral lands of each indigenous cultural community shall include, but not be limited to, lands in the actual, continuous and open possession and occupation of the community and its members: Provided, That the Torrens System shall be respected.

The right of these communities to their ancestral lands shall be protected to ensure their economic, social and cultural well-being. In line with the principles of self-determination and autonomy, the systems of land ownership, land use, and the modes of settling land disputes of all these communities must be recognized and respected.

Any provision of law to the contrary notwithstanding, the PARC may suspend the implementation of this Act with respect to ancestral lands for the purpose of identifying and delineating such lands: Provided, That in the autonomous regions, the respective legislatures may

enact their own laws on ancestral domain subject to the provisions of the Constitution and the principles enunciated in this Act and other national laws.

SECTION 10. Exemptions and Exclusions. – Lands actually, directly and exclusively used and found to be necessary for parks, wildlife, forest reserves, reforestation, fish sanctuaries and breeding grounds, watersheds, and mangroves, national defense, school sites and campuses including experimental farm stations operated by public or private schools for educational purposes, seeds and seedlings research and pilot production centers, church sites and convents appurtenant thereto, mosque sites and Islamic centers appurtenant thereto, communal burial grounds and cemeteries, penal colonies and penal farms actually worked by the inmates, government and private research and quarantine centers and all lands with eighteen percent (18%) slope and over, except those already developed shall be exempt from the coverage of this Act.

SECTION 11. Commercial Farming. – Commercial farms, which are private agricultural lands devoted to commercial livestock, poultry and swine raising, and aquaculture including saltbeds, fishponds and prawn ponds, fruit farms, orchards, vegetable and cut-flower farms, and cacao, coffee and rubber plantations, shall be subject to immediate compulsory acquisition and distribution after (10) years from the effectivity of this Act. In the case of new farms, the ten-year period shall begin from the first year of commercial production and operation, as determined by the DAR. During the ten-year period, the government shall initiate the steps necessary to acquire these lands, upon payment of just compensation for the land and the improvements thereon, preferably in favor of organized cooperatives or associations, which shall thereafter manage the said lands for the worker-beneficiaries.

If the DAR determines that the purposes for which this deferment is granted no longer exist, such areas shall automatically be subject to redistribution.

The provisions of Section 32 of this Act, with regard to production- and income-sharing, shall apply to commercial farms.

### **CHAPTER III**

#### **Improvement of Tenurial and Labor Relations**

SECTION 12. Determination of Lease Rentals. – In order to protect and improve the tenurial and economic status of the farmers in tenanted lands under the retention limit and lands not yet acquired under this Act, the DAR is mandated to determine and fix immediately the lease rentals thereof in accordance with Section 34 of Republic Act No. 3844, as amended: Provided, That the DAR shall immediately and periodically review and adjust the rental structure for different crops, including rice and corn, or different regions in order to improve progressively the conditions of the farmer, tenant or lessee.

SECTION 13. Production-Sharing Plan. – Any enterprise adopting the scheme provided for in Section 32 or operating under a production venture, lease, management contract or other similar arrangement and any farm covered by Sections 8 and 11 hereof is hereby mandated to execute within ninety (90) days from the effectivity of this Act, a production-sharing plan, under guidelines prescribed by the appropriate government agency.

Nothing herein shall be construed to sanction the diminution of any benefits such as salaries, bonuses, leaves and working conditions granted to the employee-beneficiaries under existing laws, agreements, and voluntary practice by the enterprise, nor shall the enterprise and its employee-beneficiaries be prevented from entering into any agreement with terms more favorable to the latter.

## **CHAPTER IV**

### **Registration**

SECTION 14. Registration of Landowners. – Within one hundred eighty (180) days from the effectivity of this Act, all persons, natural or juridical, including government entities, that own or claim to own agricultural lands, whether in their names or in the name of others, except those who have already registered pursuant to Executive Order No. 229, who shall be entitled to such incentives as may be provided for the PARC, shall file a sworn statement in the proper assessor's office in the form to be prescribed by the DAR, stating the following information:

- (a) the description and area of the property;
- (b) the average gross income from the property for at least three (3) years;
- (c) the names of all tenants and farmworkers therein;
- (d) the crops planted in the property and the area covered by each crop as of June 1, 1987;
- (e) the terms of mortgages, leases, and management contracts subsisting as of June 1, 1987, and
- (f) the latest declared market value of the land as determined by the city or provincial assessor.

SECTION 15. Registration of Beneficiaries. – The DAR in coordination with the Barangay Agrarian Reform Committee (BARC) as organized in this Act, shall register all agricultural lessees, tenants and farmworkers who are qualified to be beneficiaries of the CARP. These potential beneficiaries with the assistance of the BARC and the DAR shall provide the following data:

- (a) names and members of their immediate farm household;
- (b) owners or administrators of the lands they work on and the length of tenurial relationship;
- (c) location and area of the land they work;
- (d) crops planted; and
- (e) their share in the harvest or amount of rental paid or wages received.

A copy of the registry or list of all potential CARP beneficiaries in the barangay shall be posted in the barangay hall, school or other public buildings in the barangay where it shall be open to inspection by the public at all reasonable hours.

## **CHAPTER V**

### **Land Acquisition**

SECTION 16. Procedure for Acquisition of Private Lands. – For purposes of acquisition of private lands, the following procedures shall be followed:

- (a) After having identified the land, the landowners and the beneficiaries, the DAR shall send its notice to acquire the land to the owners thereof, by personal delivery or registered mail, and post the same in a conspicuous place in the municipal building and barangay hall of the place where the property is located. Said notice shall contain the offer of the DAR to pay a corresponding value in accordance with the valuation set forth in Sections 17, 18, and other pertinent provisions hereof.
- (b) Within thirty (30) days from the date of receipt of written notice by personal delivery or registered mail, the landowner, his administrator or representative shall inform the DAR of his acceptance or rejection of the offer.
- (c) If the landowner accepts the offer of the DAR, the Land Bank of the Philippines (LBP) shall pay the landowner the purchase price of the land within thirty (30) days after he executes and delivers a deed of transfer in favor of the Government and surrenders the Certificate of Title and other monuments of title.

(d) In case of rejection or failure to reply, the DAR shall conduct summary administrative proceedings to determine the compensation for the land by requiring the landowner, the LBP and other interested parties to submit evidence as to the just compensation for the land, within fifteen (15) days from the receipt of the notice. After the expiration of the above period, the matter is deemed submitted for decision. The DAR shall decide the case within thirty (30) days after it is submitted for decision.

(e) Upon receipt by the landowner of the corresponding payment or, in case of rejection or no response from the landowner, upon the deposit with an accessible bank designated by the DAR of the compensation in cash or in LBP bonds in accordance with this Act, the DAR shall take immediate possession of the land and shall request the proper Register of Deeds to issue a Transfer Certificate of Title (TCT) in the name of the Republic of the Philippines. The DAR shall thereafter proceed with the redistribution of the land to the qualified beneficiaries.

(f) Any party who disagrees with the decision may bring the matter to the court of proper jurisdiction for final determination of just compensation.

## **CHAPTER VI**

### **Compensation**

**SECTION 17. Determination of Just Compensation.** – In determining just compensation, the cost of acquisition of the land, the current value of like properties, its nature, actual use and income, the sworn valuation by the owner, the tax declarations, and the assessment made by government assessors shall be considered. The social and economic benefits contributed by the farmers and the farmworkers and by the Government to the property as well as the non-payment of taxes or loans secured from any government financing institution on the said land shall be considered as additional factors to determine its valuation.

