

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4388



Introduced by REP. RODEL M. BATOCABE

AN ACT PROVIDING FOR THE CONSTRUCTION OF A "LIBINGAN NG MGA BAYANI" IN EACH REGION, AMENDING FOR THE PURPOSE RA 289, AS AMENDED AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This bill seeks to establish a regional pantheon to bury the remains of those who are considered illustrious and heroic by the natives of such region.

A "hero" or what a "hero" is, is a relative term. A hero becomes one because of sterling and inspiring qualities that endear him to a group of people. More often than not, these virtues and qualities become apparent in times of conflict, adversities, emergencies and unusual circumstances. Conflicts in history usually involve two clashing forces or groups of people and whichever side is victorious writes history in their favor. There is usually a protagonist and the hero is the one who championed the cause of the victorious side. As such a hero to others may be a villain to some. It is rare that we find heroes that are universally accepted as extraordinary people who inspire others.

Accordingly, the standards of what a hero is can never be adequately measured, much less legislated. For a hero is determined by the collective will of the people as enshrined in our history books. But then, it can never be universal.

In like manner, geographical consideration should be taken into account, because each region in the Philippines usually have its own hero or heroes. As a matter of fact, a person considered a hero by the people of one region might not be considered as one by people from other regions.

The most obvious example is the current controversy over the burial of former Pres. Marcos at the *Libingan ng mga Bayani* (LNMB) which has been ruled by the Supreme Court as a political question outside the ambit of judicial review and well within President Rodrigo Duterte's executive decision. This decision has been met with criticisms and protest over the implication and symbolism of a burial spot for the former President, who had been deposed for being a dictator, at the LNMB. Yet, the majority of Ilocanos and other people from the northern part of the Philippines strongly believe that former President Marcos is worthy of being entombed at the LNMB. The burial of former President Marcos continues to polarize Filipinos and has not been resolved for almost 30 years.

The controversy that arose out of the contentious issue of whether former President Marcos deserves to be buried at the LNMB could be avoided in the future if this bill is enacted into law as the regionalization or localization of persons qualified to

be heroes will be left to the people of a particular region and will not be subject to criticism, as their decision will not be imbued with a national character.

It is also in keeping with the idea of decentralization, localization and Federalism, that a Regional *Libingan ng mga Bayani* dedicated for the remains of dead persons considered illustrious and heroic by natives of that region be established by the State.

In light of all the foregoing, the passage of this bill is earnestly sought.



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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. This Act shall be known as the "*Regional Pantheon Act of 2016*"

Section 2. Purpose and Objective. – This Act shall provide for localized *Libingan ng mga Bayani*, which will be a cemetery or pantheon in each region in the Philippines dedicated for the remains of dead persons considered illustrious and heroic by the people of such region.

Section 3. Section 1 of RA 289, as amended, is hereby further amended to read as follows:

Sec. 1. To perpetuate the memory of [all-the] Presidents of the Philippines, national heroes and patriots, **and national artists and scientists, who are natives of a particular region**, for the inspiration and emulation of [this-generation-and-of generation-still-unborn] **the people in that region**, there shall be constructed a [National-Pantheon] **Regional Pantheon otherwise known as {Name of Region/Ethnic Group} Libingan ng mga Bayani or its translation in the local dialect**, which shall be the burial place of their mortal remains.

Section 4. Section 2 paragraph (a) of RA 289, as amended, is hereby further amended to read as follows:

Sec. 2. ~~[There is hereby created a Board on National Pantheon composed of the Secretary of the Interior, the Secretary of Public Works and Communications and the Secretary of Education and two private citizens to be appointed by the President of the Philippines with the consent of the Commission on Appointments which]~~ **The Department of National Defense (DND)** shall have the following duties and functions:

- (a) To determine the location of a suitable site for the construction **of each** of the said [National] **Regional Pantheon**, and to have such site acquired, surveyed and fenced for this purpose and to delimit and set aside a portion thereof wherein shall be interred the remains of [all] Presidents of the Philippines and another portion wherein the remains of heroes, patriots, **national artists, national scientists** and other great men of the [country] **region** shall likewise be interred;
- (b) To order and supervise the construction thereon of uniform monuments, mausoleums, or tombs as [the Board] **it may deem appropriate**;

- (c) To cause to be interred therein the mortal remains of [all] Presidents of the Philippines, the national heroes and patriots, **national artists, and national scientists**;
- (d) To order and supervise the construction of a suitable road leading to **each of** the said [National] Regional Pantheon from the nearest national or provincial road; and
- (e) To perform such other functions as may be necessary to carry out the purposes of this Act.

Section 5. Sec. 3 of RA 289, as amended, is hereby further amended to read as follows:

Sec. 3. The sum of [one] **three hundred** million pesos (**Php300,000,000.00**), or so much thereof as may be necessary, is hereby appropriated out of any funds in the National Treasury not otherwise appropriated to meet the initial expenses in carrying out the provisions of this Act.

Subsequent budget for the upkeep of and maintenance of the Regional Libingan ng mga Bayani shall be included in the budget of the DND.

Section 6. Repeal of certain provisions of RA 289. – The following provisions of RA, 289, as amended, is hereby repealed:

~~[Sec. 4. The Board is authorized to open a popular subscription during a period of time not beyond December thirty-first, nineteen hundred and fifty, to be determined by the Board, in order to raise such additional funds as may be necessary to carry out the purposes of this Act. For the purpose of raising such funds by popular subscription, the Board may appoint such committees as may be necessary.]~~

~~The Board shall cause all the money thus raised by voluntary contribution to be deposited in one of the government depositories or banks in Manila and shall withdraw therefrom such sums as the need for them shall arise.]~~

~~[Sec. 5. The Board is further authorized to appoint an executive secretary, auditor and such other personnel as it may deem necessary and the compensation of which shall be fixed by said Board.]~~

~~[Sec. 6. This Act shall take effect upon its approval.]~~

Section 7. Implementing Rules and Regulations. - The Department of National Defense, in consultation with the Department of Interior and Local Government, and the Department of Budget and Management, within ninety (90) days from the effectivity of the Act, shall promulgate the rules and regulations necessary for the effective implementation of the provisions of this Act.

Section 8. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Section 9. Repealing Clause. - All laws, parts of laws, decrees, presidential issuances, proclamations, orders, ordinances, and administrative regulations in conflict with the provisions of this Act are hereby amended, modified or repealed accordingly.

Section 10. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved.