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## THE SEPARATION OF CHURCH AND STATE IN THE CURRENT PHILIPPINE CONTEXT

### Abstract

This paper is an attempt to show that the doctrine of the separation of Church and State is enshrined in the laws of the Republic of the Philippines and that Philippine jurisprudence has repeatedly referred to this doctrine in the resolution of cases that deal with the intersections of the Church and State. It moreover argues that the understanding of this doctrine in Philippine law and jurisprudence, though borrowed largely from the West, could not be interpreted to an extent where public expressions of religion and the involvement of churches in public life become prohibited. Instead, the application of this doctrine in the context of the Philippines is primarily aimed at safeguarding the welfare of religion. This, therefore, implies that religions and churches are never impeded in their actions even in public life as long as they do not pose clear and present harm to the people. This in turn becomes an invitation for religions and churches to become truthful to their mission of working for the wellbeing of the people, even if it also implies that to effectively carry out that mission, churches themselves, and especially the Catholic Church, must continuously exercise its reflective attention to what it is called to do and must do, especially in times when her service and voice are needed by the people.

Keywords: Philippine Catholic Church, Separation of Church and State, Faith, Law

### Introduction

This paper explores the separation of the Church and State in the Philippines, and its focus is on the word 'separation' as the defining characteristic of this relationship within the jurisdiction of the Philippines. The clarification will hopefully shed light on understanding the intersection of the religious and the political despite the separation clause in the Philippine Constitution.

It is observed that in the Philippines, the Church and State meet in several spheres and levels on the ground. There are religious activities like religious processions and fiestas that make use of government resources like police escorts and

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vehicles. Some of these activities even receive donations or sponsorships from public officials. Politicians and government officials, on the other hand, are known devotees of Catholic religious figures like the *Nuestra Padre Jesus Nazareno* of Quiapo Church (Manila) and *Sto. Niño (Sinulog)* of Cebu City. These celebrations even often receive endorsements from various departments of the State, like the Department of Tourism, because of their public value as they significantly contribute to the promotion of the tourism industry of the country. Moreover, there are also several instances where government offices, in their meetings and celebrations, would request Church people, especially the members of the Catholic clergy, to either facilitate their opening prayers or preside in their Eucharistic celebrations. In fact, several momentous occasions of the government accommodate some forms of religious celebrations. This is illustrated by such events as the Thanksgiving Masses offered during special occasions.<sup>2</sup> Even high public officials of the government send greetings to religious institutions during their important celebrations, the foundation anniversary of the *Iglesia ni Cristo* as an example.<sup>3</sup>

These rather public manifestations of the intersections of Church and State are much more *restricted* in other countries like the United States<sup>4</sup> and Canada. In the case of the latter, for example, they debated on such issues as the passage of the bill officially named as “An Act respecting the laicity of the State”<sup>5</sup> that will prohibit public workers in positions of authority from wearing religious symbols such as hijab and turbans. The secularism efforts also call into question the display of other symbols like the ‘crucifix’ in public spaces. In the United States, they had court decisions that lean more on the restriction of public display of religious symbols like in the case of the ‘Ten Commandments tablets’ that are enshrined in courthouses,<sup>6</sup> or the display of the Nativity scene<sup>7</sup> in public areas during Christmas season. In the Philippines so far, there are hardly debates on these issues, and if there are court cases, as will be argued later in this paper, most of them were decided in favor of the expression of religious sentiments and practices even in places and spaces that are deemed public.

2 As an example of this, please see: “Memorandum Order No. 31, series 2001”, *Official Gazette*, September 17, 2001. Available at: <https://www.officialgazette.gov.ph/2001/09/17/memorandum-order-no-31-s-2001/> (accessed August 6, 2020).

3 “Message of President Aquino to the Iglesia ni Cristo on the occasion of their Founding Anniversary”, *Official Gazette of the Republic of the Philippines*, July 27, 2015.

4 Hitchcock describes the United States’ situation in these words, “The modern Court is heir to a certain kind of liberalism that has always been suspicious of the “divisive” potential of religion and therefore seeks to exclude it from public life”. See James Hitchcock, *The Supreme Court and Religion in American Life, Vol. 2: From “Higher Law” to “Sectarian Scruples*, Princeton University Press, New Jersey, 2004, p. 113.

5 Passed on June 16, 2019. See: <https://www.canlii.org/en/qc/laws/astat/sq-2019-c-12/latest/sq-2019-c-12.html> (accessed August 3, 2020).

6 Paul Finkelman, The Ten Commandments on the Courthouse Lawn and Elsewhere, *Fordham Law Review*, Vol. 73, 2005, p. 1477. See also the news report: Jenna Weissman Joselit, “Breaking the Ten Commandments: A Short History of the Contentious American Monuments”, *Religion & Politics*, August 1, 2017. Available at: <https://religionandpolitics.org/2017/08/01/breaking-the-ten-commandments-a-short-history-of-the-contentious-american-monuments/> (accessed August 3, 2020).

7 See a related essay by Scott Bomboy, “Why reindeer rule nativity scenes on public property”, *The Hill*, December 24, 2017. Available at: <https://thehill.com/opinion/judiciary/366264-why-reindeer-rule-nativity-scenes-on-public-property> (accessed August 5, 2020).

## Trends on Church-State Relations

A fundamental question that this paper should ask is: "What does this separation of Church and State mean, and how is this separation viewed especially by Philippine laws?" Eric Vincent Batalla and Rito Baring observed that the 'Philippines is a secular state that is friendly to religions.'<sup>8</sup> The legal doctrines of the Philippines are largely borrowed from the United States whose jurisprudence shows at least three trends on Church-State relations: 1) the strictly separationist (generally a hostile interpretation disallowing interaction in order to protect the State from the Church), 2) the strictly neutral (not necessarily hostile but striving for a more secular state), and 3) the benevolently neutral (to protect the Church from State).<sup>9</sup> Moreover, Edd Doerr observes that this concept of the separation of Church and State, is probably the most important single contribution to political theory and practice of the United States.<sup>10</sup> He related that in the United States, their debates are dominated by either the separationist side (the position taken by more recent court decisions) or the accommodationist, non-preferential side (which was the dominant position since the late 1780s until recently). Doerr himself supports the former view and considers the following developments in their social-political arena as threats: a) tax aid to faith-based schools and charities; b) religious instructions in public schools; and c) reproductive freedom and conscience. It shall be noted moreover that these issues may also be seen in Philippine jurisdiction, although the interpretations towards them may not be the same as in the United States.

