

Islam and the 1987 Philippine Constitution: An Issue on the Practice of Religion

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In this Article, the Author analyzes Article II, Section 6 and Article III Section 5 of the 1987 Philippine Constitution. He regards the two articles as dealing with the right of the Muslim People in the Philippines to practice Islam. He conducts the study with two premises. First, he submits that the aspiration of the Muslims to assert their right to self-determination springs from their perceived attack of the government on their practice of the Islamic religion. Second, he believes that the armed struggle in Mindanao is the Muslims' way of communicating the said aspiration.

He begins the study with a review of the history of the Muslim People in the Philippines. In doing so, he aims to provide the reader with a better grasp of the Muslims' struggle for self-determination and for recognition of their right to exercise the Islamic religion. In discussing their history, he also aims to show how deeply imbued Islam is to the lives of the Muslim People in the Philippines.

The Author also discusses how practicing one's religion in Islam deems it necessary for the state and religion to be interrelated in governing the Muslim People. He follows this with the 1987 Philippine Constitution's concept of practice of religion. The Author then illustrates the irreconcilability of the Muslim's and the Constitution's concept of religion through a comparative analysis.

As a conclusion, he submits that there is a need to amend the Constitution to accommodate the Muslim People's right to practice religion. In furtherance of this end, he provides recommendations for the needed constitutional amendment.