**SECTION 18. Valuation and Mode of Compensation.** – The LBP shall compensate the landowner in such amounts as may be agreed upon by the landowner and the DAR and the LBP, in accordance with the criteria provided for in Sections 16 and 17 and other pertinent provisions hereof, or as may be finally determined by the court, as the just compensation for the land.

The compensation shall be paid in one of the following modes, at the option of the landowner:

- (1) Cash payment, under the following terms and conditions;

(a)	For lands above	–	Twenty-five percent
	fifty (50) hectares, insofar		(25%) cash, the balance to
	as the excess hectarage is		be paid in government
	concerned.		financial instruments
			negotiable at any time.
(b)	For lands above	–	Thirty percent (30%) cash,
	twenty-four (24) hectares		the balance to be paid in
	and up to fifty (50) hectares.		government financial
			instruments negotiable
			at any time.
(c)	For lands twenty-four	–	Thirty-five percent (35%)
	(24) hectares and below.		cash, the balance to be paid
			in government financial
			instruments negotiable at
			any time.

(2) Shares of stock in government-owned or controlled corporations, LBP preferred shares, physical assets or other qualified investments in accordance with guidelines set by the PARC;

(3) Tax credits which can be used against any tax liability;

(4) LBP bonds, which shall have the following features:

(a) Market interest rates aligned with 91-day treasury bill rates. Ten percent (10%) of the face value of the bonds shall mature every year from the date of issuance until the tenth (10th) year: Provided, That should the landowner choose to forego the cash portion, whether in full or in part, he shall be paid correspondingly in LBP bonds;

(b) Transferability and negotiability. Such LBP bonds may be used by the landowner, his successors in interest or his assigns, up to the amount of their face value, for any of the following:

(i) Acquisition of land or other real properties of the government, including assets under the Asset Privatization Program and other assets foreclosed by government financial institutions in the same province or region where the lands for which the bonds were paid are situated;

(ii) Acquisition of shares of stock of government-owned or controlled corporations or shares of stocks owned by the government in private corporations;

(iii) Substitution for surety or bail bonds for the provisional release of accused persons, or performance bonds;

(iv) Security for loans with any government financial institution, provided the proceeds of the loans shall be invested in an economic enterprise, preferably in a small- and medium-scale industry, in the same province or region as the land for which the bonds are paid;

(v) Payment for various taxes and fees to government; Provided, That the use of these bonds for these purposes will be limited to a certain percentage of the outstanding balance of the financial instruments: Provided, further, That the PARC shall determine the percentage mentioned above;

(vi) Payment for tuition fees of the immediate family of the original bondholder in government universities, colleges, trade schools, and other institutions;

(vii) Payment for fees of the immediate family of the original bondholder in government hospitals; and

(viii) Such other uses as the PARC may from time to time allow.

In case of extraordinary inflation, the PARC shall take appropriate measures to protect the economy.

**SECTION 19. Incentives for Voluntary Offers for Sale.** – Landowners, other than banks and other financial institutions, who voluntarily offer their lands for sale shall be entitled to an additional five percent (5%) cash payment.

SECTION 20. Voluntary Land Transfer. – Landowners of agricultural lands subject to acquisition under this Act may enter into a voluntary arrangement for direct transfer of their lands to qualified beneficiaries subject to the following guidelines:

(a) All notices for voluntary land transfer must be submitted to the DAR within the first year of the implementation of the CARP. Negotiations between the landowners and qualified beneficiaries covering any voluntary land transfer which remain unresolved after one (1) year shall not be recognized and such land shall instead be acquired by the government and transferred pursuant to this Act.

(b) The terms and conditions of such transfer shall not be less favorable to the transferee than those of the government's standing offer to purchase from the landowner and to resell to the beneficiaries, if such offers have been made and are fully known to both parties.

(c) The voluntary agreement shall include sanctions for non-compliance by either party and shall be duly recorded and its implementation monitored by the DAR.

SECTION 21. Payment of Compensation by Beneficiaries Under Voluntary Land Transfer. – Direct payments in cash or in kind may be made by the farmer-beneficiary to the landowner under terms to be mutually agreed upon by both parties, which shall be binding upon them, upon registration with and approval by the DAR. Said approval shall be considered given, unless notice of disapproval is received by the farmer-beneficiary within thirty (30) days from the date of registration.

In the event they cannot agree on the price of land, the procedure for compulsory acquisition as provided in Section 16 shall apply. The LBP shall extend financing to the beneficiaries for purposes of acquiring the land.

## **CHAPTER VII**

### **Land Redistribution**

SECTION 22. Qualified Beneficiaries. – The lands covered by the CARP shall be distributed as much as possible to landless residents of the same barangay, or in the absence thereof, landless residents of the same municipality in the following order of priority:

- (a) agricultural lessees and share tenants;
- (b) regular farmworkers;
- (c) seasonal farmworkers;
- (d) other farmworkers;

- (e) actual tillers or occupants of public lands;
- (f) collectives or cooperatives of the above beneficiaries; and
- (g) others directly working on the land.

Provided, however, That the children of landowners who are qualified under Section 6 of this Act shall be given preference in the distribution of the land of their parents: and Provided, further, That actual tenant-tillers in the landholdings shall not be ejected or removed therefrom.

Beneficiaries under Presidential Decree No. 27 who have culpably sold, disposed of, or abandoned their land are disqualified to become beneficiaries under this Program.

A basic qualification of a beneficiary shall be his willingness, aptitude, and ability to cultivate and make the land as productive as possible. The DAR shall adopt a system of monitoring the record or performance of each beneficiary, so that any beneficiary guilty of negligence or misuse of the land or any support extended to him shall forfeit his right to continue as such beneficiary. The DAR shall submit periodic reports on the performance of the beneficiaries to the PARC.

If, due to the landowner's retention rights or to the number of tenants, lessees, or workers on the land, there is not enough land to accommodate any or some of them, they may be granted ownership of other lands available for distribution under this Act, at the option of the beneficiaries.

Farmers already in place and those not accommodated in the distribution of privately-owned lands will be given preferential rights in the distribution of lands from the public domain.

**SECTION 23. Distribution Limit.** – No qualified beneficiary may own more than three (3) hectares of agricultural land.

**SECTION 24. Award to Beneficiaries.** – The rights and responsibilities of the beneficiary shall commence from the time the DAR makes an award of the land to him, which award shall be completed within one hundred eighty (180) days from the time the DAR takes actual possession of the land. Ownership of the beneficiary shall be evidenced by a Certificate of Land Ownership Award, which shall contain the restrictions and conditions provided for in this Act, and shall be recorded in the Register of Deeds concerned and annotated on the Certificate of Title.

**SECTION 25. Award Ceilings for Beneficiaries.** – Beneficiaries shall be awarded an area not exceeding three (3) hectares which may cover a contiguous tract of land or several parcels of land cumulated up to the prescribed award limits.

For purposes of this Act, a landless beneficiary is one who owns less than three (3) hectares of agricultural land.

The beneficiaries may opt for collective ownership, such as co-ownership or farmers cooperative or some other form of collective organization: Provided, That the total area that may be awarded shall not exceed the total number of co-owners or member of the cooperative or collective organization multiplied by the award limit above prescribed, except in meritorious cases as determined by the PARC. Title to the property shall be issued in the name of the co-owners or the cooperative or collective organization as the case may be.

SECTION 26. Payment by Beneficiaries. – Lands awarded pursuant to this Act shall be paid for by the beneficiaries to the LBP in thirty (30) annual amortizations at six percent (6%) interest per annum. The payments for the first three (3) years after the award may be at reduced amounts as established by the PARC: Provided, That the first five (5) annual payments may not be more than five percent (5%) of the value of the annual gross production as established by the DAR. Should the scheduled annual payments after the fifth year exceed ten percent (10%) of the annual gross production and the failure to produce accordingly is not due to the beneficiary's fault, the LBP may reduce the interest rate or reduce the principal obligation to make the repayment affordable.