Also, when writing about the legal theory that dominates the United States, Erwin Chemerinsky<sup>11</sup> observed that "there are some people who care very deeply about having religious symbols on government property."<sup>12</sup> He also reported that in the United States, there are at least three competing versions of Church-State relations: The first is strict separation, which says that 'to the greatest extent possible, we should separate Church and State.' This champions the idea that the government should be secular, and therefore a 'wall of separation between church and state' should be erected. The U.S. Supreme Court even further describes this wall to be 'high and impregnable.' The second version is that of neutrality or non-preferentiality. This version claims that the government should not favor religion over secular matters, or for that matter, secularism over religion. The government should also manifest neutrality between religions and should not favor one religion over others. The third is the accommodationist perspective, which calls for accommodations between religion and government. Specifically, this view allows some forms of

8 Eric Batalla Vincent and Rito Baring, Church-State Separation and Challenging Issues Concerning Religion, *Religions*, Vol. 10, No, 197, 2019.

9 Ibidem.

10 See: Edd Doerr, "The Importance of Church-State Separation and Its Prospects in the World Regarding the Ups and Downs of the American Example", in: *Towards a New Political Humanism*, Barry Seidman and Neil Murphy (eds.), Prometheus Books, New York, 2004, pp. 71-88.

11 Erwin Chemerinsky, Why Church and State Should be Separate, *William and Mary Law Review*, Vol. 49, No. 6, 2008, pp. 2193-2215.

12 Ibidem, p. 2193.

government support for religion.<sup>13</sup>

As with Doerr, Chemerinsky also holds the first view and counsels that there should be a strict separation between Church and State, and he gives the following as his reasons: first, because it allows us to feel that it is our government whether we are believers or not.<sup>14</sup> Second, because it is wrong to tax people to support the religion of others.<sup>15</sup> This, as Doerr would somewhere else point out, happens when the State provides tuition vouchers for students enrolled in private sectarian schools like Catholic schools.<sup>16</sup> Thirdly, the strict separationist view prevents coercion that is inherent when the government becomes aligned with religion, and it therefore protects not just the State from the encroachment of religion but also religion from the dominant power of the State.<sup>17</sup> Chemerinsky says, "I strongly believe that we need a robust Free Exercise clause to guard the ability of the people to practice whatever religion in the private realm; our government should be strictly secular."<sup>18</sup>

### The Church-State relations in the Philippine Laws

At the outset, it is important to point out that the Filipino people is basically disposed to admit the existence of a higher being, God. This is even enshrined in the *Preamble* of the Philippine Constitution which talks about "the sovereign Filipino people, imploring the aid of *Almighty God*, in order to build a just and humane society..."<sup>19</sup> Moreover, there are also Constitutional guarantees on behalf of freedom of religions. Section 5 of the Constitution's *Bill of Rights* (Article III) also provides three important pronouncements about Filipinos' right for religion. It says that "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 and preference, shall forever be allowed. No religious test shall be required for the exercise of civil and political rights." Owing largely to the religious culture of the nation, the words of the Constitution highly favors the expression of the citizens' religious faith, and the non-establishment clause is in no

13 Ibidem, pp. 2195-2204.

14 Ibidem, p. 2206.

15 Ibidem, p. 2206.

16 See Edd Doerr, Americans United for Separation of Church and State, *Congressional Digest*, Vol. 51, No. 8/9, 1972, pp. 221-223. Although, I believe that Doerr should also realize that this form of 'coercion' may also happen to people of religion when governments legislate something that religious people find contrary to their faith in many matters related to the use of contraceptive technologies where the government uses public revenues to support reproductive ideologies. This could be part of what Pope Francis calls as 'ideological colonization'. See Pope Francis: "Address in Meeting with Families", January 16, 2015 at the SM Mall of Asia Arena, Philippines. Available at: [http://www.vatican.va/content/francesco/en/speeches/2015/january/documents/papa-francesco\\_20150116\\_sri-anka-philippine-incontro-famiglie.html](http://www.vatican.va/content/francesco/en/speeches/2015/january/documents/papa-francesco_20150116_sri-anka-philippine-incontro-famiglie.html) (accessed August 10, 2020). Also see a related report by Joshua Mcelwee, "Francis warns against 'ideological colonization' of family, reaffirms contraception bans", *National Catholic Reporter*, January 16, 2015.

17 Erwin Chemerinsky, *Why Church and State Should be Separate*. . . p. 2206.

18 Ibidem, p. 2209.

19 See Joaquin Bernas, *The 1987 Constitution of the Republic of the Philippines: A Commentary*, Rex Printing Company Inc., Quezon City, 2009, p. 3. Bernas further said that this provision in the Constitution shows that the Filipino people "manifested their intense religious nature and placed unfaltering reliance upon Him who guides the destinies of man and nations. The elevating influence of religion in human society is recognized here as elsewhere" (p. 347).

way to be seen as an expression of hostility against religion<sup>20</sup> but is included mainly to ensure that each religion is protected and allowed because the State is prohibited from endorsing and favoring a particular religion. It is, therefore, wrong to read this provision to favor ‘secularism’ over the expression of one’s religious faith in public because secularism is alien to Filipino culture.<sup>21</sup>

The free exercise of religion is affirmed by one of the recent cases touching on Church-State relations. *Imbong vs. Ochoa*<sup>22</sup> makes a reference to “respect for the inviolability of the human conscience,” which prohibits the State “from unduly interfering with the outside manifestation of one’s belief and faith.”<sup>23</sup> The establishment clause of the Philippine Constitution is also explained in the same ruling as one that principally “prohibits the State from sponsoring any religion or favoring any religion as against other religions. It mandates strict neutrality in affairs among religious groups.’ Essentially, it prohibits the establishment of a state religion and the use of public resources for the support or prohibition of religion.”<sup>24</sup> This could be read as a non-preferential position laid earlier by Chemerinsky or the ‘strictly neutral’ position explained by Batalla and Baring.

