



Religion

Population

Area

- Christians : **90.6%**
- Muslims : **5.5%**
- Ethnoreligionists : **2.3%**
- Others : **1.6%**

102.250.000

300.000 Km²

Legal framework on freedom of religion and actual application

Since 1899, the year in which the Philippines became the first democratic republic in Asia, freedom of religion has always been one of the pillars of the different constitutions enacted by the country – even when it was wracked with war or under the rule of a dictatorship. The current constitution, implemented in 1987, is no exception and freedom of religion is enshrined within section 5 of article III (“Bill of Rights”) in the following terms: “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.”^[1]

Moreover, the Philippines does not have a state religion. The preamble of the constitution specifies that the constitution is promulgated by “the sovereign Filipino people” who thereby are “imploring the aid of Almighty God”. While the Catholic Church holds a prominent place within national politics (Catholics make up some 80 percent of the population), this is in no way inscribed within the constitution, which lays down the “inviolable” principle of the separation of Church and state (section 6 of article II of the constitution pertaining to the “Declaration of Principles and State Policies Principles”).

Nonetheless, the constitution does not ignore or disregard religions. For instance, article VI, section 28, paragraph 3 – pursuant to the role of Congress – provides a tax exemption for institutions engaged in “religious, charitable or educational” activities; it is specified that these institutions may be “charitable institutions, churches and parsonages or convents appurtenant thereto, mosques, non-profit cemeteries”. Nevertheless, the emphasis on the strict legal regime of the separation between church and state is highlighted within paragraph 2, Section 29 of the same article VI, where it is written that “no public money or property [of the state]” may be used, directly or indirectly, for the benefit of any “sect, church, denomination, sectarian institution, or system of religion” or for the benefit of any “priest, preacher, minister, or

religious teacher, or dignitary as such”; however, the same paragraph 2, Section 29 of that article VI provides for public funding related to chaplaincies within closed environments (such as the armed forces, prisons, or public orphanages).

This lawful system of strict separation between church and state does not violate the educational freedom of parents. Article XIV, section 3, paragraph 3 of the constitution – legal provision focused in particular on education – establishes the right of parents who have their children registered in state schools to receive religious instruction in accordance with their religious affiliation “within the regular [normal] class [school] hours”. The same paragraph 3, section 3 of that article XIV stipulates “without additional cost to the Government.”

A predominantly Christian country, the Philippines has a small Muslim minority, partly concentrated within the large, southern island of Mindanao. The integration of this religious minority, combined with a particular ethnic and cultural affiliation, has been – and remains – a major issue within national politics. The constitution echoes this issue within article X concerning “local government”; it can be read in section 1 of article X that the “Muslim Mindanao” will be endowed with an “autonomous region” – a project which is reiterated in section 15 and section 19 of that same article X. It is also specified that, “within 18 months” following the establishment of the institutions sanctioned by this constitution promulgated in 1987, this autonomy for the Muslim Mindanao was to be implemented, a promise largely unfulfilled since.

In addition, the criminal code severely criminalises any intentional attack on places of worship or religious buildings and such attacks are punishable as war crimes or crimes against humanity. The Philippine judicial system carefully upholds everyone’s religious freedom: in January 2018 the July 2017 decision rendered by the Supreme Court in favour of Denmark Valmores was made public. A member of the Seventh-day Adventist Church, Valmores felt discriminated against because he had to attend classes and undergo exams on Saturday, the Sabbath day for Seventh-day Adventists. In compliance with Section 5 of the Bill of Rights enshrined within the 1987 constitution, the supreme court judge^[2] ruled in favour of Denmark Valmores.

That being said, relations between religions and the state in the Philippines are not as separate as the constitution stipulates; during the period under examination there have been various confrontations.

| Incidents

Rodrigo Duterte, the iconoclastic President of the Philippines, was antagonistic to the Catholic Church, even before his election on 9th May 2016. In early May 2016, he said the Catholic Church was “the most hypocritical institution”. In October of the same year, when the anti-drug campaign was gaining momentum and hundreds had already died during the initiative, the President called the members of the Roman Catholic clergy “sons of bitches” for criticising his actions in this area.^[3] In December, he declared that the church was “only good at raising money and begging” but that it gave nothing back.^[4]

Within this context, it is not surprising that various organisations related to the Catholic Church have found themselves targeted by the government of Philippines. In February 2018, Reporters Without Borders denounced the fact that “for more than a year, the Catholic Media Network, the main radio broadcaster in the country, has been waiting for the renewal of its licence, which was blocked in Congress. Tabled on 24th January 2017 before the Parliamentary Committee in charge of this issue, the request has still not been included in the agenda. While the famous 25-year-old radio broadcasting license expired on 4th August, the Catholic Bishops Conference of the Philippines, which manages the network, is now concerned that its 54 radio stations will all be closed eventually.^[5]

