

News and Notes

ESPIRIDION C. ALVAREZ, JR.*

International Developments

Islam and Politics In Malaysia

Since the politicization of Islam in the 1970s, the role of vanguard of Islam has been hotly contested between two political parties in Malaysia: the Muslim United Malay National Organization (Umno), and the Parti Islam (Pas). Of the two, Pas is identified with direct Islamic platform—Islamic state national constitution which is “totally” based on Islamic teachings and a *Shariah* (Islamic) legal system—and has continuously challenged and criticized Umno for being un-Islamic and less faithful with its duties to the Muslim community. The Malaysian government, led by Umno for the past decade, has devised to expand and improve the *Shariah* system. Since the ascent to power of Prime Minister Datuk Seri Mahathir Mohammad in 1982, Islamic institutions have sprouted under the blessings of the state. Political observers however would ascribe the continued impetus of the Islamic movement in Malaysia to Pas’ constant challenges and criticisms that have pushed Umno into a “more” Islamic mold.

The continued resurgence of Islam in Malaysia has been accompanied, according to prominent scholars, with the attendant growth of Islamic youth groups and has propelled Islam from a village-based religion to the level of national politics.

The real power of Islam in Malaysia however, lies in the identification of Malay race with the Islam religion. However, this association with race and religion has been seriously challenged. According to adherents of the Muslim faith, associating race with religion contradicts the most basic Muslim tenet that “one should submit to no authority other than Allah.” The expression of race through nationalistic symbols runs counter to this basic Muslim tenet, as nationalism demands total supreme loyalty of the people to a nation. Pas believes that the sense of belonging to a race or tribe is un-Islamic. Experts predict that the “total Islamicization” of Malaysia could lead to the disappearance of nationalism completely.

It is ironical that the Islamic movement is threatening its own source of power and influence by insisting on the absolute separation of race from

* Graduate Assistant, College of Public Administration, University of the Philippines.

religion and advocating a pan-Islamic view. The Muslims in Malaysia are in effect eroding the very power base that has allowed the exercise of Islamic influence in Malaysia, the race-religion association. It has benefited Muslims more than any other group in Malaysia.

The ascendancy of Islam in Malaysia however has brought with it many brand and streams of Islamic thought and expressions. In the final analysis, the instability of a small nation like Malaysia could find its roots in Islam. As Suhaini Aznam warns, the danger of Pas and Umno trying to outdo each other on the Islamic chessboard is that politicians may have introduced, or promised to introduce, Islamic reforms much too fast for the party leaders themselves to cope with, in terms of fulfillment of promises, and for society to absorb.

Law and Press Freedom In Thailand

There is consensus among Thai media people that Thai laws on media activities have to be liberalized. One of the controversial laws that they want repealed is the National Administrative Reform Council (NARC) Order No. 42, imposed after the October 1976 bloody coup, that ushered in the regime of Thanin Kraivixien. This empowers the National Police Chief in Bangkok and Governors in upcountry provinces to close newspapers under vaguely defined circumstances. Even with the repeal of the NARC Order No. 42, media people point out that the press will remain regulated by other general laws containing provisions that bar press coverage on specific circumstances. Some of these laws are: (1) the Anti-Communist Act, (2) the National Security Act; and (3) the Civil and Criminal Codes.

Much hope however is placed on The Printing Bill, a law which is expected to promulgate a more stable freedom with heavy emphasis on media self regulation. Its more salient features are: (1) repealing the various existing printing acts, some of which date as far back as the early 1940s; (2) ending the government authorities' arbitrary power to close newspapers; and (3) ending the mandatory requirement for all print media journalists to become members of a newsmen-dominated Press Council which is authorized to impose penalties against unethical practitioners. Supporters of the new bill have pressed for more specific provisions to ensure that publication would be uninterrupted, while individual offenders would be punished.

It cannot be denied, however, that the Thai government has of late become tolerant of the print media. Closures have been few and far in between. The perceived liberalism of the Thai government with respect to the print media has resulted in the proliferation of periodicals. This competition among print

media establishments would upgrade the overall standards of the press in Thailand. But first, the sword of Damocles wielded over the Thai press has to be sheathed.

