

PRESIDENT EISENHOWER'S SPEECH ON THE EVE OF HIS DEPARTURE*

Mr. President, you, on behalf of the Filipino people, have just bestowed a great honor upon me.

Proudly, I accept, in the name of the American people, the award of Rajah in the Ancient Order of Sikatuna.

My friends, this Luneta was for more than four years the scene of my habitual evening walks. To this day it lives in memory as one of the most pleasant — even indeed one of the most romantic spots — I have known in this entire world. (Applause) Leaving the front entrance of the Manila Hotel of an evening I could walk to the right to view the busy docks where Philippine commerce with the world was loaded and unloaded. From here, looking across the peaceful waters of Manila Bay, I could see the gorgeous sunsets over Mariveles. Walking toward the Club of the Army and the Navy, and looking down toward the city itself, I nearly always paused for a moment before the statue of the great Jose Rizal before returning to my quarters. One thing that made those evening promenades so pleasant, so meaningful, was the deep sense of feeling I had of Philippine-American friendship.

To you, assembled before this platform — to Filipinos and Americans everywhere and to those who are gone from among us — is due the credit of having forged our close friendship in war and in peace. (Applause)

Now, upon both our peoples still rest the grave responsibility of working together tirelessly in the promotion of liberty and world peace.

The voluntary association of free peoples produces — from the sharing of common ideals of justice, equality and liberty — a strength and moral fiber which tyrannies never attain by coercion, control and oppression. Such tyrannies can, of course, concentrate upon a single objective the toil of millions upon millions of men and women; working endless hours; denied even the smallest happiness of human living; sometimes whipped, sometimes cajoled, always treated as robots bereft of human dignity. For a space of years, particularly if the peoples they regiment have known little of freedom or of a decent prosperity, such dictatorships may seem to achieve marvels. But in their denial of human dignity — their destruction of individual self-esteem — they write the eventual doom of their system.

Long before many of us here today were born, a great Filipino, Jose Rizal, in vivid and eloquent language, foretold the eruption of these tyrannies and predicted their ultimate fate. He said:

"Deprive a man of his dignity, and you not only deprive him of his moral strength but you also make him useless even for

* Remarks by President Dwight D. Eisenhower at public reception at Luneta, June 16, 1960.

we do together, there is of course differences in the ability of each nation to make contributions. Each of us, as an individual, is different from every other individual. Physically, mentally, in the possession of world goods, we are somewhat different but I submit, members of the Congress, that there is one field where no man, no one, no nation need take a secondary place, and that is, in moral leadership. The spirit of a people does not — is not — to be measured by its size or its riches or even its age. It is something that comes from the heart, and from the very smallest nation can come some of the great ideas, particularly those great inspirational ideas that inspire men to strive always upward and onward. Therefore, when I say there are two nations that are sovereign equals, I mean it in just that spirit in the sense that

those that wish to make use of him. Every creature has its stimulus, its mainspring. Man's is his self-esteem. Take it away from him and he is a corpse..."

Now, tyrannies of many sorts still exist in the world. All are rejected by free men. Some authoritarian governments, being narrow in ambition, content themselves with local and confined dominance. Others are blatant in their boasts of eventual supremacy over continents and even the world; constant in their boast that eventually they will bury all systems of freedom.

That boast will never come true. Even in the lands that Communists now master with an iron rule, the eternal aspiration of humanity cannot be forever suppressed. The truth enunciated by Jose Rizal is universal in its application. But tyrannies, before their fated deterioration and disappearance, can, sometimes for many years, engulf and enslave free people unable to resist them.

In that knowledge, the free world — two-thirds of the earth's population — step by step moves towards a more effective partnership that freedom, human dignity, the noble heritages of many centuries may withstand successfully all aggression.

Some nations are still reluctant to commit themselves fully; others are divided on commitments already made, or of bribe; possibly confused by propaganda and threat — oppose even the most obviously profitable associations. But most stand firmly together.

The free world must increase in strength — in military defenses, in economic growth, in spiritual dedication. Thus the free world will withstand aggressive pressures, and move ever forward in its search for enduring peace.

Your government has recently reaffirmed your determination to stand steadfast by joining only two weeks ago in the communique issued in Washington by the Council of Ministers of the eight nations of SEATO. They stated clearly that:

"The Council availed itself of this timely opportunity to re-emphasize the firm unity of purpose of the member countries of SEATO and their determination to maintain and develop, both individually and collectively, their peace and security in the Treaty Area."

May I say here that the United States is proud, indeed, is thankful to be so closely associated and so staunchly allied with the Philippines both in SEATO and in the Mutual Defense Treaty between our two countries. (Applause)

But in this world of continuing tension and yearnings for social change, it is insufficient that the free world stand static in its defense of freedom.

We must, all of us, move ahead with imagination and positive
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we (applause) that you have just as much to contribute to the world and to yourselves and to freedom as the greatest and most powerful nation in the world. (Applause).

Finally, in the great cause of peace and friendship and freedom, we who are joined together will succeed. The eternal aspirations, purposes, ideals of humanity inspire and hearten and urge us to success.

But we face repeated challenges; endless temptations to relax, continuous campaigns of propaganda and threat. Let us stand more firmly together against them all, and so doing and with God's help we shall be great and (prolong applause) good friends.

brief. Consideration of the motion for dismissal was deferred by us until the case is set for deliberation on the merits.