However, if one is to look at the Free Exercise clause and read through it the issue of school vouchers, the Philippine situation will present something different from the US-Canada model. In the United States, the tuition voucher programs, as mentioned earlier, have met several objections on the grounds that public funds are used in supporting the ends of Churches, mostly the Catholic schools, whose interest is seen primarily in its mission of teaching Catholic faith and morals to students enrolled in these schools. Critics construe this as an instance of using public resources to support religion. They therefore view this as a violation against the separation clause understood as the ‘strict separation between Church and State.’<sup>25</sup> Interestingly, the Philippines does not have this debate when the Department of Education (DepEd) provided vouchers to Senior High School students attending private Senior High Schools in the Philippines, many of which are private Catholic or Christian schools.<sup>26</sup> This is rightly so, I believe, primarily because the support is extended to

20 Ibidem, p. 325.

21 Bernas specifically asserts that, “the constitutional guarantee of the free exercise and enjoyment of religious profession and worship carries with it the right to disseminate religious information. Any restraint of such right can only be justified like other restraints of freedom of expression on the grounds that there is a clear and present danger of any substantive evil which the State has the right to prevent” (Ibidem, p. 334). This also implies further that unless the ‘clear and present danger’ is proved, no expression of one’s religious faith should be denied even in public.

22 “G.R. No. 204819”. This is the Supreme Court ruling on the Constitutionality of RA 10354 or “The Responsible Parenthood and Reproductive Health Act” of 2012. The signing of this Law was preceded by decades of intense debate that revolves primarily on the issue of artificial contraceptive technologies. One comprehensive work that documents these debates is that of Marilen Daiguilan, *The RH Bill Story: Contentions and Compromises*, Ateneo de Manila University Press, 2018.

23 *Imbong vs. Ochoa* (G.R. No. 204819, 2014).

24 Ibidem.

25 See a related report by Larson Seaborn, “Montana Supreme Court: Tax Credit that Benefited Religious Schools is Unconstitutional,” *Missoulia*, December 12, 2018. Available at: [https://missoulia.com/news/state-and-regional/govt-and-politics/montana-supreme-court-tax-credit-that-benefited-religious-schools-is/article\\_78b4a246-12ce-55ed-9b58-7d62d12ed422.html](https://missoulia.com/news/state-and-regional/govt-and-politics/montana-supreme-court-tax-credit-that-benefited-religious-schools-is/article_78b4a246-12ce-55ed-9b58-7d62d12ed422.html) (accessed August 20, 2020).

26 See Department of Education Order No. 19, s. 2017, available at: <https://depedtambayan.net/deped-senior-high-school-shs-voucher-program/> (accessed August 5, 2020).

all Grade 10 graduates intending to enroll in any non-DepEd private Senior High School regardless of their religious identity or lack thereof. As explained in *Imbong vs. Ochoa*, invoking a precedent in *Estrada vs. Escritor*, the Filipino understanding of the establishment clause is not grounded on the impregnable wall of separation of Church and State which dominate the mind of most courts in the United States. Instead, the Philippine court “adheres to the doctrine of benevolent neutrality,” explicitly affirming “benevolent neutrality-accommodation, whether mandatory or permissive, in the spirit, intent, and framework underlying the Philippine Constitution.”<sup>27</sup> In the sense that these faith-based private Senior High Schools support the education agenda of the government, and are not solely intended for the propagation of faith, then it is reasonable for the State to also grant support to Filipinos who wish to avail of the academic formation offered in these schools.

The Church-State separation is further qualified by Article VI, Section 5.2 of the 1987 Philippine Constitution, when it prohibits the religious sector from being represented in the Congress. Specifically, this Section states that “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, 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*.”<sup>28</sup> In my mind, the exclusion of the religious sector is a measure to ensure that the separation of Church and State is safeguarded.

Lastly, the ‘no religious test’ clause simply implies that no religious belief is required as a condition for an appointment to public office. This was discussed in the 1978 *Pamil vs. Teleron case*,<sup>29</sup> where the petitioner, Fortunato Pamil, asked for the disqualification of Fr. Margarito Gonzaga from election as town mayor of Alburquerque, Bohol. The petition was based on the provision of the 1917 Revised Administrative Code, which says that “in no case shall there be elected or appointed to a municipal office ecclesiastics, soldiers in active service, persons receiving salaries or compensation from provincial or national funds, or contractors for public works of the municipality.”<sup>30</sup> While the Court favored the petitioner-appellant and declared Fr. Gonzaga ineligible to occupy the office, the dissenting opinions pointed out that favoring the petition is tantamount to a ‘religious test.’ The dissenting opinion of Justice Claudio Teehankee provides: “It is conceded that the non-religious test clause constitutionally bars the State from disqualifying a non-believer, an atheist, or an agnostic from voting or being voted for a public office for it is tantamount to a religious test. . . . By the same token, the same clause is equally applicable to those at the opposite end. . . . to disqualify them from being voted for and elected to a municipal

27 *Imbong vs. Ochoa* (G.R. No. 204819, 2014); *Estrada vs. Escritor* (A.M. No. P-02-1651).

28 Emphasis added.

29 G.R. No. L-34854, Nov. 20, 1978.

30 Section 2175 of the Revised Administrative Code (1917).

office (under the questioned Administrative Code provision) is to exact a religious test for the exercise of their political rights for it amounts to compelling them to shed off their religious ministry or robe for the exercise of their political right to run for public office”<sup>31</sup>

In his article, “Re-configuring Our Social Imaginary: A Rightful Place for ‘God-Talk’ in the Filipino Public Sphere,” Romel Regalado Bagares pointed out that the non-establishment clause was primarily motivated, and should therefore be interpreted following this intention, by an ‘evangelical impulse to keep religion free from the corruption of worldly affairs.’<sup>32</sup> Citing Noel Feldman, Bagares writes, “the evangelical supporters of separation, as much as the rationalists, argued for separation on the basis of the twin Lockean views that the temporal power lacked authority to coerce in matters of religion and that individual reason and choice must be paramount in religious belief.”<sup>33</sup> Bernas further explains that when the Court favored the petitioner and upheld the constitutionality of the law in the aforementioned 1978 *Pamil vs. Teleron case*, the court was not advocating for a ‘religious test’ but rather safeguarded religion through the doctrine of the separation of Church and State. Bernas quoted an excerpt from the decision of Justice Makasias which says that, “to allow an ecclesiastic to head the executive department of a municipality is to permit the erosion of the principle of separation of Church and State and thus open the floodgates for the violation of the cherished liberty of religion which the constitutional provision seeks to enforce and protect.”<sup>34</sup> It appears then that either argument has advocated the cherished doctrine of the separation of Church and State with the preservation of religion as the primary intention.