National Developments

The Church, Politics and Vigilantes

The Roman Catholic clergy in the Philippines has maintained a highly visible profile during the May 11 elections by endorsing Ten Official Senatorial Candidates (TOSCA), all from the Lakas ng Bayan coalition party. No less than Cardinal Jaime Sin, actively endorsed TOSCA in both radio and television. Some lower-ranking clergy and higher church officials in Rome, feared that such tactics of Cardinal Sin could alienate the 74 candidates not endorsed by the Church, many of whom are conservative men and women who otherwise fall comfortably within the church's "natural constituency." Other religious institutions likewise joined the political fray. The *Iglesia ni Kristo*, claiming about 3 million followers, advised its supporters to vote for 14 Lakas ng Bayan candidates and 10 opposition senatorial candidates. The Association of Major Religious Superiors in the Philippines had likewise endorsed its own preference for the the 24 seat Senate, which included three left wing candidates. The involvement of religious institutions in the May 11 elections, particularly the Roman Catholic Church, puts to severe test the separation principle of temporal authority from spiritual authority as provided in the constitution.

Despite the Catholic Church's strong influence on public opinion and Philippine politics, it has had difficulty in dealing with the issue of *vigilante* groups organized to combat communism in the Philippine countryside. The large volumes of documented abuses perpetuated by vigilante groups, have not propelled the government or more particularly the military to issues guidelines and procedures with respect to recruitment, training, and control over the issuance of firearms to the vigilantes. Lapses in supervision has prompted disciplinary actions against *Alsa Masa* members, a vigilante group in Davao, for extorting money or collecting local businessmen's debt "on the side."

The Catholic Church's traditional opposition to communism has made them natural supporters of the vigilante groups. Ex-President of the Catholic Bishops Conference of the Philippines, Archbishop Antonio Mabutias of Davao, favor the vigilantes for it has effectively stopped in his diocese the sparrow units (death squads) of the New People's Army (NPA), the armed component of the Communist Party of the Philippines. However, Archbishop Mabutias

urges that abuses by vigilante groups must be curbed. In the same tone, Cardinal Jaime Sin declared that the Alsa Masa and similar groups are manifestations of people reacting to the violence of rebels and that anti-communist vigilante groups must be encouraged, provided that they abide by the Church's teachings to preserve human rights at all times.

Ironically, despite categorical support by some of the Church's ranking priests, the church itself has experienced attacks on its members by vigilante groups, the victims of which are mostly church social workers who have been suspected by vigilante groups to be communist supporters. In Surigao del Sur for example, Fr. Elgio Bianchi's convent was raided by the military. The priest is an outspoken critic of "forced membership" in the anti-communist vigilante group Bantay Bayan. In Kidapawan, North Cotabato Bishop Juan de Dios Pueblos, rapped authorities for failing to act on the harassment of Catholics who refused to join vigilante groups. He reported that at least five lay church workers in his diocese have been hacked to death from April to June 1987 by members of the Tadtad, a quasi-religious fanatic group that is rabidly anti-communist. The church hierarchy stands divided over the issue of vigilante groups in the countryside. Some observers insist that it is imperative that the church take the initiative to set the moral tone in obedience to one of the ten commandments of God, "thou shall not kill."

Forest Environment: The Crisis Ignored

The rain forests are one of the oldest biological communities. A high proportion of animals and plants in the rain forest are endemic to one area, that is, they live and grow nowhere else. As the rain forests are destroyed, millions of species of plants and animals, the vast majority of which are unknown to science, lose their habitat and die. One endemic specie endangered by deforestation is the monkey eating eagle, renamed the Philippine eagle. This bird of prey faces extinction as its habitat, the tree tops of rain forests, disappear.

The Philippine Bureau of Forest Development reported that from 1980 to 1986 the destruction of Philippine forests has primarily been due to forest fires which destroyed 175,986 hectares of forest lands. Following forest fires, are logging concessions denuding 21,911 hectares; kaingin (swidden culture) denuding 21,724 hectares; pest and diseases denuding 2,169 hectares; and others denuding 651 hectares of forest lands.

