

The Right of Suffrage: UDHR, ICCPR, 1987 Constitution

The human right to vote is embodied in three instruments: Universal Declaration of Human Rights (UDHR); the International Covenant on Civil and Political Rights; and in the 1987 Philippine Constitution. The Philippines is governed by these three documents which similarly mandate universality of the right; equality in access to public service; and secrecy of votes.

<p>Article 21 (1-3) of the Universal Declaration of Human Rights</p>	<p>Art.25 (a-c) of International Covenant on Civil and Political Rights, March 1976</p>	<p>Art. V, Sec. 1-2 of The 1987 Constitution</p>
<p>1 Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.</p> <p>2 Everyone has the right to equal access to public service in his country.</p> <p>3 The will of the people shall be the basis of the authority of the government; this will shall be expressed in periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.</p>	<p>Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:</p> <p>(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;</p> <p>(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;</p> <p>(c) To have access, on general terms of equality, to public service in his country.</p>	<p>1 Suffrage may be exercised by all citizens of the Philippines, not otherwise disqualified by law, who are at least eighteen years of age, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote, for at least six months immediately preceding the election. No literacy, property, or other substantive requirement shall be imposed on the exercise of suffrage.</p> <p>2 The Congress shall provide a system for securing the secrecy and sanctity of the ballot as well as a system for absentee voting by qualified Filipinos abroad.</p> <p>The Congress shall also design a procedure for the disabled and the illiterates to vote without the assistance of other persons. Until then, they shall be allowed to vote under existing laws and such rules as the Commission on Elections may promulgate to protect the secrecy of the ballot.</p>

Year and Type	Contenders	Issues	Results
Post-independence period			
1946 Presidential, Vice-Presidential, Congressional Elections (April 23, 1946)	Nacionalista Party of Sergio Osmeña, Sr. Liberal Party of Manuel Roxas; and Partido Modernista of Hilarion Moncada	Philippine Independence	Nacionalista Party-Liberal Wing Manuel Roxas won the Presidency while Elpidio Quirino won the Vice-Presidency
1947 Congressional and Local elections (November 11, 1947)	Nacionalista Party became the opposition The Liberals were determined to beat Nacionalista on all positions	Some candidates even threatened voters in order to ensure victory	The winning 7 out of 8 senators were Liberals; 37 of 45 gubernatorial seats were also taken by Liberal
1949 Presidential, Vice-Presidential, Congressional Elections (November 8, 1949)	Liberal Presidential and vice-presidential candidate Elpidio Quirino and Fernando Lopez Nacionalista presidential and vice-presidential candidate Jose P. Laurel and Manuel Briones		70.74 % actually voted; Elpidio Quirino and Fernando Lopez won
1951 Senatorial and Local Elections (November 13, 1951)	Senatorial Ticket of the: Nacionalista was led by Gil Puyat; Liberal by Mariano Jesus Cuenco		All Nacionalista senatorial candidates won
1953 Presidential, Vice-Presidential and Congressional Elections November 10, 1953	Nacionalista Presidential and Vice-presidential ticket: Ramon Magsaysay and Carlos Garcia; Liberal Party candidates Elpidio Quirino and Jose Yulo	Identification of Magsaysay with the common <i>tao</i> . Party switching became prevalent.	77.22% actually voted Nacionalista standard bearers won by a landslide. Nacionalista also dominated the Senate and House of Representatives.
Senatorial and Local Elections (November 8, 1955)			
1957 Presidential, Vice-Presidential and Congressional Elections (November 12, 1957)	Presidential candidates: Nacionalista-Carlos P. Garcia Liberal – Jose Yulo Nationalist-Citizens Party- Claro M. Recto Progressive Party of the Phils.-Manuel Manahan Liberal-Quirino Wing- Antonio Quirino Lapiang Malaya-Valentin Santos Federal Party-Alfredo Abcede	Manahan and party used Magsaysay's campaign techniques. Others discussed issues of graft and corruption, and other personal accusations.	75.52 % actually voted Carlos P. Garcia and Diosdado Macapagal won for President and Vice-President respectively.