The LBP shall have a lien by way of mortgage on the land awarded to the beneficiary; and this mortgage may be foreclosed by the LBP for non-payment of an aggregate of three (3) annual amortizations. The LBP shall advise the DAR of such proceedings and the latter shall subsequently award the forfeited landholdings to other qualified beneficiaries. A beneficiary whose land, as provided herein, has been foreclosed shall thereafter be permanently disqualified from becoming a beneficiary under this Act.

SECTION 27. Transferability of Awarded Lands. – Lands acquired by beneficiaries under this Act may not be sold, transferred or conveyed except through hereditary succession, or to the government, or to the LBP, or to other qualified beneficiaries for a period of ten (10) years: Provided, however, That the children or the spouse of the transferor shall have a right to repurchase the land from the government or LBP within a period of two (2) years. Due notice of the availability of the land shall be given by the LBP to the Barangay Agrarian Reform Committee (BARC) of the barangay where the land is situated. The Provincial Agrarian Reform Coordinating Committee (PARCCOM) as herein provided, shall, in turn, be given due notice thereof by the BARC.

If the land has not yet been fully paid by the beneficiary, the rights to the land may be transferred or conveyed, with prior approval of the DAR, to any heir of the beneficiary or to any other beneficiary who, as a condition for such transfer or conveyance, shall cultivate the land himself. Failing compliance herewith, the land shall be transferred to the LBP which shall give due notice of the availability of the land in the manner specified in the immediately preceding paragraph.

In the event of such transfer to the LBP, the latter shall compensate the beneficiary in one lump sum for the amounts the latter has already paid, together with the value of improvements he has made on the land.

SECTION 28. Standing Crops at the Time of Acquisition. – The landowner shall retain his share of any standing crops unharvested at the time the DAR shall take possession of the land under Section 16 of this Act, and shall be given a reasonable time to harvest the same.

## **CHAPTER VIII**

### **Corporate Farms**

SECTION 29. Farms Owned or Operated by Corporations or Other Business Associations. – In the case of farms owned or operated by corporations or other business associations, the following rules shall be observed by the PARC:

In general, lands shall be distributed directly to the individual worker-beneficiaries.

In case it is not economically feasible and sound to divide the land, then it shall be owned collectively by the worker-beneficiaries who shall form a workers' cooperative or association which will deal with the corporation or business association. Until a new agreement is entered into by and between the workers' cooperative or association and the corporation or business association, any agreement existing at the time this Act takes effect between the former and the previous landowner shall be respected by both the workers' cooperative or association and the corporation or business association.

SECTION 30. Homelots and Farmlots for Members of Cooperatives. – The individual members of the cooperatives or corporations mentioned in the preceding section shall be provided with homelots and small farmlots for their family use, to be taken from the land owned by the cooperative or corporation.

SECTION 31. Corporate Landowners. – Corporate landowners may voluntarily transfer ownership over their agricultural landholdings to the Republic of the Philippines pursuant to Section 20 hereof or to qualified beneficiaries, under such terms and conditions, consistent with this Act, as they may agree upon, subject to confirmation by the DAR.

Upon certification by the DAR, corporations owning agricultural lands may give their qualified beneficiaries the right to purchase such proportion of the capital stock of the corporation that the agricultural land, actually devoted to agricultural activities, bears in relation to the company's total assets, under such terms and conditions as may be agreed upon by them. In no case shall the compensation received by the workers at the time the shares of stocks are distributed be reduced. The same principle shall be applied to associations, with respect to their equity or participation.

Corporations or associations which voluntarily divest a proportion of their capital stock, equity or participation in favor of their workers or other qualified beneficiaries under this section shall be deemed to have complied with the provisions of this Act: Provided, That the following conditions are complied with:

- a) In order to safeguard the right of beneficiaries who own shares of stocks to dividends and other financial benefits, the books of the corporation or association shall be subject to periodic audit by certified public accountants chosen by the beneficiaries;
- b) Irrespective of the value of their equity in the corporation or association, the beneficiaries shall be assured of at least one (1) representative in the board of directors, or in a management or executive committee, if one exists, of the corporation or association; and
- c) Any shares acquired by such workers and beneficiaries shall have the same rights and features as all other shares.
- d) Any transfer of shares of stocks by the original beneficiaries shall be void ab initio unless said transaction is in favor of a qualified and registered beneficiary within the same corporation.

If within two (2) years from the approval of this Act, the land or stock transfer envisioned above is not made or realized or the plan for such stock distribution approved by the PARC within the same period, the agricultural land of the corporate owners or corporation shall be subject to the compulsory coverage of this Act.

SECTION 32. Production-Sharing. – Pending final land transfer, individuals or entities owning, or operating under lease or management contract, agricultural lands are hereby mandated to execute a production-sharing plan with their farmworkers or farmworkers' organization, if any, whereby three percent (3%) of the gross sales from the production of such lands are distributed within sixty (60) days of the end of the fiscal year as compensation to regular and other farmworkers in such lands over and above the compensation they currently receive: Provided, That these individuals or entities realize gross sales in excess of five million pesos per annum unless the DAR, upon proper application, determines a lower ceiling.

In the event that the individual or entity realizes a profit, an additional ten percent (10%) of the net profit after tax shall be distributed to said regular and other farmworkers within ninety (90) days of the end of the fiscal year.

To forestall any disruption in the normal operation of lands to be turned over to the farmworker-beneficiaries mentioned above, a transitory period, the length of which shall be determined by the DAR, shall be established.

During this transitory period, at least one percent (1%) of the gross sales of the entity shall be distributed to the managerial, supervisory and technical group in place at the time of the effectivity of this Act, as compensation for such transitory managerial and technical functions as it will perform, pursuant to an agreement that the farmworker-beneficiaries and the managerial, supervisory and technical group may conclude, subject to the approval of the DAR.

SECTION 33. Payment of Shares of Cooperative or Association. – Shares of a cooperative or association acquired by farmer-beneficiaries or worker-beneficiaries shall be fully paid for in an amount corresponding to the valuation as determined in the immediately succeeding section. The landowner and the LBP shall assist the farmer-beneficiaries and worker-beneficiaries in the payment for said shares by providing credit financing.

SECTION 34. Valuation of Lands. – A valuation scheme for the land shall be formulated by the PARC, taking into account the factors enumerated in Section 17, in addition to the need to stimulate the growth of cooperatives and the objective of fostering responsible participation of the worker-beneficiaries in the creation of wealth.

In the determination of a price that is just not only to the individual but to society as well, the PARC shall consult closely with the landowner and the worker-beneficiaries.

In case of disagreement, the price as determined by the PARC, if accepted by the worker-beneficiaries, shall be followed, without prejudice to the landowner's right to petition the Special Agrarian Court to resolve the issue of valuation.

## **CHAPTER IX**

### **Support Services**

SECTION 35. Creation of Support Services Office. – There is hereby created the Office of Support Services under the DAR to be headed by an Undersecretary.