From 1969 to 1986, the reforestation effort in the Philippines covered only 654,980 hectares against 1,438,588 hectares of denuded forest for the same period. The reforestation effort is greatly hampered by the fact that a large tract of forest lands are easily destroyed in a matter of days whereas it takes

more than 50 years for a denuded area to become a forest. Reforestation strategy consists of raising and transplanting tree seedlings in critically denuded forest areas. It was estimated that it will take 2.8 centuries to reforest 5 million hectares of denuded land granting availability of full government support. A prominent environmentalist admits that the tropical forest is the least known ecosystem of the world. Compounding this lack of knowledge of our tropical forest, is the lack of equipment and resources to study and maintain the tropical forest.

It has been estimated by the Department of Environment and Natural Resources that about a million hectares of virgin forest remain. During the last decade (1976-1986), deforestation averaged about 145,000 hectares annually while the reforestation rate was only about 57,000 hectares. At these rates, Philippine virgin forest would be gone within the next decade.

The island of Cebu is almost devoid of forest. The impact on the population of a deforested area, warns Dr. Celso Roque of the Department of Environment and Natural Resources would be the concomitant lack of freshwater and salt water intrusion of the remaining meager water supply.

The concomitant soil erosion of denuded forest lands was estimated to be a billion cubic meters of material per year or about 200,000 hectares of land at one half meter deep. Dr. Roque, warns that in about 25 years, our population would have doubled and we would have lost 25 billion cubic meters of top soil. In other words, as the demand for food increases, our principal resource base decreases. Environmental degradation and depletion of Philippine forest are issues that have to be addressed. The environment is a heritage that we must seek to conserve. The loss of our unique natural heritage, such as the endemic fauna and flora of tropical forests, constitutes a serious indictment of our stewardship over our environment, and in the final analysis, our ability to provide for the future needs of generations to come.

Workers Organization in the Public Sector

The 1974 Labor Code expressly disallowed unions or organizations to be formed in the government service including the public corporate sector. Before the advent of martial law in 1972, some of the more militant unions in the Philippines could be found in the Social Security Services, the Government Service Insurance System, the National Waterworks and Sewerage Authority; and a number of other government corporations. Under martial law (1972-1985), majority of the rank and file workers, unorganized and voiceless, found their conditions of employment deteriorating over time in terms of pay, promotion, social security and other employment benefits. The hardest hit sector was the public school teachers.

The EDSA revolution of 1986 buoyed up hopes of government workers for better terms and conditions under the Aquino administration. In her May 1, 1986 Labor Day rally speech, President Aquino announced the administration's policy to liberalize the country's labor relations system and more importantly, the restoration of the right to self-organization of government corporate workers. The 1987 Constitution went a step further when the constitution explicitly and unequivocally declared the government workers' right to organize to include government agencies other than government corporate workers. Section 8 of Article III of the 1987 Constitution states :

... the right of the people including those employed in the public and private sectors to form unions, associations, societies for purposes not contrary to law shall not be abridged.

Corollary to this provision, the second paragraph of Section 3 of Article XIII guarantees :

... the right of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities including the right to strike in accordance with law...

These constitutional provisions, were however delimited with the issuance of Executive Order 111 which states that :

Employees of government corporation established under the Corporation Code shall have the right to organize and bargain collectively with their respective employers. All other employees in the Civil Service shall have the right to form associations for purposes not contrary to law.

The second sentence has been interpreted as a legal impediment to the emergence of real government workers organizations in the public sector. It leaves to chance, according to some members of a government workers organization, the exact law that would be applicable to government organizations and as such requires clarity. What exactly constitutes the applicable law is anybody's guess contrary to the explicit guarantee of the workers' right to self organization as enunciated in the 1987 constitution.

The issuance of Civil Service Circular No. 6s (1987) which prohibits government unions or associations from availing the right to strike is considered another legal impediment to this effect. Executive Order No. 180 was issued on June 1, 1987 which expressly denies the right to organize among members of the armed forces, police officers, policemen, fireman and jail guards.

Vicente Foz, a labor specialist and a member of the 1986 Constitutional Commission, stated that the government workers' right to organize "includes

the corresponding right to engage in concerted activities." It would "be an empty ceremony for the workers to forge unity among themselves through a labor organization and go through the motions of electing their union officers and adopting articles of incorporation and a Constitution and altogether stop there." And this seems to be what the current leadership seems to be doing.