Yet, despite the insistence of this separation, declared as a fundamental principle of the Philippine Constitution which says that “the separation of Church and State shall be inviolable” (Article II, Section 6), some forms of accommodations are visible. In the text of the Constitution itself, there are identified exemptions. The second item of Section 29, Article VI could be cited as an example. While it provides that ‘churches should not benefit from public money,’ it also allows expenses to support chaplains in the armed forces, penal institutions, government orphanages, and leprosarium (Art. VI, Sec. 29, 2). Moreover, in Article VI, Sec. 28, 3, the Constitution also exempts churches, including Catholic Schools, from paying taxes.

With the preceding examples of Constitutional guarantees for freedom of religion, it can then be argued that the separation of Church and State in the Philippines could not be interpreted via a point of view that is hostile towards religion. Several other decisions of the Court will further illustrate this.

31 G.R. No. L-34854, Nov. 20, 1978.

32 Regalado Romel Bagares, “Re-Configuring Our Social Imaginary: A Rightful Place for “God-talk” in the Filipino Public Sphere”, Unpublished (n.d.), available at: <https://www.scribd.com/document/255413014/Re-Configuring-Our-Social-Imaginary> (accessed September 3, 2020).

33 Ibidem, p. 4.

34 Joaquin Bernas, *The 1987 Constitution of the Republic of the Philippines: A Commentary*... p. 349.

We can, for example, see the ruling in *Aglipay vs. Ruiz*.<sup>35</sup> The petitioner, Gregorio Aglipay, sought the issuance of a 'writ of prohibition to prevent the respondent Director of Posts from issuing and selling postage stamps commemorative of the Third International Eucharistic Congress.' Aglipay argued that the State's action benefited the Catholic Church when the Director of Posts issued in 1936 a Commemorative Stamp to celebrate the 33rd International Eucharistic Congress. The petitioner contends that the printing of the stamps constitutes favor to the Catholic Church and uses public money for the latter, and therefore constitutes a violation against Article VI, Section 13.3 of the then in effect 1935 Philippine Constitution, which provides that "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..." The Court, however, decided in favor of the respondent saying that the benefit on the part of the Church is merely incidental compared to the benefit that it achieved for the wider public. It becomes apparent here that while the Court's decision is not motivated by an act of favor towards the Catholic Church, it nevertheless allows the incidental benefit of the Church from government-sanctioned and initiated activities. In the mind of the Court, this, and similar instances, like in the recent case of cash vouchers for the Senior High School students, could not be construed as a violation of the Church-State separation clause despite the potential benefits to a Church or any faith-based institution.

Another instance is the Court's decision on the letter of Tony Q. V. Alenciano on the holding of Catholic Masses in the basement of Quezon City Hall.<sup>36</sup> The Court did not find any violation in allowing the practice because the area is also used for other purposes beneficial to the public and the City Hall employees. Moreover, other groups may also request the use of this same basement as long as their activities would not compromise the work hours of the employees and the regular operations of the offices in the building. Since the Catholic Masses are done during lunch break, the Court finds no reason to suppress it. It only recommends that no loud singing shall be done and that the celebration should be kept to within about thirty minutes or so.

These above decisions then are illustrative of the State's non-hostile stance towards religion and the expression of religious freedom. Furthermore, in the case of *Estrada vs. Escritor*,<sup>37</sup> the Court again upheld the religious freedom of the respondent, Soledad Escritor. Escritor works as a court interpreter and has been complained by Alejandro Estrada on the ground that she lives with a man with whom she has a child and is not married to her. The complaint says that Escritor manifests a 'disgraceful and immoral conduct.' In her response, Escritor cited the practice of her religion that approves of her lifestyle. She also showed public pronouncements re-

35 G.R. No. L-45459, March 13, 1937.

36 A.M. No. 10-4-19-SC, March 7, 2017.

37 A.M. No. P-02-1651. August 4 2003.



lated to their union, which she claimed to be approved by her religion that deems their union to be equivalent to the regular marital union. With this, the Court has pronounced that penalizing the respondent will constitute an attack against her religious freedom. The Court argues that while religious freedom is not absolute, state intervention may only be justified if there is a 'compelling interest' that is at stake.<sup>38</sup> Legal theorists would oftentimes refer to this as a 'compelling interest test,' and only the overcoming of it would warrant the government's suspension of a person's religious freedom.

In fact, the State extends its accommodation in more Court decisions. In its decision on the petition of Muslim employees from Iligan City,<sup>39</sup> while it denies the request to hold work breaks that will allow Muslim court employees to pray from 10:00 am to 2:00 pm on Fridays during Ramadan, it allows that work hours be converted from 8:00 am – 5:00 pm to 7:30 – 3:30 pm without a lunch break. The primary consideration for this concession is the religious practice of the Muslim court employees.<sup>40</sup>

Other cases will illustrate this further. In *Victoriano v. Elizalde Rope Workers Union*,<sup>41</sup> the Court upheld the exemption of the members of *Iglesia ni Cristo* from the coverage of a closed-shop agreement between their employer and the workers' union because it would violate the teaching of their Church, which prohibits them from affiliating with a labor organization. Then, in *Ebralinag v. Division Superintendent of Schools of Cebu*,<sup>42</sup> the Court honors the decision of the students, who are members of the Jehovah's Witnesses, when the latter did not render a hand salute to the Philippine flag, sing the Philippine National Anthem (as commanded by Section 38, Chapter II of the Republic Act No. 8491; and the Department Order, no. 8, of the then Department of Education Culture and Sports or DECS), and recite the patriotic pledge. The Court recognized as sufficient reason for their refusal, the students' religious belief which teaches that doing these things was an act of worship or religious devotion to the State, which they could not conscientiously give to anyone or anything except God. In order not to diminish the power of the State, which commands these things under Republic Act No. 8491, the Court orders the students to remain inside their classroom and not to show up in the venue for flag-raising ceremonies.