The Office shall provide general support and coordinative services in the implementation of the program particularly in carrying out the provisions of the following services to farmer-beneficiaries and affected landowners:

- 1) Irrigation facilities, especially second crop or dry season irrigation facilities;
- 2) Infrastructure development and public works projects in areas and settlements that come under agrarian reform, and for this purpose, the preparation of the physical development plan of such settlements providing suitable barangay sites, potable water and power resources, irrigation systems and other facilities for a sound agricultural development plan;
- 3) Government subsidies for the use of irrigation facilities;
- 4) Price support and guarantee for all agricultural produce;
- 5) Extending to small landowners, farmers and farmers' organizations the necessary credit, like concessional and collateral-free loans, for agro-industrialization based on social collaterals like the guarantees of farmers' organizations;

- 6) Promoting, developing and extending financial assistance to small- and medium-scale industries in agrarian reform areas;
- 7) Assigning sufficient numbers of agricultural extension workers to farmers' organizations;
- 8) Undertake research, development and dissemination of information on agrarian reform and low-cost and ecologically sound farm inputs and technologies to minimize reliance on expensive and imported agricultural inputs;
- 9) Development of cooperative management skills through intensive training;
- 10) Assistance in the identification of ready markets for agricultural produce and training in other various aspects of marketing; and
- 11) Administration, operation, management and funding of support services, programs and projects including pilot projects and models related to agrarian reform as developed by the DAR.

SECTION 36. Funding for Support Services. – In order to cover the expenses and cost of support services, at least twenty-five percent (25%) of all appropriations for agrarian reform shall be immediately set aside and made available for this purpose. In addition, the DAR shall be authorized to package proposals and receive grants, aid and other forms of financial assistance from any source.

SECTION 37. Support Services to the Beneficiaries. – The PARC shall ensure that support services to farmer-beneficiaries are provided, such as:

- (a) Land surveys and titling;
- (b) Liberalized terms on credit facilities and production loans;
- (c) Extension services by way of planting, cropping, production and post-harvest technology transfer, as well as marketing and management assistance and support to cooperatives and farmers' organizations;
- (d) Infrastructure such as access trails, mini-dams, public utilities, marketing and storage facilities; and
- (e) Research, production and use of organic fertilizers and other local substances necessary in farming and cultivation.

The PARC shall formulate policies to ensure that support services to farmer-beneficiaries shall be provided at all stages of land reform.

The Bagong Kilusang Kabuhayan sa Kaunlaran (BKKK) Secretariat shall be transferred and attached to the LBP, for its supervision including all its applicable and existing funds, personnel, properties, equipment and records.

Misuse or diversion of the financial and support services herein provided shall result in sanctions against the beneficiary guilty thereof, including the forfeiture of the land transferred to him or lesser sanctions as may be provided by the PARC, without prejudice to criminal prosecution.

SECTION 38. Support Services to Landowners. – The PARC with the assistance of such other government agencies and instrumentalities as it may direct, shall provide landowners affected by the CARP and prior agrarian reform programs with the following services:

- (a) Investment information, financial and counseling assistance;
- (b) Facilities, programs and schemes for the conversion or exchange of bonds issued for payment of the lands acquired with stocks and bonds issued by the National Government, the Central Bank and other government institutions and instrumentalities;
- (c) Marketing of LBP bonds, as well as promoting the marketability of said bonds in traditional and non-traditional financial markets and stock exchanges; and
- (d) Other services designed to utilize productively the proceeds of the sale of such lands for rural industrialization.

A landowner who invests in rural-based industries shall be entitled to the incentives granted to a registered enterprise engaged in a pioneer or preferred area of investment as provided for in the Omnibus Investment Code of 1987, or to such other incentives as the PARC, the LBP, or other government financial institutions may provide.

The LBP shall redeem a landowner's LBP bonds at face value, provided that the proceeds thereof shall be invested in a BOI-registered company or in any agri-business or agro-industrial enterprise in the region where the landowner has previously made investments, to the extent of thirty percent (30%) of the face value of said LBP bonds, subject to guidelines that shall be issued by the LBP.

SECTION 39. Land Consolidation. – The DAR shall carry out land consolidation projects to promote equal distribution of landholdings, to provide the needed infrastructures in agriculture, and to conserve soil fertility and prevent erosion.

## **CHAPTER X**

### **Special Areas of Concern**

SECTION 40. Special Areas of Concern. – As an integral part of the Comprehensive Agrarian Reform Program, the following principles in these special areas of concern shall be observed:

(1) Subsistence Fishing. – Small fisherfolk, including seaweed farmers, shall be assured of greater access to the utilization of water resources.

(2) Logging and Mining Concessions. – Subject to the requirement of a balanced ecology and conservation of water resources, suitable areas, as determined by the Department of Environment and Natural Resources (DENR), in logging, mining and pasture areas, shall be opened up for agrarian settlements whose beneficiaries shall be required to undertake reforestation and conservation production methods. Subject to existing laws, rules and regulations, settlers and members of tribal communities shall be allowed to enjoy and exploit the products of the forest other than timber within the logging concessions.

(3) Sparsely Occupied Public Agricultural Lands. – Sparsely occupied agricultural lands of the public domain shall be surveyed, proclaimed and developed as farm settlements for qualified landless people based on an organized program to ensure their orderly and early development.

Agricultural land allocations shall be made for ideal family-size farms as determined by the PARC. Pioneers and other settlers shall be treated equally in every respect.

Subject to the prior rights of qualified beneficiaries, uncultivated lands of the public domain shall be made available on a lease basis to interested and qualified parties. Parties who will engaged in the development of capital-intensive, traditional or pioneering crops shall be given priority.

The lease period, which shall not be more than a total of fifty (50) years, shall be proportionate to the amount of investment and production goals of the lessee. A system of evaluation and audit shall be instituted.

(4) Idle, Abandoned, Foreclosed and Sequestered Lands. – Idle, abandoned, foreclosed and sequestered lands shall be planned for distribution as home lots and family-size farmlots to actual occupants. If land area permits, other landless families shall be accommodated in these lands.

(5) Rural Women. – All qualified women members of the agricultural labor force must be guaranteed and assured equal right to ownership of the land, equal shares of the farm's produce, and representation in advisory or appropriate decision-making bodies.

(6) Veterans and Retirees. – In accordance with Section 7 of Article XVI of the Constitution, landless war veterans and veterans of military campaigns, their surviving spouses and orphans, retirees of the Armed Forces of the Philippines (AFP) and the Integrated National Police (INP), returnees, surrenderees, and similar beneficiaries shall be given due consideration in the disposition of agricultural lands of the public domain.

(7) Agriculture Graduates. – Graduates of agricultural schools who are landless shall be assisted by the government, through the DAR, in their desire to own and till agricultural lands.

## CHAPTER XI

### Program Implementation

SECTION 41. The Presidential Agrarian Reform Council. – The Presidential Agrarian Reform Council (PARC) shall be composed of the President of the Philippines as Chairman, the Secretary of Agrarian Reform as Vice-Chairman and the following as members; Secretaries of the Departments of Agriculture; Environment and Natural Resources; Budget and Management; Local Government; Public Works and Highways; Trade and Industry; Finance; Labor and Employment; Director-General of the National Economic and Development Authority; President, Land Bank of the Philippines; Administrator, National Irrigation Administration; and three (3) representatives of affected landowners to represent Luzon, Visayas and Mindanao; six (6) representatives of agrarian reform beneficiaries, two (2) each from Luzon, Visayas and Mindanao, provided that one of them shall be from the cultural communities.

SECTION 42. Executive Committee. – There shall be an Executive Committee (EXCOM) of the PARC composed of the Secretary of the DAR as Chairman, and such other members as the President may designate, taking into account Article XIII, Section 5 of the Constitution. Unless otherwise directed by the PARC, the EXCOM may meet and decide on any and all matters in between meetings of the PARC; Provided, however, That its decisions must be reported to the PARC immediately and not later than the next meeting.

SECTION 43. Secretariat. – A PARC Secretariat is hereby established to provide general support and coordinative services such as inter-agency linkages; program and project appraisal and evaluation and general operations monitoring for the PARC.