Year and Type	Contenders	Issues	Results
1959 Senatorial and Local Elections (November 10, 1959)	Nacionalista and Liberal party have their own set of congressional candidates	Issues of nationalism and Pres. Garcia's "Filipino-First Policy" which was considered anti-American	81% actually voted; the Nacionalista candidates outnumbered the Liberals
1961 Presidential, Vice-Presidential and Congressional Elections (November 14, 1961)	Nacionalista Party's Carlos P. Garcia and Gil Puyat Liberal's Diosdado Macapagal and Emmanuel Pelaez	The Nacionalista seeks renewal of people's mandate to carry on its role of assuring political independence, economic emancipation and cultural renaissance.	Macapagal and Pelaez won the top two seats
Congressional and Local Elections (November 12, 1963)			
1965 Presidential, Vice-Presidential and Congressional Elections (November 9, 1965)	Presidential and Vice-Presidential Candidates: Nacionalista-Ferdinand Marcos and Fernando Lopez Liberal-Diosdado Macapagal and Gerardo Roxas Party for Philippine Progress-Raul Manglapus and Manuel Manahan	The continued rise in prices of consumer goods, peace and order problem, rampant graft and corruption, continued smuggling of dutiable goods	Nacionalista bets bested the other candidates for president and vice-president
Senatorial and Local Elections (November 14, 1967)			
Presidential, Vice-Presidential and Congressional Elections (November 11, 1969)	Presidential and Vice-Presidential Candidates: Nacionalista-Ferdinand Marcos and Fernando Lopez Liberal- Sergio Osmeña, Jr. and Genaro Magsaysay	The campaign can be characterized as an exchange of accusations and attacks on issues concerning nationalism, land reform, foreign policy, cronyism, and graft and corruption.	Marcos won and became the first RP president to be re-elected. Party-mate Fernando Lopez won the vice-presidency. Nacionalista Party also won majority of the House seats.
Election of Concon Delegates			
1971 Congressional and Local elections (November 8, 1971)	Nacionalista and Liberal parties were the major contenders	Plaza Miranda bombing was the most controversial and emotional issue.	The senatorial race was dominated by the Liberal candidates

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Martial Law Period			
1978 Interm Batasang Pambansa	KBL-administration party ESP, Laban, Philippine Labor Party, Bagong Lipunan-Kilusan ng Nagkakaisag Nacionalista, Independents	Declaration of martial law, social justice, peace and order, economic recovery	The elections “defied democratic procedures”. Various electoral manipulations were employed to ensure Marcos victory.
1980 Local elections	KBL-administration party Laban, NUL, Mindanao Alliance	Characterized by widespread terrorism, violence and wholesale fraud	94% gubernatorial and 91% mayoral victory for the KBL
Post-Martial Law Period			
1981 Presidential Elections and Referendum (June 16, 1981)	Candidates from the KBL, Nacionalista, Federal Party, Sovereign Citizen Party, and independents	It was a move by Marcos to submit himself to the electoral process to regain legitimacy for his administration; a relevant Presidential Proclamation was issued which limited the campaign days and changed the age requirement for presidential candidate from 45 to 50 years; such prevented Ninoy Aquino to run for president	Marcos won by a landslide This election was described as the “most legally-biased elections as the Proclamation was designed to ensure victory for Marcos”.
1982 Barangay Election	Despite the supposed non-partisan character of the election, the KBL was very involved in the election		The election was generally peaceful
1984 Batasang Pambansa Elections (May 14, 1984)	KBL, United Nationalist Democratic Organization (UNIDO) an affiliate of other parties, Liberal Party, Laban, Partido ng Demokratikong Pilipino, Nacionalista Party	UNIDO-Aquino assassination and the worsening political, social, and economic conditions KBL-accomplishments of the Marcos administration	Unido won 50 Batasang Pambansa seats while KBL won 116 seats