Lastly, we could perhaps mention the many accommodations of religious

38 Bernas would argue that State regulation will only be warranted if the expression of religious freedom will bring about 'clear and present danger of substantive evil which the State is duty bound to prevent', from: Joaquin Bernas, *The 1987 Constitution of the Republic of the Philippines: A Commentary...* p. 338.

39 A.M. NO. 02-2-10-SC December 14, 2005.

40 The Court here simply affirms as Constitutional Section 3 (a) of Presidential Decree No. 291, as amended by Presidential Decree No. 322 (1973). The questioned Section 3 of this Decree says, "a) During the fasting season on the month of Ramadan, all Muslim employees in the national government, government-owned or controlled corporations, provinces, cities, municipalities and other instrumentalities shall observe office hours from seven- thirty in the morning (7:30 a.m.) to three-thirty in the afternoon (3:30 p.m.) without lunch break or coffee, breaks, and that there shall be no diminution of salary or wages, provided, that the employee who is not fasting is not entitled to the benefit of this provision."

41 G.R. No. L-25246, September 12, 1974.

42 G.R. No. 95770, March 1, 1993.

feasts in the list of national holidays in the Philippine Calendar. The *Revised Administrative Code* of 1987 has declared Maundy Thursday, Good Friday, and Christmas Day as regular holidays. *Republic Act No. 9177* proclaimed the First Day of Shawwal, the tenth month of the Islamic Calendar, a national holiday for the observance of Eidul Fitr (the end of Ramadan). *R.A. No. 9849* declared the tenth day of Zhul Hijja, the twelfth month of the Islamic Calendar, a national holiday for the observance of Eidul Adha. *Presidential Decree No. 1083*, otherwise known as the *Code of Muslim Personal Laws of the Philippines*, expressly allows a Filipino Muslim to have more than one (1) wife and exempts him from the crime of bigamy punishable under the Revised Penal Code. The same Code allows Muslims to have a divorce.

These Court cases and legislations could be cited as demonstrations for the claim that the separation of Church and State in the Philippines though 'inviolable' should not be construed to imply an almost hostile point of view that imposes prohibition of religious expressions in many areas of public life which has become the more popular interpretation of the 'Church and State separation' in many jurisdictions of the West. In the Philippine context, this separation is understood at least as non-preferential or neutral, and at most 'accommodationist' or 'benevolently neutral.' The State's suppression of one's exercise of religious freedom may only be justified by a 'compelling interest' or 'of a clear and present danger of substantive evil,' but otherwise must be allowed and even facilitated. The succeeding paragraphs will attempt to illustrate this 'compelling interest test' as the ground for the State's regulation of religious freedom.

In the case of *Leus vs. Scholastica's College Westgrove*,<sup>43</sup> the Court favored the petition of a former employee of a Catholic school who got dismissed from her work on the ground that the former got pregnant out of wedlock. The school argued that the act is 'disgraceful or immoral' and is, therefore, in violation of the 1992 Manual of Regulations for Private Schools. In her petition, Leus argues that she was not aware of any school rules that explicitly say about becoming pregnant out of wedlock as disgraceful and immoral. This is even supported by the fact that the school, at that time, has not yet published its own Support Staff Handbook. In the Court's decision, it pointed out that the termination done by the school is a violation of the moral conviction of the petitioner who believes, contrary to the moral doctrine of the Catholic Church, that her case does not constitute a 'disgraceful and immoral conduct.' In fact, the counsel of the petitioner argues that it would be more humane to keep the employee in her post as it would provide her more resources to cope with her condition knowing the fact that she is going to have a baby soon. The Court's decision in favor of the petitioner is taken here as an example of a "compelling interest" that safeguards the right of the petitioner, not to mention her welfare and that of her child, in the face of the School's claim for self-regulation that appeals to its affiliation to a particular religion.

43 G.R. No. 187226, January 28, 2015.

## Church and State Separation in the Language of the Catholic Church in the Philippines

After looking into the State's understanding of its separation from the Church, it may also be worthwhile to look into the Philippine Catholic Church's gestures towards the State and how do these gestures speak of the Church's understanding of its separation from the State. The Catholic Church is particularly relevant in this conversation because of its size and even political influence in the Philippines. The extent of this influence is visible in such recent highly debated legislation as the Philippine Reproductive Health Law of 2012 (RA 10354). The Supreme Court, in *Imbong vs. Ochoa*, takes into consideration several arguments from the Catholic social tradition. This is in addition to the fact that the other appended petitions versus RA 10354 were from groups like Alliance of Xseminarians (PAX) and Couples for Christ (COC), which both possess an explicitly Catholic identity. The petitioners have succeeded in convincing the Court to declare as *unconstitutional* eight salient provisions of the law.<sup>44</sup> These concerned provisions touch on the moral principles of the Church, including the consent of parents and spouse, the conscientious objections of the health practitioners, and the 'abortive' nature of some contraceptives.

The intersections between the roles of the State and the Church also become visible, especially in the Church's social action ministries,<sup>45</sup> more important among those are the continuing efforts of Catholic Universities, Colleges, and Schools to clarify and discern the many social issues that beset our communities. Education is one of the more important ministries of the Catholic Church in the Philippines, especially because the Philippine Government's Department of Education (DepEd) and

