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Understanding how the Filipino Government Works

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Introduction

The modern Filipino government system is the product of the country's rich history, cultural heritage, and enduring commitment to democracy. Understanding how the Filipino government works is essential for every citizen, student, and observer who wishes to appreciate the complex interplay of institutions and laws that govern the nation. This book aims to demystify the entire government structure of the Philippines, from its constitutional foundations to the operation of local government units, offering a comprehensive and accessible overview for readers from all backgrounds.

At its core, the Philippines is a democratic and republican state, shaped by the landmark 1987 Constitution. This constitution provides the fundamental framework that defines the rights of the people, the organization of the three co-equal branches of government, and the mechanisms that ensure accountability, transparency, and the rule of law. Whether in times of stability or change, these constitutional principles continue to guide the nation on its path toward just and effective governance.

The government of the Philippines is unique in its blend of global and local influences, drawing inspiration from both American and indigenous governance models. The separation of powers—dividing authority among the executive, legislative, and judicial branches—ensures that no single entity can dominate the state. At the same time, an intricate system of checks and balances is in place to safeguard against abuses and to foster cooperation among branches in serving the people's interests.

This book not only addresses the structure and functions of the three main branches but also delves into the important roles played by constitutional commissions and other key government offices. The Civil Service Commission, the Commission on Elections, and the Commission on Audit, among others, are examined for their unique contributions to promoting merit, fairness, and integrity in public service. Independent bodies like the Office of the Ombudsman and the Commission on Human Rights further reinforce the system's commitment to justice and accountability.

A distinct feature of the Filipino government is its system of local governance. From provinces to barangays, local government units exercise a degree of autonomy that enables them to address the specific needs of their communities. This book explores the relationship between the national and local levels, the powers granted to local officials, and the evolving role of grassroots democracy in the Philippines.

By presenting a detailed yet easily understandable guide, this book seeks to empower readers with a clear understanding of Philippine government institutions, their interactions, and their ongoing evolution. Through this knowledge, we hope to foster

informed, active, and responsible citizenship—a vital ingredient in the continuing journey of the Filipino people toward a more democratic, responsive, and inclusive government.

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CHAPTER ONE: The Foundation: The 1987 Philippine Constitution

Every structured society, much like a sturdy building, requires a strong foundation. In the case of the Filipino government, that bedrock is the 1987 Philippine Constitution. It's not just a dusty legal document; it's a living testament to the nation's history, struggles, and aspirations, particularly its emergence from a period of authoritarian rule. Think of it as the ultimate rulebook, defining the game of governance and the rights of every player within it.

The journey to the 1987 Constitution was paved with significant historical events. The Philippines has had several constitutions throughout its history, each one reflecting the prevailing political climate and the nation's evolving identity. Before the current one, there was the 1935 Constitution, which established the Commonwealth and the framework for independence, and the 1973 Constitution, which was put in place during the martial law era and introduced a parliamentary system under President Ferdinand Marcos.

Following the People Power Revolution in 1986, which peacefully ended the Marcos regime, the newly installed government under President Corazon Aquino faced the critical task of restoring democracy and rebuilding institutions. One of the immediate steps was the issuance of Proclamation No. 3, often referred to as the "Freedom Constitution." This served as a temporary charter, abolishing certain features of the 1973 Constitution that had concentrated power in the executive, and importantly, it called for the drafting of a new, more democratic constitution.

Within sixty days of this proclamation, a Constitutional Commission (ConCom) was appointed by President Aquino. This was not an elected body, a point that drew some commentary, but the intention was to gather a diverse group of individuals representing various sectors of society. The Commission was tasked with crafting a document that would truly reflect the ideals and aspirations of the Filipino people and ensure a return to normal constitutional government.

The Constitutional Commission was composed of 48 members, a mix of former politicians, legal experts, religious leaders, and representatives from different walks of life. They convened in June 1986 with the weight of the nation's future on their shoulders. The process of drafting the constitution involved extensive deliberations, committee hearings, and public consultations to ensure that the voices of the people were heard. Debates were often robust, reflecting the diverse perspectives and interests within the commission and the nation itself.