The Secretariat shall be headed by the Secretary of Agrarian Reform who shall be assisted by an Undersecretary and supported by a staff whose composition shall be determined by the PARC Executive Committee and whose compensation shall be chargeable against the Agrarian Reform Fund. All officers and employees of the Secretariat shall be appointed by the Secretary of Agrarian Reform.

SECTION 44. Provincial Agrarian Reform Coordinating Committee (PARCCOM). – A Provincial Agrarian Reform Coordinating Committee (PARCCOM) is hereby created in each province, composed of a Chairman, who shall be appointed by the President upon the recommendation of the EXCOM, the Provincial Agrarian Reform Officer as Executive Officer, and one representative each from the Departments of Agriculture, and of Environment and Natural Resources and from the LBP, one representative each from existing farmers' organizations, agricultural cooperatives and non-governmental organizations in the province; two

representatives from landowners, at least one of whom shall be a producer representing the principal crop of the province, and two representatives from farmer and farmworker-beneficiaries, at least one of whom shall be a farmer or farmworker representing the principal crop of the province, as members: Provided, That in areas where there are cultural communities, the latter shall likewise have one representative.

The PARCCOM shall coordinate and monitor the implementation of the CARP in the province. It shall provide information on the provisions of the CARP, guidelines issued by the PARC and on the progress of the CARP in the province.

SECTION 45. Province-by-Province Implementation. – The PARC shall provide the guidelines for a province-by-province implementation of the CARP. The ten-year program of distribution of public and private lands in each province shall be adjusted from year by the province's PARCCOM in accordance with the level of operations previously established by the PARC, in every case ensuring that support services are available or have been programmed before actual distribution is effected.

SECTION 46. Barangay Agrarian Reform Committee (BARC). – Unless otherwise provided in this Act, the provisions of Executive Order No. 229 regarding the organization of the Barangay Agrarian Reform Committee (BARC) shall be in effect.

SECTION 47. Functions of the BARC. – In addition to those provided in Executive Order No. 229, the BARC shall have the following functions:

- (a) Mediate and conciliate between parties involved in an agrarian dispute including matters related to tenurial and financial arrangements;
- (b) Assist in the identification of qualified beneficiaries and landowners within the barangay;
- (c) Attest to the accuracy of the initial parcellary mapping of the beneficiary's tillage;
- (d) Assist qualified beneficiaries in obtaining credit from lending institutions;
- (e) Assist in the initial determination of the value of the land;
- (f) Assist the DAR representatives in the preparation of periodic reports on the CARP implementation for submission to the DAR;
- (g) Coordinate the delivery of support services to beneficiaries; and
- (h) Perform such other functions as may be assigned by the DAR.

(2) The BARC shall endeavor to mediate, conciliate and settle agrarian disputes lodged before it within thirty (30) days from its taking cognizance thereof. If after the lapse of the thirty day

period, it is unable to settle the dispute, it shall issue a certificate of its proceedings and shall furnish a copy thereof upon the parties within seven (7) days after the expiration of the thirty-day period.

SECTION 48. Legal Assistance. – The BARC or any member thereof may, whenever necessary in the exercise of any of its functions hereunder, seek the legal assistance of the DAR and the provincial, city, or municipal government.

SECTION 49. Rules and Regulations. – The PARC and the DAR shall have the power to issue rules and regulations, whether substantive or procedural, to carry out the objects and purposes of this Act. Said rules shall take effect ten (10) days after publication in two (2) national newspapers of general circulation.

## **CHAPTER XII**

### **Administrative Adjudication**

SECTION 50. Quasi-Judicial Powers of the DAR. – The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).

It shall not be bound by technical rules of procedure and evidence but shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with justice and equity and the merits of the case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination of every action or proceeding before it.

It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel the production of books and documents and answers to interrogatories and issue subpoena, and subpoena duces tecum, and enforce its writs through sheriffs or other duly deputized officers. It shall likewise have the power to punish direct and indirect contempts in the same manner and subject to the same penalties as provided in the Rules of Court.

Responsible farmer leaders shall be allowed to represent themselves, their fellow farmers, or their organizations in any proceedings before the DAR: Provided, however, That when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

Notwithstanding an appeal to the Court of Appeals, the decision of the DAR shall be immediately executory.

SECTION 51. Finality of Determination. – Any case or controversy before it shall be decided within thirty (30) days after it is submitted for resolution. Only one (1) motion for reconsideration shall be allowed. Any order, ruling or decision shall be final after the lapse of fifteen (15) days from receipt of a copy thereof.

SECTION 52. Frivolous Appeals. – To discourage frivolous or dilatory appeals from the decisions or orders on the local or provincial levels, the DAR may impose reasonable penalties, including but not limited to fines or censures upon erring parties.

SECTION 53. Certification of the BARC. – The DAR shall not take cognizance of any agrarian dispute or controversy unless a certification from the BARC that the dispute has been submitted to it for mediation and conciliation without any success of settlement is presented: Provided, however, That if no certification is issued by the BARC within thirty (30) days after a matter or issue is submitted to it for mediation or conciliation the case or dispute may be brought before the PARC.

### **CHAPTER XIII**

#### **Judicial Review**

SECTION 54. Certiorari. – Any decision, order, award or ruling of the DAR on any agrarian dispute or on any matter pertaining to the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform may be brought to the Court of Appeals by certiorari except as otherwise provided in this Act within fifteen (15) days from the receipt of a copy thereof.

The findings of fact of the DAR shall be final and conclusive if based on substantial evidence.

SECTION 55. No Restraining Order or Preliminary Injunction. – No court in the Philippines shall have jurisdiction to issue any restraining order or writ of preliminary injunction against the PARC or any of its duly authorized or designated agencies in any case, dispute or controversy arising from, necessary to, or in connection with the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform.

SECTION 56. Special Agrarian Court. – The Supreme Court shall designate at least one (1) branch of the Regional Trial Court (RTC) within each province to act as a Special Agrarian Court.

The Supreme Court may designate more branches to constitute such additional Special Agrarian Courts as may be necessary to cope with the number of agrarian cases in each province. In the designation, the Supreme Court shall give preference to the Regional Trial Courts which have been assigned to handle agrarian cases or whose presiding judges were former judges of the defunct Court of Agrarian Relations.

The Regional Trial Court (RTC) judges assigned to said courts shall exercise said special jurisdiction in addition to the regular jurisdiction of their respective courts.

The Special Agrarian Courts shall have the powers and prerogatives inherent in or belonging to the Regional Trial Courts.

SECTION 57. Special Jurisdiction. – The Special Agrarian Courts shall have original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners, and the prosecution of all criminal offenses under this Act. The Rules of Court shall apply to all proceedings before the Special Agrarian Courts, unless modified by this Act.

The Special Agrarian Courts shall decide all appropriate cases under their special jurisdiction within thirty (30) days from submission of the case for decision.

SECTION 58. Appointment of Commissioners. – The Special Agrarian Courts, upon their own initiative or at the instance of any of the parties, may appoint one or more commissioners to examine, investigate and ascertain facts relevant to the dispute, including the valuation of properties, and to file a written report thereof with the court.

SECTION 59. Orders of the Special Agrarian Courts. – No order of the Special Agrarian Courts on any issue, question, matter or incident raised before them shall be elevated to the appellate courts until the hearing shall have been terminated and the case decided on the merits.

SECTION 60. Appeals. – An appeal may be taken from the decision of the Special Agrarian Courts by filing a petition for review with the Court of Appeals within fifteen (15) days from receipt of notice of the decision; otherwise, the decision shall become final.

An appeal from the decision of the Court of Appeals, or from any order, ruling or decision of the DAR, as the case may be, shall be by a petition for review with the Supreme Court within a non-extendible period of fifteen (15) days from receipt of a copy of said decision.

SECTION 61. Procedure on Review. – Review by the Court of Appeals or the Supreme Court, as the case may be, shall be governed by the Rules of Court. The Court of Appeals, however, may require the parties to file simultaneous memoranda within a period of fifteen (15) days from notice, after which the case is deemed submitted for decision.

SECTION 62. Preferential Attention in Courts. – All courts in the Philippines, both trial and appellate, shall give preferential attention to all cases arising from or in connection with the implementation of the provisions of this Act.

All cases pending in court arising from or in connection with the implementation of this Act shall continue to be heard, tried and decided into their finality, notwithstanding the expiration of the ten-year period mentioned in Section 5 hereof.

## CHAPTER XIV

### Financing

SECTION 63. Funding Source. – The initial amount needed to implement this Act for the period of ten (10) years upon approval hereof shall be funded from the Agrarian Reform Fund created under Sections 20 and 21 of Executive Order No. 229.

Additional amounts are hereby authorized to be appropriated as and when needed to augment the Agrarian Reform Fund in order to fully implement the provisions of this Act.

Sources of funding or appropriations shall include the following:

- a) Proceeds of the sales of the Assets Privatization Trust;
- b) All receipts from assets recovered and from sales of ill-gotten wealth recovered through the Presidential Commission on Good Government;
- c) Proceeds of the disposition of the properties of the Government in foreign countries;
- d) Portion of amounts accruing to the Philippines from all sources of official foreign aid grants and concessional financing from all countries, to be used for the specific purposes of financing production credits, infrastructures, and other support services required by this Act;
- (e) Other government funds not otherwise appropriated.

All funds appropriated to implement the provisions of this Act shall be considered continuing appropriations during the period of its implementation.

SECTION 64. Financial Intermediary for the CARP. – The Land Bank of the Philippines shall be the financial intermediary for the CARP, and shall insure that the social justice objectives of the CARP shall enjoy a preference among its priorities.

## CHAPTER XV

### General Provisions

SECTION 65. Conversion of Lands. – After the lapse of five (5) years from its award, when the land ceases to be economically feasible and sound for agricultural purposes, or the locality has become urbanized and the land will have a greater economic value for residential, commercial or industrial purposes, the DAR, upon application of the beneficiary or the landowner, with due notice to the affected parties, and subject to existing laws, may authorize the reclassification or conversion of the land and its disposition: Provided, That the beneficiary shall have fully paid his obligation.

SECTION 66. Exemptions from Taxes and Fees of Land Transfers. – Transactions under this Act involving a transfer of ownership, whether from natural or juridical persons, shall be exempted from taxes arising from capital gains. These transactions shall also be exempted from the payment of registration fees, and all other taxes and fees for the conveyance or transfer thereof; Provided, That all arrearages in real property taxes, without penalty or interest, shall be deductible from the compensation to which the owner may be entitled.

SECTION 67. Free Registration of Patents and Titles. – All Registers of Deeds are hereby directed to register, free from payment of all fees and other charges, patents, titles and documents required for the implementation of the CARP.

SECTION 68. Immunity of Government Agencies from Undue Interference. – No injunction, restraining order, prohibition or mandamus shall be issued by the lower courts against the Department of Agrarian Reform (DAR), the Department of Agriculture (DA), the Department of Environment and Natural Resources (DENR), and the Department of Justice (DOJ) in their implementation of the program.

SECTION 69. Assistance of Other Government Entities. – The PARC, in the exercise of its functions, is hereby authorized to call upon the assistance and support of other government agencies, bureaus and offices, including government-owned or -controlled corporations.

SECTION 70. Disposition of Private Agricultural Lands. – The sale or disposition of agricultural lands retained by a landowner as a consequence of Section 6 hereof shall be valid as long as the total landholdings that shall be owned by the transferee thereof inclusive of the land to be acquired shall not exceed the landholding ceiling provided for in this Act.

Any sale or disposition of agricultural lands after the effectivity of this Act found to be contrary to the provisions hereof shall be null and void.

Transferees of agricultural lands shall furnish the appropriate Register of Deeds and the BARC an affidavit attesting that his total landholdings as a result of the said acquisition do not exceed the landholding ceiling. The Register of Deeds shall not register the transfer of any agricultural land without the submission of this sworn statement together with proof of service of a copy thereof to the BARC.

SECTION 71. Bank Mortgages. – Banks and other financial institutions allowed by law to hold mortgage rights or security interests in agricultural lands to secure loans and other obligations of borrowers, may acquire title to these mortgaged properties, regardless of area, subject to existing laws on compulsory transfer of foreclosed assets and acquisition as prescribed under Section 13 of this Act.

SECTION 72. Lease, Management, Grower or Service Contracts, Mortgages and Other Claims. – Lands covered by this Act under lease, management, grower or service contracts, and the like shall be disposed of as follows:

(a) Lease, management, grower or service contracts covering private lands may continue under their original terms and conditions until the expiration of the same even if such land has, in the meantime, been transferred to qualified beneficiaries.

(b) Mortgages and other claims registered with the Register of Deeds shall be assumed by the government up to an amount equivalent to the landowner's compensation value as provided in this Act.

SECTION 73. Prohibited Acts and Omissions. – The following are prohibited:

(a) The ownership or possession, for the purpose of circumventing the provisions of this Act, of agricultural lands in excess of the total retention limits or award ceilings by any person, natural or juridical, except those under collective ownership by farmer-beneficiaries.

(b) The forcible entry or illegal detainer by persons who are not qualified beneficiaries under this Act to avail themselves of the rights and benefits of the Agrarian Reform Program.

(c) The conversion by any landowner of his agricultural land into any non-agricultural use with intent to avoid the application of this Act to his landholdings and to dispossess his tenant farmers of the land tilled by them.

(d) The willful prevention or obstruction by any person, association or entity of the implementation of the CARP.

(e) The sale, transfer, conveyance or change of the nature of lands outside of urban centers and city limits either in whole or in part after the effectivity of this Act. The date of the registration of the deed of conveyance in the Register of Deeds with respect to titled lands and the date of the issuance of the tax declaration to the transferee of the property with respect to unregistered lands, as the case may be, shall be conclusive for the purpose of this Act.

(f) The sale, transfer or conveyance by a beneficiary of the right to use or any other usufructuary right over the land he acquired by virtue of being a beneficiary, in order to circumvent the provisions of this Act.

SECTION 74. Penalties. – Any person who knowingly or willfully violates the provisions of this Act shall be punished by imprisonment of not less than one (1) month to not more than three (3) years or a fine of not less than one thousand pesos (P1,000.00) and not more than fifteen thousand pesos (P15,000.00), or both, at the discretion of the court.

If the offender is a corporation or association, the officer responsible therefor shall be criminally liable.

SECTION 75. Suppletory Application of Existing Legislation. – The provisions of Republic Act No. 3844 as amended, Presidential Decree Nos. 27 and 266 as amended, Executive Order Nos. 228 and 229, both Series of 1987; and other laws not inconsistent with this Act shall have suppletory effect.

SECTION 76. Repealing Clause. – Section 35 of Republic Act No. 3834, Presidential Decree No. 316, the last two paragraphs of Section 12 of Presidential Decree No. 946, Presidential Decree No. 1038, and all other laws, decrees, executive orders, rules and regulations, issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 77. Separability Clause. – If, for any reason, any section or provision of this Act is declared null and void, no other section, provision, or part thereof shall be affected and the same shall remain in full force and effect.

SECTION 78. Effectivity Clause. – This Act shall take effect immediately after publication in at least two (2) national newspapers of general circulation.