44 Wherefore, the petitions are partially granted. Accordingly, the Court declares R.A. No. 10354 as not unconstitutional except with respect to the following provisions which are declared unconstitutional: 1) Section 7 and the corresponding provision in the RH-IRR insofar as they: a) require private health facilities and non-maternity specialty hospitals and hospitals owned and operated by a religious group to refer patients, not in an emergency or life-threatening case, as defined under Republic Act No. 8344, to another health facility which is conveniently accessible; and b) allow minor-parents or minors who have suffered a miscarriage access to modern methods of family planning without written consent from their parents or guardian/s; 2) Section 23(a)(l) and the corresponding provision in the RH-IRR, particularly Section 5 .24 thereof, insofar as they punish any healthcare service provider who fails and or refuses to disseminate information regarding programs and services on reproductive health regardless of his or her religious beliefs. 3) Section 23(a)(2)(i) and the corresponding provision in the RH-IRR insofar as they allow a married individual, not in an emergency or life-threatening case, as defined under Republic Act No. 8344, to undergo reproductive health procedures without the consent of the spouse; 4) Section 23(a)(2)(ii) and the corresponding provision in the RH-IRR insofar as they limit the requirement of parental consent only to elective surgical procedures. 5) Section 23(a)(3) and the corresponding provision in the RH-IRR, particularly Section 5.24 thereof, insofar as they punish any healthcare service provider who fails and/or refuses to refer a patient not in an emergency or life-threatening case, as defined under Republic Act No. 8344, to another health care service provider within the same facility or one which is conveniently accessible regardless of his or her religious beliefs; 6) Section 23(b) and the corresponding provision in the RH-IRR, particularly Section 5 .24 thereof, insofar as they punish any public officer who refuses to support reproductive health programs or shall do any act that hinders the full implementation of a reproductive health program, regardless of his or her religious beliefs; 7) Section 17 and the corresponding provisions in the RH-IRR regarding the rendering of pro bona reproductive health service in so far as they affect the conscientious objector in securing PHILHEALTH accreditation; and 8) Section 3.01(a) and Section 3.01 G) of the RH-IRR, which added the qualifier "primarily" in defining abortifacients and contraceptives, as they are ultra vires and, therefore, null and void for contravening Section 4(a) of the RH Law and violating Section 12, Article II of the Constitution (see G.R. No. 204819, April 8, 2014).

45 See Hermida Ranilo, The Catholic Church in the Philippine Public Sphere, *Kritika Kultura*, Vol. 24, 2015, pp. 130ff.

Commission on Higher Education (CHED) still are unable to provide support for all Filipino students from Basic to Tertiary Education. In the Philippines, the existence of Catholic Universities, Colleges, and Schools addresses an important gap in the educational services that the government is expected to provide; and it is worthwhile to note that the actions of these Catholic educational institutions also constitute several crossings with government policies and decisions. Moreover, several Catholic parishes and dioceses have strong social service arms that work hand in hand with the State in the promotion of the welfare of the people.<sup>46</sup> In the language of the documents of the Catholic Church then, what has been said about the separation of Church and State?

One of the clearest expressions of this separation is articulated in Vatican II's *Declaration on Human Freedom Dignitatis Humanae* where it was said that: "It follows that a wrong is done when government imposes upon its people, by force or fear or other means, the profession or repudiation of any religion, or when it hinders men from joining or leaving a religious community. All the more is it a violation of the will of God and of the sacred rights of the person and the family of nations when force is brought to bear in any way in order to destroy or repress religion, either in the whole of mankind or in a particular country or in a definite community".<sup>47</sup>

This view is not alien to the above-argued understanding of the separation of Church and State in Philippine law and jurisprudence. This paragraph clearly affirms the importance of the non-establishment and free exercise clauses that are inherent in the separation of Church and State doctrine in the Philippines, a view that, as mentioned above, do not simply imply the need to regulate public expression and exercise of religious freedom without the existence of a clear and present harm. So, while the Church understands herself as clearly separate from the State, it is obviously manifest that within the Filipino society, both the Church and the State are conscious about their common responsibility to work for the well-being of the people, and it is important even for the Church to constantly revisit its relationship with the State since such relationship is also at the same time crucial for the effective rendering of its ministry not just for the Catholics in the country but also for the wider population.<sup>48</sup> The *Declaration* in fact also claims that the "government is also to help create conditions favorable to the fostering of religious life, in order that the people may be truly enabled to exercise their religious rights and to fulfill their religious

46 See the "2013 report of the Asian Development Bank (Publication Stock No. ARM124416)", available at: <https://www.adb.org/sites/default/files/publication/30174/csb-phi.pdf> (accessed August 08, 2020). Some of these involvements are believed to be the reasons behind the killings of some members of the clergy. See: "Statement on the Brutal Killing of Fr. Mark Ventura of the Archdiocese of Tuguegarao", May 21, 2018, available at: <https://cbcponline.net/statement-on-the-brutal-killing-of-fr-mark-ventura-of-the-archdiocese-of-tuguegarao/> (accessed August 05, 2020); and "CBCP Statement on the Killing of Fr. Richmond Nilo", June 11, 2018, available at: <https://cbcponline.net/cbcp-statement-on-the-killing-of-fr-richmond-nilo/> (accessed August 05, 2020).

47 Paul VI, *Declaration on Religious Freedom Dignitatis Humanae*, December 7, 1965, paragraph 6.

48 In a recent Pastoral Letter, the Catholic Bishops' Conference in the Philippines even asked this from the people, "We pray for our public servants, our people in government, especially those among them who remain upright and continue to be motivated by a genuine sense of duty and love for country. Protect them, Lord, and give them the courage to stand their ground on the side of truth and justice". See: "A Pastoral Letter and a Call to Prayer", Catholic Bishops' Conference in the Philippines, July 16, 2020, available at: <https://cbcponline.net/a-pastoral-letter-and-a-call-to-prayer/> (accessed August 05, 2020).

duties, and also *in order that society itself may profit by the moral qualities of justice and peace which have their origin in men's faithfulness to God and to His holy will.*<sup>49</sup> The history of the Church in the Philippines is never lacking of concrete instances where the Church has consistently performed this task,<sup>50</sup> and this is so because the self-understanding of the Catholic Filipinos always includes the mission of 'building a just society.'<sup>51</sup>

The Church has always taught and has insisted that her public involvement is always guided by the Truth, who is Christ, and is therefore opposed to any form of involvement that is ordained towards the selfish ends of partisan groups and of free riders in our Philippine politics. Both the laity and the leaders of the Church in the Philippines are aware – and at times have to remind themselves – that their failure to discern the nature of their involvement would sometimes make them prey to the schemes of selfish interests and will eventually compromise not just the Church as an institution but especially as a people, particularly those members that are among the marginalized in the Filipino society. The Catholic Bishops' Conference of the Philippines once lamented in a pastoral exhortation: "We reiterate what we have already noted about the place of faith in our political culture: It is systematically excluded. The prime values of our faith—charity, justice, honesty, truth—these are of little or no consequence at all when it come to our practice of politics in or out of election time. True, religion is made use of: Candidates pay ostentatious courtesy calls on Churchmen; political conventions and other official gatherings are incomplete without prayers of invocation. But these are more instances of religion being used for political purposes than of religion influencing politics".<sup>52</sup>

This reminder calls believers to stand on their appreciation for the faith because, as *Dignitatis Humanae* has argued, 'the society itself may profit by the moral qualities of justice and peace which have their origin in men's faithfulness to God and to His holy will.' It must be insisted then that the engagement of the Church, or religion in general, in public life is directed towards the Truth that serves as a guide for her service to the people, and ultimately, the call is to cooperate whenever possible so that the good of the people is better served. This is a lesson that could be learned in the demeanor of the Catholic Church after the Philippine Supreme Court's decision on the constitutionality of RA 10354, the law that has been strongly opposed by the Church. In the press conference that follows soon after the Supreme Court has released its decision on *Imbong vs. Ochoa*, Archbishop Socrates Villegas, then president of the Catholic Bishops' Conference of the Philippines, has pointed out that "both pro and anti-RH groups can work towards the common good." He even added that "we cannot see eye-to-eye with our pro-RH brethren on this divisive issue,

49 *Dignitatis Humanae*, § 6 – emphasis added.