After 133 days of intensive work, the Constitutional Commission completed its final draft on October 12, 1986. This document was formally presented to President Aquino on October 15, 1986. But the journey wasn't over yet. For the constitution to become the supreme law of the land, it needed the explicit approval of the Filipino people.

A nationwide plebiscite was scheduled for February 2, 1987. The period leading up to the plebiscite saw vigorous campaigning both for and against the proposed charter. Critics raised concerns about certain provisions, while supporters emphasized its role in restoring democratic institutions and protecting fundamental rights. Despite some opposition, the Filipino people overwhelmingly voted in favor of the new constitution. With over 77% of the votes cast in favor of ratification, the 1987 Constitution took effect, marking a pivotal moment in the nation's history. President Aquino and other officials formally swore allegiance to the new charter shortly after its ratification was proclaimed.

So, what makes the 1987 Constitution so significant? For starters, it is the supreme law of the Philippines, meaning no other law, treaty, or government act can contradict it. If a law is found to be inconsistent with the Constitution, it is deemed unconstitutional and therefore invalid. This supremacy ensures that the Constitution serves as the ultimate safeguard against arbitrary rule and a bulwark for the rule of law.

One of the most celebrated features of the 1987 Constitution is its strong Bill of Rights. Found in Article III, this section enumerates and protects fundamental civil and political rights, drawing heavily from democratic traditions. These include rights such as freedom of speech, expression, the press, and assembly, the right to due process and equal protection under the law, the right against unreasonable searches and seizures, and the right to privacy. These provisions were a direct response to the curtailment of civil liberties during the martial law period and underscore the Constitution's commitment to individual freedoms.

The Constitution also explicitly declares the Philippines as a democratic and republican state, where sovereignty resides in the people and all government authority emanates from them. This is not just flowery language; it's a foundational principle that reinforces the idea that the government serves the people, not the other way around. It also renounces war as an instrument of national policy and adopts generally accepted principles of international law as part of the law of the land, reflecting the nation's commitment to peace and its place in the global community.

Furthermore, the 1987 Constitution established the framework for the three co-equal branches of government: the Executive, Legislative, and Judicial. It clearly defines their powers, composition, and functions, setting the stage for the system of separation of powers and checks and balances that prevents any single branch from

becoming too powerful. While we will delve into the intricacies of each branch in later chapters, the Constitution provides the essential blueprint for their operation.

The Constitution also paved the way for the establishment of independent Constitutional Commissions, such as the Civil Service Commission, the Commission on Elections, and the Commission on Audit. These bodies are given fiscal autonomy and specific mandates to ensure accountability, integrity, and efficiency in government, acting as watchdogs over different aspects of public service.

Another significant aspect is the constitutional recognition of local government autonomy. The Constitution acknowledges provinces, cities, municipalities, and barangays as territorial and political subdivisions and grants them a degree of autonomy to manage their affairs and provide basic services to their constituents. This is a crucial element in bringing governance closer to the people and allowing for more localized decision-making.

The 1987 Constitution is a written and rigid constitution. Being written means it is contained in a single, codified document. Being rigid means that any amendments or revisions require a specific, and often rigorous, process to ensure that changes are not made impulsively or without broad consensus. This rigidity provides stability and prevents the fundamental law from being easily altered by fleeting political tides. The Constitution outlines the methods for its amendment, including proposals by Congress or a constitutional convention, and ratification by the people through a plebiscite.

In essence, the 1987 Philippine Constitution is more than just a legal text; it is a historical document that embodies the nation's journey towards democracy and its commitment to protecting the rights and welfare of its people. It serves as the fundamental framework upon which the entire structure of the Filipino government is built, guiding its operations and ensuring that power remains with the sovereign Filipino people. Its eighteen articles, encompassing everything from the national territory and the Bill of Rights to the structure of government and provisions for social justice and human rights, lay out the comprehensive vision for the nation's governance.

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