We find no necessity to go into the merits of the appeal, for, upon a careful consideration of the reasons adduced in appellee's motion to dismiss, we agree that the appeal should be dismissed.

Appellant does not deny that his co-defendant and solidary co-debtor, the Luzon Surety Co., Inc., had already paid the judgment of the lower court during the pendency of his petition for mandamus in the Court of Appeals. Article 1217, New Civil Code, provides that "payment made by one of the solidary debtors extinguishes the obligation". The payment by the Luzon Surety Co., Inc. to appellee, therefore, extinguished the obligation of the two solidary co-debtors to appellee Moya, and the judicial tie between the creditors on the one hand, and the solidary debtors, on the other, was dissolved thereby. For this reason, there is no more need to maintain appellant Camus' appeal from the decision of the lower court ordering him and his co-debtor to pay their obligation to appellee Moya. Whatever controversy remains from here on is solely between the two co-debtors.

Appellant argues, however, that the payment made by his co-debtor was premature and, therefore, did not extinguish the principal obligation. We can not see how said payment can be premature when the obligation of appellant Camus and the surety company to appellee was based on a promissory note that was long overdue when the complaint was filed. Even assuming that appellant's only alleged defense of usury to the complaint is true, the same does not in any way affect the maturity and demandability of the debt but if sustained would only reduce the creditor's recovery. There is no question, of course, that the payment by appellant's co-debtor to appellee did not extinguish his defense of usury, which he may still set up against his co-debtor when he is sued by the latter; but until the surety company files such action against appellant, it is purely an academic matter whether appellant is entitled to such defense or not.

Appellant also urges that the Luzon Surety Co., Inc. should be substituted as plaintiff in this action to avoid multiplicity of suits. We have no power to order such substitution, since the surety company has not even intervened or shown any interest in these proceedings relative to appellant's right to appeal from the

PRES. EISENHOWER SPEECH . . . (Continued from page 164)
programs to improve conditions in which human freedom can flourish.

We must, collectively and individually, strive for a world in which the rule of law replaces the rule of force.

Your country and mine have reaffirmed our faith in the principles of the United Nations Charter. We share a common desire to settle international disputes by peaceful means. The task is not an easy one. Communist intransigency at the conference table, whenever they do agree to sit at one, makes the attainment of an equitable agreement most difficult. Moreover, the record of Communist violations of agreements is long. The continuation of Communist provocations, subversion, and terrorism while negotiations are underway serves only to compound the difficulty of arriving at peaceful settlements.

But we shall never close the door to peaceful negotiations. All of us, all free nations always hold out the hand of friendship as long as it is grasped in honesty and integrity. We shall continue to make it clear that reason and common sense must prevail over senseless antagonism and distorted misunderstandings and propaganda. The arms race must be brought under control and the nuclear menace that is poised in delicate suspension over the

lower court's judgment. Neither we nor appellant can dictate the step which the surety company may choose to take against appellant for the protection of its interests.

Finally, appellant claims that the dismissal of this case would necessitate the filing of another action by him against the appellee for the recovery of whatever usurious interest the latter had exacted from him. The claim is completely untenable. Appellant can file such action against appellee only if he had already paid his indebtedness to the latter plus the alleged usurious interest. But it was precisely his failure to pay that compelled the appellee to sue him for payment of the debt, and appellant's defense of usury, even if true, would, as already stated, only reduce his liability to his creditor, but would not entitle him to recover any amounts from the latter. And even if appellant's solidary co-debtor, the surety company, had paid appellee more than it should (granting *arguendo* that the promissory note sued upon represented capital plus usurious interest, as appellant claims), such overpayment gives appellant no cause of action to collect from appellee what his solidary co-debtor had overpaid the latter, but his defense of usury would only serve to reduce his liability when he is sued by the surety company.

All in all, we agree with appellee that it would serve no useful purpose to still decide the present appeal, since no actual relief or practical result can follow therefrom. As we held in *Velasco vs. Rosenberg*, 29 Phil. 212, "if pending an appeal, an event occurs to grant any relief", and "similarly, where a litigation has ceased to be between parties having an adverse interest, the appeal will be dismissed."

As to the merits of the case, suffice it to point out that appellant Camus has not appended to his petition for review any copy of his motion for new trial in the Court of First Instance, and without it, this Court is in no position to say that the Court of Appeals committed error in declaring it insufficient and *pro forma*.

WHEREFORE, the present appeal is dismissed. Costs against appellant Pedro Camus.

Paras, C. J., Bengzon, Padilla, Montemayor, Bautista Angelo, Labrador, Concepcion, Eudencia, Barrera and Gutierrez David,

heads of all mankind must be eliminated. This, I am convinced, can be done, without appeasement or surrender, by continuing a course of patient, resourceful and businesslike dealings with the Soviet leaders.

The goal of a world peace in friendship with freedom is so worth the attaining that every feasible and honorable avenue must be explored. The support, understanding and participation of all who cherish freedom is essential to this noblest endeavor in history. The Philippine contribution will be mighty in its impact on the future.

And now my friends I cannot close without attempting once more to express my very deep appreciation of all the cordial hospitality and friendliness that has been exhibited to me and to all the members of my party during my too brief stay in this lovely country. We know that in greeting us along the highway or in a magnificent crowd such as this, you are really expressing your basic affection for the American people. (Applause) And I assure you, all of you, as the spokesman of the American people that their concern for you, your fate, your future, your well-being, their affections for you is equally deep with yours.

Thank you. (Applause).