Pressures have also been exerted on individuals. On 16th April 2018, the Immigration Bureau arrested and detained Sister Patricia Fox, a 71-year-old Australian nun from the Philippine province of the Sisters of Our Lady of Sion. The reason invoked for her arrest was her involvement in “illegal political activities”, incompatible with the status of her resident visa in the Philippines. Released the next day, the nun was notified of the order to leave the national territory within thirty days. Redemptorist Priest Oliver Castor, a member of the Philippines Rural Missionary Association, believes the government is trying to “stop the Church’s work with the poor” through Sister Fox’s expulsion.^[6]

However, the Catholic Church and the President have been able to find some common ground. The Philippines is the only country on Earth – with the Vatican – to not have legalised divorce. Regularly, bills are presented to the House of Representatives of the Philippines to decriminalise divorce. Each time, the Catholic bishops remind the country that they are opposed to it. On 19th March 2018, the House of Representatives voted (by 134 votes for and 57 against) a law “instituting absolute divorce and dissolution of marriage in the Philippines” (within the Philippines, divorce is possible only for Muslims and religious marriage has the force of law). Before being promulgated by the President, the law must be passed by the Senate, the Upper House of Congress. However, President Duterte, whose first marriage was found null and void, reaffirmed on this occasion that he was against divorce: “for the well-being of the children.” Nevertheless, there are differences between President and the Catholic Church concerning marriage: on 17th December 2017, in Davao, the city where he was the Mayor for 22 years, the President declared that he was in favour of same-sex marriage, “because it’s in tune with the times,” he said. This contrasted with his previous statements where he stated that he was opposed to homosexual marriage.

Despite the inclusion within the constitution of the need to find a political solution to the claim of autonomy of the island of Mindanao, and its Muslim minority, no durable solution has emerged through the various Administrations in power in Manila. The last major crisis was the Marawi siege. On 23rd May 2017, while Mass was celebrated, armed men desecrated and set fire to the cathedral after kidnapping Father Teresito “Chito” Suganob, Vicar General of the Prelature of St Mary in Marawi and rector of the cathedral, as well as 15 parishioners. On the same day, fighters of the Maute group, founded by two brothers from the radicalised region in the Middle East, tried to seize the largest Muslim city within the archipelago. Five months of fighting followed, ending with the defeat of the insurgents.

The death toll was very heavy: more than a thousand died. Nearly 400,000 people were displaced. Even if Father Suganob was eventually released and the fighting declared over on 23rd October 2017, the crisis weighs upon the peace process within Mindanao. Martial law was introduced throughout the island of Mindanao in May 2017. The zone where fighting occurred remained closed for months to civilians and reconstruction work had barely begun as of May 2018. It was only on Easter Sunday (1st April) 2018, that around 7,000 residents were allowed by the Philippines army to return briefly to their homes. During the course of this long conflict in the south of the Philippines, where the ethnic, economic and political elements are inextricably linked, the religious dimension was obviously present in the will of the jihadists to destroy and desecrate the cathedral of a city where Christians were a minority. Recurring tensions that continue to shake the region: on Sunday, 29th April 2018, a bomb-blast (an attack using explosives) targeted a Catholic Church in Koronadal, a town located 300 km south of Marawi. The bomb exploded after the Sunday Masses, while baptisms were held inside the Catholic building; the explosion did not claim any victims.^[7]

The violence present within the Filipino society does not spare members of the Catholic clergy. On 4th December 2017, Father Marcelito Paez, of the Diocese of San Jose, Nueva Ecija was murdered by unidentified killers in Aliaga town in northern Nueva Ecija (north of the country). At the age of 72 years, the Catholic priest recently helped get a political prisoner released.^[8]

On 29th April 2018, another Catholic Priest, Father Mark Anthony Yuaga Ventura, 37 years old, was shot twice by a sniper after he celebrated Mass. He belonged to the Archdiocese of Tuguegarao (north of the country) and was known for his commitment to the aboriginal peoples of the region and for his denunciation of the misdeeds committed by the mining companies operating within the region. The President of the Episcopal Conference of the Philippines, Archbishop Romulo Valles, called on the authorities “to act quickly to bring to justice the perpetrators” of these murders^[9]

According to the ecumenical group Promotion of Church People’s Response, Father Ventura is the 32nd pastoral worker to have been murdered since 2000; according to other statistics, he is the 15th Catholic priest to be killed in the Philippines since the 1970s.