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1986 Snap Presidential and Vice-Presidential Elections	KBL 's Ferdinand Marcos-Arturo Tolentino and the UNIDO-LABAN Coalition's Cory Aquino-Salvador Laurel	KBL's slogan "Cory walang alam" played on Cory's inexperience while Aquino's slogan "Tama na, Sobra Na, Palitan Na" became the rallying event on the day Marcos was ousted	Comelec declared Marcos and Tolentino as winners while Namfrel count reflected Aquino and Laurel's victory. Instances of election irregularities were reported: cases of missing voters' names, ballot snatching, missing voters' list and voting materials, cases of election violence. Due to the People Power Uprising at EDSA and pressure from US government, Marcos was overthrown from Malacañang and left for Hawaii.
Post-EDSA Period			
1987 Congressional Elections (May 11, 1987)	LABAN (Lakas ng Bayan) coalition composed of PDP-Laban, United Nationalist Democratic organization (UNIDO), Liberal Party-Salonga Wing, National Union of Christian Democrats (NUCD), Partido Demokratiko Sosyalista ng Pilipinas (PDSP) and Bandila, an alliance of moderate cause oriented groups.	Showed the emergence of the personality-oriented campaign style The popularity of Mrs. Aquino against Marcos drained the electoral campaign of significant issues.	85.5 % voting turnout indicated the level of political consciousness that to enforce a democratic system which will guarantee freedom and democracy. The "Cory coalition" won by a landslide.
1988 Local elections (January 18, 1988)	Candidates from PDP_Laban, KBL, PDP-Laban-Lakas ng Bansa, PDP, Biled Ti La Union, Nacionalista Party, Balane, PDP-Laban-Liberal Party, Magadalo, Cory Coalition, National Union of Christian Democrats, Independent Nacionalista ALLIEN, Laban, Panaghinsa, CCA-Unido, Partido Demokrasya Sosyalista, OMPA Party, Timawa Party and Unido-LP-Laban, and Independents	Less fraudulent than the congressional elections. The ruling party has limited capacity for wholesale fraud. Vigilance of the electorate, media and oppositionists safeguarded the exercise from manipulation. Although elections in "hot spots were postponed by Comelec to prevent possible violent encounters between rivals.	Most of the candidates anointed by Cory Aquino won the support of the majority of the electorate

Year and Type	Contenders	Issues	Results
1989 Barangay elections (March 28, 1989)			Voting turnout was only 67.45 %
1992 Synchronized presidential, Congressional and Local Elections (May 11, 1992)	Seven candidates competed for the top post: Nacionalista Party-Salvador Laurel Liberal Party-Jovito Salonga Laban ng Demokratikong Pilipino (LDP)- Ramon V. Mitra Lakas-NUCD-Fidel V. Ramos Nationalist People's Coalition (NPC)- Eduardo Cojuangco People's Reform Party-Miriam Defensor Santiago Kilusang Bagong Lipunan-Imelda Marcos	Economic reform, political stability, clean government, and social justice were the main issues of the campaign. "Trapo" or traditional politics and politicians was the central issue at that time.	Fidel V. Ramos bested the other candidates for the presidency
1992 SK Elections (December 4, 1992)			
1994 Barangay Elections (May 9, 1994)			
1995 Congressional and Local Elections (May 8, 1995)	The administration party Lakas-NUCD and opposition party LDP coalesced to field common congressional candidates; NPC as well as PRP fielded their own candidates too.		The elections resulted in Lakas-Laban Coalition getting majority of the seats
1996 SK Elections (May 6, 1996)			
1996 ARMM Elections for Governor and Vice-Governor (September 9, 1996)			Lakas NUCD-UMDP candidates: Parouk S. Hussin and Mahid M. Mutilan won the gubernatorial and vice-gubernatorial seats respectively.
1997 Barangay Elections (May 12, 1997)			

Year and Type	Contenders	Issues	Results
1998 Presidential, Vice-Presidential and Congressional Elections (May 11, 1998)	Presidential Candidates Partido Masang Pilipino-Joseph Estrada -Jose de Venecia -Renato De Villa -Santiago Dumlaog -Juan Ponce Enrile -Alfredo Lim -Imelda Marcos -Manoling Morato -Lito Osmena -Raul Roco -Miriam Defensor-Santiago	First party-list elections Apparent victory for candidates with “celebrity status” or associated with “celebrities”	Joseph Ejercito Estrada won over the other candidates, while Gloria Macapagal-Arroyo won the vice-presidency
2001 Congressional and Local Elections (May 14, 2001)		People Power II/EDSA Dos Call for good governance	A mix of independent and LAKAS-NUCD-UMDP candidates won senatorial seats. LDP got 2 seats while PDP-Laban and Liberal Party each fielded 1.
2002 Synchronized Barangay and SK Elections (July 15, 2002)			

This matrix of History of Philippine Elections is consolidated from Carlos, C.R. and Banlaoi, RC. (1996). *Elections in the Philippines From Pre-colonial Period to the Present*. www.comelec.gov.ph, and Maambong, Regalado. *Outline and Study Guide on Election Law*.

Elections and Democracy

- The Constitution guarantees that we are a sovereign people, where *all* government authority comes from. Sovereignty or the power to govern is exercised directly through suffrage and indirectly through public officials elected by the people. The will of the people, then, is best expressed in clean, orderly and honest election.
- The representative democratic structure, in which the people govern through elected representatives, is based on the idea of “consent of the governed”. Thus, the government officials chosen and elected by the people become servants and not masters of the people from whom and for whom these officials exercise their power and authority.
- The citizen voters are entitled to free and informed choice on whom to vote and must be dictated by the genuine welfare of the majority. Every individual political choices and decisions made by the citizen voters will determine the kind of government that will serve them.