Further complicating the issue is the apparent lack of experience of the government in dealing with government workers' organizations and mass actions. In response to this lack of experience, and to an extent, lack of information, Labor Secretary Franklin Drilon recommended to the President on February 18, 1987 the creation of an interagency committee to look exhaustively into the matter of unionism in the public sector. Among other things, the memo provides for the promulgation of interim guidelines which would eventually serve as the bases on which the laws may evolve. This gives government workers' organizations much to worry over, for so far, the interim guidelines, as represented by Executive Order 111, Executive Order 180, and Civil Service Circular 6s have been inimical to the emergence of a real workers organization in the public sector.

The impact of the EDSA revolution in 1986 may have its own momentum, expressed consciously or unconsciously, in the growing movement in the public sector to organize. The cry of "people's power" in the government sector is an often heard catch-all phrase to express a common stand against perceived injustices.

College Developments

College of Public Administration Transfers to New Address

The UP College of Public Administration (CPA) has started moving from the Padre Faura campus to the UP Diliman campus in Quezon City. For several years, the CPA was the only Diliman unit outside of the UP Diliman campus. Years of planning and discussions have given fruit to the much awaited move to Diliman, a homecoming to its mother unit so to speak.

The CPA will be occupying the left wing building of the State Accounting and Auditing Center. Construction of a new building is currently being undertaken to house the classrooms and the library collections of the CPA. The Publications Office of the CPA has transferred to its new address in June 1987 by 1988, the Academic Program, the Library, the Center for Policy and Administrative Development and the Dean's Office shall have completed their

transfer to Diliman. At the moment, all three are maintaining a skeletal force in the new address.

The transfer effectively eliminates the hustle-bustle activity surrounding the Padre Faura campus located at the heart of the City of Manila. Tranquility permeates the new address much to the liking of the faculty and research staff of the CPA. Of course, to students of CPA whose offices are located in Manila, the transfer of the CPA would mean a longer travel time and having to beat the four o'clock traffic from Manila to Quezon City in time for their five thirty classes.

The new official address is: College of Public Administration, University of the Philippines, PARDEC-SAAC BLDG., Diliman-1101, Quezon City, Philippines, P.O. Box 198.

Bachelor of Arts in Public Administration Reinstated

The CPA has reinstated the abolished Bachelor of Arts in Public Administration (BAPA) program in response to requests, especially from its alumni who are in the public service, for civil servants with a working knowledge of the theories, practices and methodologies in public administration and public policy. The BAPA program is imbued with the following objectives:

1. To provide students with professional training in the functions and processes of government in general and of the Philippine bureaucracy in particular, as well as on the theories of management;
2. To introduce the students to fundamental economic and social ideas and the requisite social values for public service;
3. To provide ample opportunities to systematically inculcate, values of accountability, service and integrity among prospective members of the public service;
4. To prepare undergraduates for positions in the Philippine public service;
and
5. To serve as a preparation for other professional and postgraduate degree programs, e.g. law or graduate work in other fields.

A graduate of the BAPA can work as an administrative assistant, researcher, personnel analyst, management analyst, training officer, or any equivalent junior level technical administrative position in the civil service, or in private organizations which deal with public concerns. Part of the program includes a summer internship for senior students in selected government offices. This exposure aims to train the student in the actual work environment on how to deal with real problems which are normally encountered in day to day governmental operations. Such an experience would likewise provide an opportunity to make excellent contacts for job leads while in their internship.

Documents Section

MALACAÑANG PALACE
MANILA

Proclamation No. 131

**INSTITUTING A COMPREHENSIVE AGRARIAN REFORM
PROGRAM**

WHEREAS, we have proclaimed the revival and development of the full potential of Philippine agriculture to be an economic priority of our new democracy so as to provide a firm foundation for the industrialization of our economy, and thereby assure the genuine independence of our country;

WHEREAS, it is necessary to make our new democracy meaningful by increasing the productivity of the farming sector and increasing the incomes of farmers, regular farmworkers, and other farmworkers;

WHEREAS, the essential element in any policy of agricultural revival and development is a comprehensive and realistic agrarian reform program;

WHEREAS, such an agrarian reform program will encourage the shift of capital from land to industry;

WHEREAS, realizing these imperatives, the President declared in the 1986 Presidential campaign that she would undertake an agrarian reform program;