50 A comprehensive enumeration and analysis of these instances are provided in Jose Maria De Nazareno, *The Light of Christ in Philippine Politics: The Interventions of the Catholic Church in State Affairs (1972- 2005)*, St. Pauls, Makati City, 2016. See also: Jaime Cardinal Sin, *The Church in the Philippines: Twenty-seven years after Vatican II*, *Landas*, Vol. 2, 1988, p. 7.

51 *Catechism for Filipino Catholics*, Catholic Bishops of the Philippines, ECCE and Word & Life Publications, Manila, 1997, p. 319.

52 "Pastoral Exhortation on Philippines Politics", Catholic Bishops' of the Philippines, 1997, letter B.

but we can work hand-in-hand for the good of the country.” He moreover urged the Catholics to hold on the Church’s teaching on family and life, but to, at the same time, “maintain respect and esteem for the Supreme Court,” since the Court “has decided on the R.H. issue based on existing laws in the Philippines.”<sup>53</sup> Affirming respect to the decision of the Court, while maintaining its stance on important moral issues touched by the Court’s decision on the questioned law, the Catholic Bishops’ Conference of the Philippines even released a “Pastoral Guidance on the Implementation of the Reproductive Health Law.”<sup>54</sup>

The above pronouncements make clear that the Church is not a party in ‘opposition’ to the State but is one with the State in the promotion of the common good and the well-being of the people. Archbishop Villegas describes in several instances this stance as the Church’s ‘critical collaboration’<sup>55</sup> with the State. At times, the word ‘critical’ is replaced with ‘vigilant,’ but the word ‘collaboration’ is a constant, and that affirms simply that the Church views her role as a co-worker of the State in the promotion of the good of the Filipino people.

### **Conclusion: A Call to Revisit the Engagement of the Catholic Church in Philippine Society**

Having said this then, I would like to end this paper with the three items below as points for consideration in the continuing intersections between the Catholic Church and the State in the context of Church and State separation in the Philippines.

Firstly, any Catholic’s involvement, including one in the political and social arena, needs to be grounded on the search for Truth. Catholics have consistently held that Jesus is the Truth, and it is especially relevant for Catholic institutions, in particular, to ask: how should the Church ensure that her engagements would remain committed to the Truth, and so the faithful would not be exploited by political opportunists who approach churches especially during elections in order to get support for their candidacy?<sup>56</sup> Believers in the Philippines, including the non-Catholics,

53 See a related news report by Marcos Mordeno, “Supreme Court says RH Law Constitutional, strikes down 8 sections”, *Minda News*, April 8, 2014. Available at: <https://www.mindanews.com/top-stories/2014/04/supreme-court-says-rh-law-constitutional-strikes-down-8-sections/> (accessed July 20, 2020).

54 Signed on July 7, 2014 by Archbishop Socrates Villegas as President of the Catholic Bishops’ Conference of the Philippines. See: <http://cbconline.net/pastoral-guidance-on-the-implementation-of-the-reproductive-health-law/> (accessed July 20, 2020).

55 See Jocelyn Uy, “CBCP: We can work with administration”, *Inquirer.net*, February 14, 2017. Available at: <https://newsinfo.inquirer.net/871173/cbp-we-can-work-with-administration> (accessed July 20, 2020), and: Reyn Letran, “Administrasyong Duterte, bukas sa critical collaboration sa Simbahang Katolika”, *Veritas 846*, February 16, 2017. Available at: <https://www.veritas846.ph/administrasyong-duterte-bukas-sa-critical-collaboration-sa-simbahang-katolika/> (accessed July 20, 2020).

56 This is particularly important because the Bishops’ Conference itself endorses active lay involvement in pre-election activities and considers them as ‘spaces of hope’ as in the following words, “the faithful are not only involved in ensuring credible elections; they are also starting to be engaged in helping emerge credible candidates and discerning voters. There are on-going election efforts that are becoming less personality- and more platform-oriented”. See: “Transforming Election Through a Solidarity of Consciences”, Catholic Bishops’ Conference of the Philippines, May 4, 2010. Available at: <https://cbconline.net/statement-on-the-coming-national-and-local-elections-transforming-election-through-a-solidarity-of-consciences-i-saw-a-new-heaven-and-a-new-earth-rev-211/> (accessed August 20, 2020).

need to resist the possibility of allowing their churches to decide for themselves ‘the candidates to vote for’ during elections as this is one important area where the Church-State separation could be violated or at least weakened. This needs to be maintained even if the Church has rightly called for the people’s engagement in “principled partisan politics” and admonishes them “to vote for candidates who will work for the common good.”<sup>57</sup>

Secondly, if the laws of the country have maintained the position of a non-hostile stance towards the Church and religion in general, then this provides more reason for the Church to maintain its collaborative stance with the government, even if at times it has to become ‘critical.’ Saying that the Church adopts a relationship of ‘critical collaboration’ with the State is an invitation for the Church to consider that her posturing will first take the stance of collaboration and become critical only on highly contentious issues. The present talks on human rights violation in the Philippines could be an example. Undoubtedly, the Church’s present involvement in the discussions about the extra-judicial killings and human rights talk, amidst the drug war project of the Philippine government, is very important and the people need to rally with the Church’s leaders in ensuring that no excesses are done to trample the inviolable rights of human beings. But, even in doing this, it remains possible for the Church to posture herself as a companion of the State in ensuring the well-being of our people, recognizing both that substance use (use of illegal drugs) destroys the life of the people, and that those indiscriminate killings even of drug pushers and users are both sinful and illegal. We could perhaps discern this stance even in the straightforward objection of the Bishops’ Conference to the killings that have been done in the so-called war on drugs: “We, your bishops, are deeply concerned due to many deaths and killings in the campaign against prohibited drugs. This traffic in illegal drugs needs to be stopped and overcome. But the solution does not lie in the killing of suspected drug users and pushers. We are concerned not only for those who have been killed. The situation of the families of those killed is also cause for concern. Their lives have only become worse. An additional cause of concern is the reign of terror in many places of the poor. Many are killed not because of drugs. Those who kill them are not brought to account. An even greater cause of concern is the indifference of many to this kind of wrong. It is considered as normal, and even worse, something that (according to them) needs to be done”<sup>58</sup>.