Approved: June 10, 1988

**Speech  
of  
His Excellency Fidel V. Ramos  
President of the Philippines**

**During the 20th Philippine Business Conference of the Philippine Chamber of Commerce  
and Industry**

[Delivered at the Hotel Nikko Manila Garden, Makati, Metro Manila, November 24, 1994]

The speech is accessible at <https://www.officialgazette.gov.ph/1994/11/24/speech-of-president-ramos-during-the-20th-philippine-business-conference-of-the-philippine-chamber-of-commerce-and-industry/>

Fidel V. Ramos, commonly known as FVR or Eddie, played a pivotal role in the bloodless and non-violent People Power Revolution of 1986 that overthrew the authoritarian regime of Ferdinand Marcos. When Corazon Aquino clinched the presidency, Aquino named Ramos as Chief of Staff of the Armed Forces of the Philippines and later as Secretary of National Defense. Supported by President Aquino, Ramos was catapulted to power, defeating Agrarian Reform Secretary, Miriam Defensor Santiago, by a narrow margin.

Addressing the delegates to the 20th Philippine Business Conference of the Philippine Chamber of Commerce and Industry, President Ramos welcomed the ratification of the URUGUAY ROUND of the General Agreement on Tariffs and Trade (GATT), saying that the Uruguay Round “is an issue worthy of our undivided attention and urgent deliberation. Speaking of the rudiments of the GATT, Ramos noted that the removal of the barriers to trade could make world trade “more transparent and efficient.” Ramos had a deep conviction that the Philippines stood to benefit from the trade agreement. As the president allayed the fears that the Philippine membership in GATT could cripple its “agriculture and industries,” he admitted that there were certain sectors that would be greatly affected by the agreement and recognized that as the leader of the country, he was duty-bound to “ease their plight and help them attain more secure positions in our economic life.”

**Ratifying the Uruguay Round**

**The world will not  
wait for us**

THE URUGUAY ROUND (UR) of the General Agreement on Tariffs and Trade (GATT), which awaits ratification by the parliaments and legislatures of the world—including our own—is an issue worthy of our undivided attention and urgent deliberation.

On the first day of 1995, depending on the decision of the members of the GATT, the world will enter into a new trade order or remain moored to the system of closed-door trading blocs and economically inefficient commerce that it has today.

Unless the Uruguay Round agreement is ratified this year, the World Trade Organization (WTO), which will oversee the new trade order, cannot open for business as planned next year. Worse, if the agreement is not ratified this year, it could mean, as many have suggested, the closing of this window of opportunity for the world economy.

#### A critical time for GATT

Let us be clear about what is at stake—for our country and for the world—in this great issue. When GATT members signed the Uruguay Round agreement in Marrakesh last April, they ended seven and a half years of difficult negotiations. The length of the negotiations suggests the complexity and import of the agreement. It is nothing less than a great landmark in the world's journey toward freer and more open trade among nations.

Reduced to its essentials, the Uruguay Round aspires to improve and stabilize international regulations for the exchange of goods and services among countries, making world trade transactions more transparent and efficient. The 118 countries that negotiated this agreement are the movers of more than 90 percent of world trade.

Under the agreement, trading uncertainties in the form of arbitrary tariff rates, unduly protective or even unnecessary quotas, and other nontariff barriers are reduced. World trade then becomes more predictable and transparent for those countries that abide by GATT rules. Member-countries could then efficiently plan and implement policies and programs to rationalize their marketing and investment activities.

Second, the Uruguay Round provides for in the World Trade Organization a fitting successor to GATT. The WTO will have the mandate to face the challenge of ensuring a predictable, fair and growth-inducing multilateral trading system for many years to come, and minimize, if not eliminate, bilateral and unilateral trade action, which smaller nations can and do encounter from their richer trading partners.

#### Benefits of GATT

In deciding whether to ratify the new agreement or not, I fully agree that we must examine carefully the implications on our economy of joining this new trade order. This Administration,

in collaboration with the leaders of Congress and the business sector, has been doing that since the conclusion of the Uruguay Round. And we are totally convinced that the Philippines must ratify this agreement because of the benefits and advantages that it confers upon our endeavors to achieve growth and development.

The most conservative estimate of the gain from the proposed new trade order puts it initially at \$200 billion, or roughly 1 percent of gross world product.

This would not be enormously significant in itself, were it not that in a developing country like the Philippines, we stand specifically to increase our exports as we are given more access to international markets. This will trigger a cycle of increase in demand leading to higher incomes and expanded employment—two objectives that have been difficult to achieve without greater and freer trade.

We see here a once-in-a-lifetime opportunity in which our determined push toward modernization will be matched by a comprehensive lowering of trade barriers in the global trading community.

The Uruguay Round achieved a global lowering of tariffs of at least 33 percent, for certain products of particular interest to the Philippines. The reductions are even greater—with as much as 50 percent to 100 percent cuts in the tariff barriers of our major trading partners like the United States, the European Union and Japan in such Philippine products as toys, furniture and electronics.

#### Effects for the Philippines

We have already been able to determine that the tariff reductions pledged by our trading partners will practically apply to the full array of Philippine export products, which in 1993 amounted to almost \$12 billion.

Upon the full implementation of the Uruguay Round results by the year 2000, our exports can increase by an additional \$2.2 billion to \$42.7 billion every year. That would be on top of the natural increase in exports that we experience through time. In terms of money alone, these gains are enormous. In terms of helping to develop our country, they are even more significant. We cannot allow this opportunity to pass us by.

There are some among us who spread fear that under this new GATT, our country will be deluged by cheap imports, resulting in the death of our agriculture and industries.

They see the agreement as a plot of the developed nations to keep the developing nations forever poor and dependent.

They still fancy that we can develop without integrating ourselves to the global economy, without opening our doors to foreign investment. In their fantasy, the Philippines can industrialize by itself, with the State as the engine of development.

The ideology that spreads this fear has long been discredited because it has proved bankrupt and unworkable. You cannot imagine a starker illustration of Socialism's failure than the spectacle of former Communist countries trying to erect market economies. Neither do we need further proof of the poverty of economic ultranationalism and protectionism than our so-called infant industries that have remained infants after 40 years of protection.

### Dealing with the challenge

That there are some sectors in our country that will be adversely affected by the new GATT is of course true. Though their difficulties are no argument against trade reform, we, the leaders, have a clear duty to ease their plight and help them attain more secure positions in our economic life.

We can deal with this challenge so long as we do not transform it into what it is not. To begin with, our country did not commit to reduce tariffs in the Uruguay Round, except in the case of 66 products which at present have high tariffs of 30 percent to 50 percent. These 66 products constitute less than one percent of the almost 5,600 products that we import. The reductions in the 66 products, which cover agricultural and textile products, will be at the rate of 10 percent to 60 percent spread out over ten years.

The Philippines only committed not to raise the tariffs on 2,800 products, or half of the 5,600 products that we import beyond a level that is 10-percentage points higher than the currently applied tariff.

Quantitative import restrictions on agricultural products, like corn and meat products, will be lifted and replaced by very high tariffs. This is the process called tariffication. The Uruguay Round allows us to continue importing what we have normally imported in the past, and permits us to levy a much higher tariff in case we need to import more than historical imports. The process will therefore not be destabilizing for our farmers.

Let us take the case of corn. If there is demand, we can import the 130,000 metric tons a year we imported in the past at a tariff of 35 percent. Anything beyond that volume, we import at 100 percent. Over ten years, we increase the volume to 217,000 metric tons, and reduce the high tariff of 100 percent to 50 percent by the year 2004.