WHEREAS, there is need for all to address agrarian reform in the spirit of cooperation, harmony, and understanding, a spirit which must pervade the process as a whole, in its voluntary as well as non-voluntary aspects, for the country faces problems and challenges that require national unity;

WHEREAS, agrarian reform indispensably entails the participation of all concerned in the planning, organization, and management of the program;

WHEREAS, the entire Filipino people, together with all government agencies and private organizations, must extend priority support and full cooperation to implement this program effectively;

WHEREAS, there is a need for the program to be realistic and flexible in order to succeed, to take account of differences from place to place, from community to community so that no single and rigid prescription would be unfairly and unwisely applied to all regardless of special features and circumstances, and to be within the present and foreseeable capabilities of the nation;

WHEREAS, the program further requires available funding that is definite as to source and timing;

WHEREAS, the education, re-orientation, and motivation of farmers, regular farmworkers, and other farmworkers in their new rule and responsibilities, along with steps to ensure that the program will result in increased productivity and better income for the beneficiaries, are also called for;

WHEREAS, all these and other infrastructure requirements must further be provided for by other legislation and measures;

WHEREAS, the President recognizes as a partner to this continuing undertaking the co-equal Branch of the Congress of the Philippines, whose Senate is elected at large and therefore speaks for the nation, and whose House of Representatives articulates the needs and problems of the constituencies and sectors in the land;

WHEREAS, in the last analysis the times undeniably call for change, and the need to undertake the agrarian reform program can no longer wait, so that no alternative lies but to adopt a program that is workable, sufficiently funded and, above all, aimed to succeed, for the nation can no more afford its failure than its lack;

WHEREAS, the forces of history and the Constitution, the pressing needs of the times, the capabilities of the present, and the age-old aspirations of the Filipino people demand such an agrarian reform program.

WHEREFORE, the Constitution of the Philippines provides the following:

ART. II

DECLARATION OF PRINCIPLES AND STATE POLICIES

* * *

"Sec. 21. The State shall promote comprehensive rural development and agrarian reform."

Art. XXII

NATIONAL ECONOMY AND PATRIMONY

* * *

"Sec. 1, par. 2: The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform."

ART. XIII

SOCIAL JUSTICE AND HUMAN RIGHTS

* * *

AGRARIAN AND NATURAL RESOURCES REFORM

* * *

"Sec. 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 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 the retention limits, the State shall respect the right of small landowners. The State shall further provide incentives for voluntary land-sharing."

"Sec. 5. The State shall recognize the right of the 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."

"Sec. 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 right 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."

"Sec. 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."

ART. XVIII

TRANSITORY PROVISIONS

"Sec. 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."

NOW, THEREFORE, I, CORAZON COJUANGCO AQUINO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

Section 1. *Scope.* A Comprehensive Agrarian Reform Program (CARP) is hereby instituted which shall cover, regardless of tenurial arrangement and

commodity produced, all public and private agricultural lands as provided in the Constitution, including whenever applicable in accordance with law, other lands of the public domain suitable to agriculture.

Sec. 2. Agrarian Reform Fund. There is hereby created a special fund, to be known as The Agrarian Reform Fund, and initial amount of FIFTY BILLION PESOS (P50,000,000,000.00 to cover the estimated cost of the Comprehensive Agrarian Reform Program from 1987 to 1992 which shall be sourced from the receipts of the sale of the assets of the Asset Privatization Trust and receipts of sale of ill gotten wealth received through the Presidential Commission on Good Government and such other sources as government may deem appropriate. The amounts collected and accruing to this special fund shall be considered automatically appropriated for the purpose authorized in this Proclamation.

Sec. 3. Implementation. The provisions for the mechanisms needed initially to implement the Comprehensive Agrarian Reform Program are set forth in Executive Order No. 229, dated 22 July, 1987, which is a companion measure to this Proclamation.

Sec. 4. Effectivity and Repealing Clause. This Proclamation shall take effect immediately upon its approval and repeals or amends accordingly all laws issuances, decrees or any parts thereof inconsistent with its provisions.

APPROVED, in the city of Manila, Philippines, this 22nd day of July, 1987.

(Sgd.) CORAZON C. AQUINO
President of the Philippines

By the President:

(Sgd.) JOKER P. ARROYO
Executive Secretary