Prospects for freedom of religion

On the international scene, there has been much criticism of Rodrigo Duterte. In February 2018, a report from the American intelligence community (The Worldwide Threat Assessment published by The Office of the Director of National Intelligence) highlighted his “autocratic tendencies”.^[10] On the national scene, the debate revolves around the revision of the country’s constitution envisaged by President Duterte. The bishops stated that projected constitutional reform, introduced under the pretext of decentralisation and the introduction of a form of federalism within the archipelago, would have an anti-democratic outcome which would unfavorably impact the poor.^[11] Since the 1987 constitution symbolises the attachment of Filipinos to democracy after two decades of dictatorship under the rule of Marcos, the stakes are high and there is reason to fear a hardening of the confrontation, for now relatively subdued, between the Catholic Church and the President.

Endnotes / Sources

[1] “The Constitution of the Republic of the Philippines”, https://www.constituteproject.org/constitution/Philippines_1987.pdf?lang=en (accessed 3rd May 2018).

[2] “Philippines Supreme Court Rules in Favor of Sabbath-Keeper”, Adventist Review, 20th January 2018, <https://www.adventistreview.org/church-news/story5802-philippines-supreme-court-rules-in-favor-of-sabbath-keeper> (accessed 3rd May 2018).

[3] The Catholic Church was not alone in denouncing the human death toll of the fight against drug dealers and consumers. On the 18th of January 2018, the NGO Human Rights Watch called on the UN to investigate the killings by the police (4,000 dead) and the “unidentified killers” (8,000 dead) in the context of this policy which is supported and encouraged by President Duterte. Shortly after, Philippines Foreign Secretary Alan Peter Cayetano denounced the report of the human rights organisation as presenting “an unfair and unequitable image” of his country. On the 12th of February 2018, the International Criminal Court (ICC) of Justice, the international court of final appeal which has the jurisdiction to prosecute crimes of genocide, war crimes and crimes against humanity, opened a “preliminary review” on the anti-drug campaign led by the Government of the Philippines. A month later, on the 14th of March 2018, Rodrigo Duterte announced the withdrawal of his country from the founding treaty establishing the International Criminal Court (ICC) of Justice. “Philippines: Duterte’s ‘Drug War’ Claims 12,000+ Lives”, Human Rights Watch, 18th January 2018, <https://www.hrw.org/news/2018/01/18/philippines-dutertes-drug-war-claims-12000-lives> (accessed 3rd May 2018).

[4] Bureau of Democracy, Human Rights, and Labor, 2016 Report on International Religious Freedom – Philippines, US Department of State, <https://www.state.gov/documents/organization/269004.pdf> (accessed 3rd May 2018).

[5] “Nouvelles attaques contre la presse critique aux Philippines”, Reporters Sans Frontières, (“New attacks on the critical press in the Philippines”, Reporters Without Borders), 6th February 2018, <https://rsf.org/fr/actualites/nouvelles-attaques-contre-la-presse-critique-aux-philippines> (accessed 3rd May 2018).

[6] “Philippine religious leaders claim government moves to silence Church”, Joe Torres, Ucanews, 26th April 2018,

<https://www.ucanews.com/news/philippine-religious-leaders-claim-govt-moves-to-silence-church/82158> (accessed 3rd May 2018).

[7] "Bomb explodes outside Catholic church in Mindanao", Jose Torres Jr., Ucanews, 30th April 2018, <https://www.ucanews.com/news/bomb-explodes-outside-catholic-church-in-mindanao/82180> (accessed 3rd May 2018).

[8] "Philippine diocese bids to seek justice for slain priest", Mark Saludes, Ucanews, 13th April 2018, <https://www.ucanews.com/news/philippine-diocese-bids-to-see-justice-for-slain-priest/82037> (accessed 3rd May 2018).

[9] "Priest shot dead after Mass in northern Philippines", Jose Torres Jr., Ucanews, 30th April 2018, <https://www.ucanews.com/news/priest-shot-dead-after-mass-in-northern-philippines/82175> (accessed 3rd May 2018).

[10] "Assessment of Duterte by US spooks irks Philippines", Joe Torres, Ucanews, 26th February 2018, <https://www.ucanews.com/news/assessment-of-duterte-by-us-spooks-irks-philippines/81612> (accessed 3rd May 2018).

[11] "Tagle steps up to unite church in anti-Duterte march", Inday Espina-Varona, Ucanews, 23rd February 2018, <https://www.ucanews.com/news/tagle-steps-up-to-unite-church-in-anti-duterte-march/81594> (accessed 3rd May 2018).