Specific Mechanisms

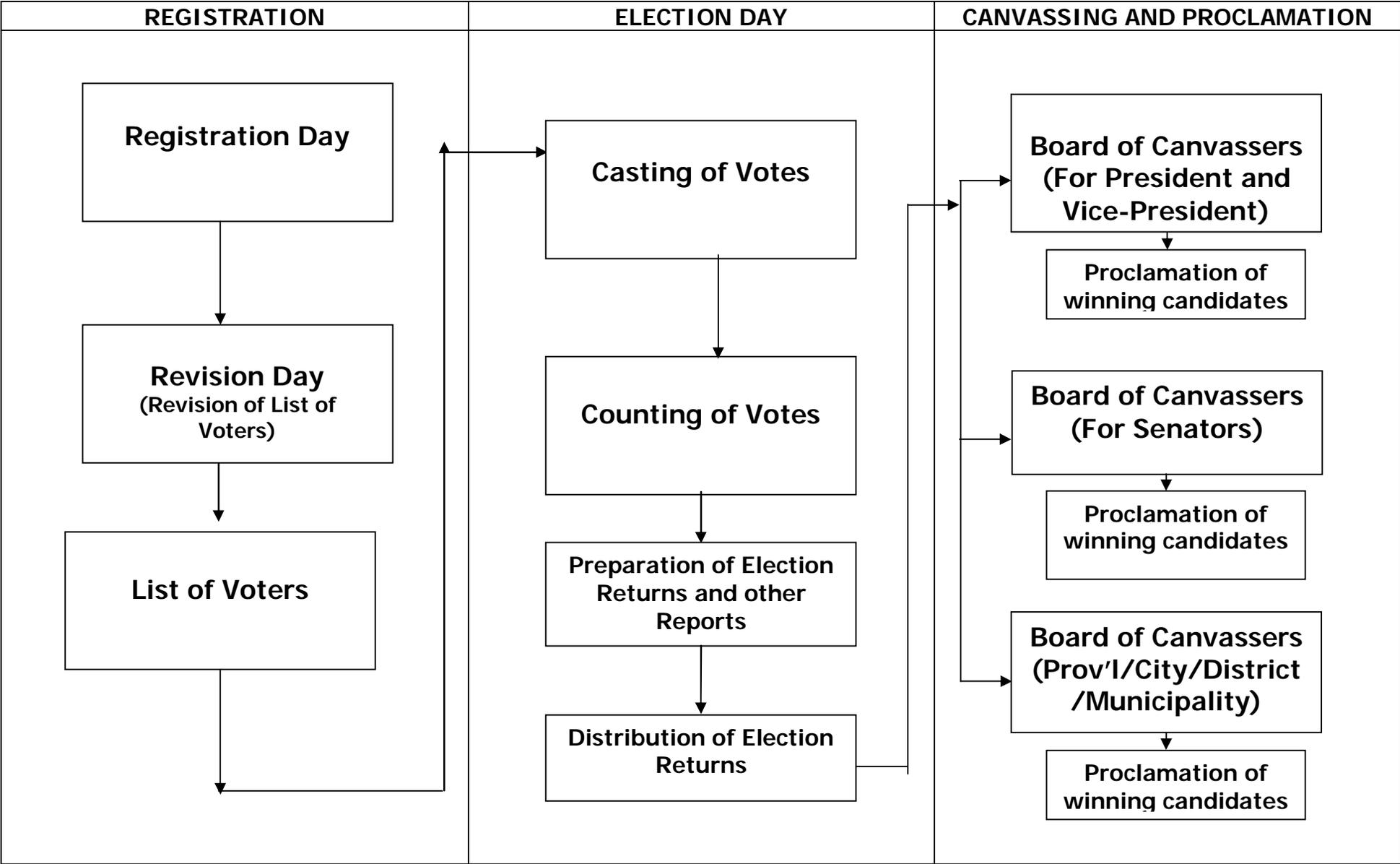
- Since the enactment of the 1987 Constitution, elections for President and Vice-president are held every six years, while elections for Senators and members of the House of Representatives and local government officials happen every three years.
- At the local level, barangay elections and Sangguniang Kabataan elections are also held periodically.
- In 1993 and 1996, elections for the Autonomous Region of Muslim Mindanao (ARMM) were held. The 1996 ARMM elections also served as pilot-test for automated system of elections.