This method not only gradually liberalizes our corn market but also introduces predictability, and therefore sound decision-making in the corn-using sector such as hogs and poultry producers, and even the corn industry itself. Where under the old system our hogs and poultry raisers did not know if there would be any importation of corn, now they will know that there should be at least 130,000 metric tons at 35 percent, and anything beyond that at 100 percent. The corn

industry as well can make its calculations—it will know just how much landed imports will cost and decide on investments and expansion programs in a more scientific way.

Rice, the most important agricultural crop, will be temporarily exempt from tariffication. The Philippines will be able to continue the restriction on rice imports, but we will have to lift these restrictions by the year 2005. In exchange for this flexibility, however, we should allow minimum importations during the ten-year interim period of around 59,000 metric tons in 1995 if there is demand, rising to 236,000 metric tons by the year 2003, at a tariff rate of 50 percent. These volumes represent 1 percent and 4 percent of domestic consumption, respectively, which are lower than the 3 percent and 5 percent of domestic consumption we would have been required to commit had we opted to tariffify rice. We have no obligation to import rice beyond the minimum volume.

The Department of Agriculture, in coordination with the legislature, is about to complete the mechanism for the importation of these minimum volumes with a view to plowing back the proceeds to the farm sector through the putting up of additional infrastructure and postharvest facilities.

The garment industry will continue to benefit from expanding quotas for the next ten years. Both Government and the private sector should use this long transition period to put in place adjustment measures that would improve the competitiveness of Philippine garments in terms of price, quality and turnaround time.

Spurring us to do better

The textile industry will also undergo a modernization program to improve its competitiveness and provide the foundation for the garment industry. That is the rationale for Executive Order 204, which I signed in September. It intends to bring down tariffs on the industry's inputs, raw materials, capital equipment, and even finished goods, to levels that would be low enough to get the modernization program started, and to discourage smuggling.

Without doubt, the Uruguay Round is bound to impact on our country's protection structure—but the process would be over time and not be immediate.

Fears that the agreement will kill domestic industries and agriculture are totally unfounded. The process allows our industries and farm sector adequate time to adjust and develop their capabilities and improve efficiency.

Thus we can be competitive in the global trading game. Confidence and hard work will see us through. Protection did nothing to raise our productivity as a nation. I firmly believe that the challenge of economic survival in a competitive global economy can only spur us to do better.

The issue of subsidies

The agriculture agreement of the Uruguay Round signals the beginning of the end to rampant subsidies for agricultural products. Subsidies give undue advantage to foreign products that, on one hand, cannot compete with products the Philippines exports to the world market, and on the other, compete unfairly with Filipino farmers in the domestic market.

In the developed countries, domestic agriculture subsidies shall be reduced by 20 percent over six years; export subsidies shall be reduced by 36 percent in volume terms and by 21 percent in value terms over six years. These reduction rates actually become deeper when one takes into account that the subsidy cuts will be applied on 1986-88 subsidy levels and not on 1994 figures.

Even our richer ASEAN neighbors will have to effect some reductions in their domestic agricultural subsidies. This should be a boon to our farm sector.

In the area of industrial subsidies, until our per capita GNP reaches \$1,000, the Philippines will be one of the few remaining countries in East Asia that can continue to use subsidies and incentives that are based on export performance. Once that threshold income level is reached, we would still have eight years to phase out such subsidies. In contrast, our neighbors in East Asia and most of our ASEAN neighbors are already phasing out such subsidies.

Subsidies and incentives that require the use of local inputs over imported ones (or local content requirements), however, will have to be phased out by the year 1999. This may have an impact on say, the vehicle manufacturing programs. But here, as in the other areas, what will be lost over time will be of benefit to Filipino consumers.

The Philippines also stands to gain from the multilateral trading rules that were agreed on in the Uruguay Round, because we can use them to protect our legitimate trading interests.

These rules include safeguards to allow us to protect our domestic industries against a surge in imports. Antidumping and countervailing duties to neutralize unfair imports, and those that harmonize trade measures which in the absence of harmonization can become trade barriers, such as technical barriers to trade, sanitary and phytosanitary measures, rules of origin and customs valuation.

The agreement on trade-related aspects of intellectual property rights will require us to improve existing rules to protect intellectual property rights (IPRs) and to ensure their effective enforcement. The Philippines, however, when compared to other countries in Asia, already has a fairly well-developed legislative structure for IPR protection; hence the adjustments will not be substantial.

The IPR agreement can benefit the Philippines insofar as it will encourage the inflow of foreign investment into the country, and we will no longer be vulnerable to unilateral pressure from certain countries.

### The First World's fears

It is one of the ironies of the GATT debate that while some of us here are fantasizing that the agreement is a Western conspiracy to keep poor nations poor and dependent, there are those in the West who believe that it will siphon off output and jobs from them to the poor nations.

The truth is the rich countries have more anxiety problems about the new agreement than the developing countries. Developing nations have been quicker to get on board than the developed nations.

What is happening is that people in rich countries are now fretting about the success of developing countries, and no longer about their poverty. Manufactured goods now account for almost 60 percent of developing-country exports, up from 5 percent in 1955. The Third World's share of world exports of manufactures jumped from 5 percent in 1970 to 22 percent in 1993.

Many politicians and businessmen in America and Europe fear that the success of these new competitors in the world economy will come at their expense. They contend that the lowering of trade barriers under the Uruguay Round will just feed this process. They spread the fear that the rich world's workers will be ruthlessly undercut if its markets are opened to goods from developing countries.

They are wrong, just as our ultranationalists are wrong. Trade is not a zero-sum game where any increase in one country's output must be at the expense of another's.

### Turning opportunity into reality

Put at the simplest level, greater access to rich countries will enable poor countries to export and develop faster. But increased exports enable developing countries to spend more on imports such as capital equipment and branded consumer goods from developed economies. An increase in output in a poor country is likely to increase output in rich countries and vice-versa. They can feed each other under a regime of freer trade.

Moreover, freer trade is not just beneficial on its own terms: it also binds countries' interests together. On the other hand, trade barriers keep markets and nations apart.

This finally is what the new GATT is all about. And this is why virtually all economists believe that it will sharply increase world domestic product and create jobs in millions.

This is not to say that everybody will automatically be a winner under the envisioned new trade order or that everyone will be a winner in the same way.

The greatest rewards will still belong to those countries that are quick to adjust and seize the opportunities. In our case, we must see this as an opportunity to double export revenues and industrialize by the turn of the century.

Thus we must ensure that the economic environment in the Philippines will be favorable for meeting this challenge. We must achieve greater competitiveness not only in the world market but also in the domestic market. For this to be possible, the costs of doing business have to be brought down.

Measures to further bring down inflation and the interest rate to levels prevailing among our ASEAN neighbors must be implemented. We need a policy that promotes a competitive peso. Infrastructure must be put in place to reliably support the energy, transport and communication needs of industry and agriculture. The education system and science and technology-oriented programs have to be pushed to assure that we will have the human resources to match the growing global need for innovative and efficiently produced goods.

These policy reform imperatives and support measures are in the Ramos Administration's action plan for adjustment measures and budgetary support so that they can catch up with and share in the future benefits of the accord. The proposed 1995 General Appropriations Act has been tailored to support UR-GATT requirements for the immediate future.

The writing on the wall

You of the private sector in turn must hold up your end of the sky. Philippine corporate culture, or enterprise if you prefer, must take to heart that to survive, one must be competitive. The private sector must operate under the assumption that protection accorded by Government through trade barriers will increasingly diminish in the years to come especially in light of developments in the ASEAN Free Trade Area and the Asia-Pacific Economic Cooperation.

The writing, as they say, is on the wall. But it is the writing that will end our "sick man" status—it is the writing that offers enormous rewards to the resourceful, the imaginative and the enterprising.

Source: Presidential Museum and Library

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