As mentioned earlier, the State shares with the Church the same mission of

57 “Concerned Christian Citizens for Good Governance”, Bp. Antonio Ledesma, SJ, available at: <https://cbcponline.net/concerned-christian-citizens-for-good-governance/> (accessed August 15, 2020). This is a reiteration of what has been said by the Pastoral Statement of the Bishops’ conference: “Participation in politics for Christian lay people is not just to be limited to non-partisan involvement. Christians are also encouraged to engage in principled partisan politics. This means that they can campaign for good candidates as an exercise of their Christian faith”, see: “Seek the Common Good”, Catholic Bishops’ Conference of the Philippines, January 28, 2019. Available at: <https://cbcponline.net/seek-the-common-good/> (accessed August 03, 2020).

58 “For I find no pleasure in the death of anyone who dies – oracle of the Lord God (Ezekiel 18:32)”, Catholic Bishops’ Conference in the Philippines, January 30, 2017. Available at: <https://cbcponline.net/for-i-find-no-pleasure-in-the-death-of-anyone-who-dies-oracle-of-the-lord-god-ezekiel-1832/> (accessed August 28, 2020).

looking into the welfare of the people. Article II, Section 9-13<sup>59</sup> of the Constitution enumerate these. A closer look at these Constitutional principles reveals that the Church and State have shared missions for the people, and this will further warrant the emphasis on the stance of collaboration, even if critical, rather than opposition especially not its hostile forms. Both the churches and the State should not be afraid to embrace the possibility of this collaboration, confidently believing especially that the country has a rich legal history and tradition that will help both the Church and State remain accordingly guided so that one will not overstep into the other and that the separation is not breached. It is important to realize that in the context of the Philippines, churches, and it is crucial that churches and faith denominations other than the Catholic Church are included in the conversation, can greatly contribute to the communal reflection of what is needed for our common good as a nation. It is best to tap those resources rather than to turn cynical against them.

Thirdly, in the Church's teaching ministry, it is important that the Church also learns to listen and to receive instruction even from among the ordinary people. Listening has to become an important mode of the Church's teaching ministry, especially in the context of the Philippines whose populist President has a wide following among the ordinary people. The Church's capacity to listen to the people is an important gesture for her to remain faithful in her ministry, not just of being a teacher, but also of being a witness who teaches by her examples.

It is important even for the Church to look into this concept of 'teachability.' This challenges us to primarily become witnesses first before we function as prophets. Have we done enough witnessing, and have we listened to and are open enough to also see the strengths of the other's arguments? We could perhaps learn here from Alasdair MacIntyre, who critiques the contemporary culture of emotivism which he defines as simply forwarding a rhetoric that promotes one's interest instead of engaging in a real dialogue with others. MacIntyre himself warns of the social content of emotivism when he said that "emotivism entails the obliteration of any genuine distinction between manipulative and non-manipulative social relations."<sup>60</sup> It is also important to assert that the separation of Church and State in no way implies that they could no longer engage in shared efforts for the common good. It simply ensures that in those undertakings, despite the strong sway of emotivism in our pres-

59 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.

60 Alasdair MacIntyre, *After Virtue*, 3rd edition, University of Notre Dame Press, Notre Dame, 2007, p. 23.



ent culture, no one party will be allowed to exercise a manipulative influence over the other.

The institutional Church then would need to seriously think of ways to communicate to the people her teachability because this is one way of showing them, contra the rhetoric of those who want to discredit the Church, that her relationship both with the believers and non-believers, is non-manipulative.<sup>61</sup> Listening and communion with the people are important components of the Church's teaching ministry. In her public engagement, it is important for the Church to always serve as witness to the contents of her faith. It is important for the Church to properly discern the moment when her witnessing becomes more expressive of its prophetic functions. It seems appropriate to say that the Church as a prophet can only become effective in her task, if she has first succeeded in becoming a powerful witness of the faith. This self-reflection on the part of the Church is an important resource that will help her remain authentic in her witnessing of Christ and will help demonstrate to the State that while the separation is operative, the Church can never be excluded in public life even in the public conversation about the good of the nation and the good of the people.

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61 In fact, as the Church endeavors to examine herself and communicate to the people the non-manipulative nature of her teaching, ministry, and relationship with them, she too has to help the public discern the presence of manipulative relations which oftentimes result to what was earlier mentioned as Pope Francis' warning against 'ideological colonialism.'

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## ОДВАЈАЊЕ ДРЖАВЕ ОД ЦРКВЕ У ТРЕНУТНОМ ФИЛИПИНСКОМ КОНТЕКСТУ

### Сажетак

Овај чланак покушава да покаже да је доктрина одвајања државе и цркве утемељена у правном систему Филипина и да филипински правосудни систем често истиче ову доктрину у својим пресудама које се тичу односа државе и цркве. Поред тога, у чланку се аргументује да се ова доктрина, позајмљена са запада, не може интерпретирати као забрана за учествовање религије и цркава у јавном животу. Насупрот томе, у Филипинима је ова доктрина примарно усмерена према очувању религије. Ово значи да религија и цркве не морају да ограничавају своје активности у јавној сфери све док оне не угрожавају друге. Даље, то значи да су религија и цркве позване да буду посвећене својој мисији и раду за добробит народа, чак и када то значи да оне често морају да позивају на пажњу на оно шта се мора урадити, поготово када су у питању потребе људи.

**Кључне речи:** Филипинска католичка црква, одвајање државе од цркве, вера, право