Aside from voting, our Constitution mandates other mechanisms to advance democratization and citizen's stake in governance.

- The system of initiative and referendum gives the people power to directly enact, propose and reject laws at the local level.
- Also through initiative, the people may directly propose amendments to the Constitution by a petition of at least 12% of the total number of registered voters, in which 3% of registered voters is represented in each legislative district.
- Through plebiscites, the people approve or reject the call for a constitutional convention to propose changes to the Constitution, approve or reject proposed changes in the Constitution and, at the local level, express their will with respect to certain local issues.
- The party-list system of representation allows for marginalized and underrepresented sectors to be represented in the national legislature. The system serves as an attempt to depart from the personalistic character of political and electoral system by giving focus on the party and its issue-based platform.
- The Constitution and the 1991 Local Government Code (LGC) mandate sectoral representation in the legislative bodies of local governments.
- People participation is also provided for by the Local Government Code through representation in consultative bodies such as the local health boards, local school boards, local peace and order councils and local development councils in all local levels.
- There is also the LGC-mandated *barangay assembly (peoples' assembly or meeting of all over-15-year-old-residents of the barangay)*. The assembly has the power to hear and pass upon the report of Sangguniang Barangay's (SB) performance. It can also recommend measures for legislation by SB.
- The Barangay Assembly is one manifestation of people's power and a (truly) direct and participatory democratic exercise.
- The latest development in upholding the right of suffrage is Republic Act 9189, which provides for a system of absentee voting for qualified Filipinos abroad.

	National Level	Provincial level	Municipal/City level	Barangay Level
Executive	-President (Vice President)	-Governor	-City/Municipal Mayor	-Punong Barangay (PB)
Legislative	-12 Senators -1 District Representative or Congressman/woman -(1 Party-list group).	-Vice Governor -Sangguniang Panlalawigan Member	-City/Municipal Vice-Mayor -Members of the Sangguniang Panlungsod (City Councilors) /Sangguniang Pambayan (Municipal Councilors)	-PB, Members of the sangguniang barangay (barangay kagawad and sangguniang kabataan chair)

	Powers and Functions
Executive: The executive power shall be vested in the President of the Philippines. (Art VII Sec 1)	1. Appoint the heads of the executive departments, ambassadors, other public ministers and consuls, or officers of the armed forces from the rank of colonel or naval captain, and other officers. (Art VII Sec. 16)
	2. The President shall have control of all the executive departments, bureaus, and offices. He shall ensure that the laws be faithfully executed. (Art VII Sec. 17)
	3. The President shall be the Commander-in-Chief of all armed forces of the Philippines. (Art VII Sec. 18)
	4. Suspend the privilege of the writ of habeas corpus or place the Philippines or any part thereof under martial law. (Art VII Sec. 18)
	5. Grant reprieves, amnesty, commutations, and pardons, and remit fines and forfeitures. (Art VII Sec. 19)
	6. Contract or guarantee foreign loans. (Art VII Sec. 20)
	7. Submits basis of the general appropriations bill, a budget of expenditures and sources of financing. (Art VII Sec. 22)
	8. The President shall have the power to veto any particular item or items in an appropriation, revenue, or tariff bill. (Art VI Sec. 27)
Legislative: The legislative power shall be vested in the Congress of the Philippines which shall consist of a Senate and a House of Representatives, except to the extent reserved to the people by the provision on initiative and referendum. (Art VI Sec 1)	Powers and Functions
	1. Statute-making
	2. Constitution Making and Amending
	3. Electoral Function (Art VI Sec 16) - The Senate shall elect its President and the House of Representatives, its Speaker, by a majority vote of all its respective Members.
	4. Financial (Appropriations) Function (Art VI Sec. 24) -All appropriation, revenue or tariff bills, bills authorizing increase of the public debt, bills of local application, and private bills, shall originate exclusively in the House of Representatives, but the Senate may propose or concur with amendments.
	5. Judicial Function (Art VIII Sec 2) - The Congress shall have the power to define, prescribe, and apportion the jurisdiction of various courts but may not deprive the Supreme Court of its jurisdiction over cases. - House of Representative may impeach any civil officer of the national Government.
	6. Informational Function (Art VI Sec 21) - The Senate or the House of Representatives or any of its respective committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure.
	7. Oversight Function



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