

MODULE 3: POLITICAL, CULTURAL AND SOCIO-ECONOMIC ISSUES IN PHILIPPINE HISTORY

OVERVIEW OF MODULE 3

Political, Cultural and Socio-Economic Issues in Philippine History pertains to the evolution of beliefs and aspirations of Filipinos as enshrined in the Philippine Constitution and other pertinent laws. Also, it focuses on the origin and practices of Filipinos that affect their way of life. Hence, students will trace the historical evolution of the Philippine Constitution; demonstrate historical understanding and appreciation of indigenous knowledge and local culture in the context of achieving peace in local and global settings.

Thus, students are expected to:

1. Analyze the context, content and perspective of different kinds of primary sources on historical evolution of the Philippine Constitution and indigenous peoples.
2. Determine the contribution of different kinds of primary sources in understanding Philippine History
3. Demonstrate the ability to reconstruct information using primary sources that will contribute to a grand narrative story of a nation.



In this module, specific topics to be search for inquiry are the Constitutional History of Philippines, the Philippine Constitutions, the Indigenous Peoples and local history in the Philippines.



8.1. OVERVIEW

The Philippine Constitutional History pertains to a tracing development of national ideals, the prime cause of the rise of liberalism and nationalism. The growth of what we are pleased to call the Constitution of the Philippine Islands reaches back to a remote past and proceeds therefrom to an intensely active present. Hence, student can best learn by identifying credible and authentic primary sources on Constitutional history of Philippines that could be used in reconstructing the rich history of the Filipino people.

Generally, the constitution refers to a body of fundamental laws, rules, customs, norms, standards, and principles by which the government operates and its relations with the citizens are clearly delineated. It symbolizes the country's freedom and independence. Building knowledge from the topic about Constitutional History of the Philippines, students will be able to understand how the powers of government are distributed among the several departments or branches for the safe and useful exercise that is beneficial to all. Thus, as learners, you are expected to do the following:

1. Analyze the content, context and authors perspective of the Constitution
2. Exemplify critical and analytical skills with exposure to the different salient features of the Philippine Constitutions.

8.2.2. READING

downloaded from 110.54.237.105 on Fri, 19 Jun 2020 12:20:02 UTC

1. Read "Malcolm, G. (1920). CONSTITUTIONAL HISTORY OF PHILIPPINES. *American Bar Association Journal*, 6(5), 109-112. Retrieved June 19, 2020, from www.jstor.org/stable/25700699 and "Yusingco, M. (2015). Commentary: How important is the Constitution to us? <https://www.mindanews.com/mindaviews/2015/01/commentary-how-important-is-the-constitution-to-us/>
2. Read and ponder the discussions and excerpts from the Philippine Constitutions (1899, 1935, 1943, 1973, and 1987).

CONSTITUTIONAL HISTORY OF PHILIPPINES

By GEORGE A. MALCOLM

*Associate Justice of the Supreme Court of the Philippine Islands**

UNLIKE in other lands, where the subject of Constitutional History has been a favorite study with students of Political Science and has attracted the close attention of eminent scholars, in the Philippine Islands even the title, Constitutional History, looks strange to the eye. Not only have few serious researches in the evolution of popular government in the Philippines been made, but no general or elementary accounts have been attempted. The praiseworthy interest displayed by Secretary of the Interior Teodore M. Kalaw but serves to magnify the deficiency.¹ Constitutional History is here a subject quite barren of secondary authorities and not especially rich in primary sources. After all, there is nothing strange in this, for all forces have been concentrated on obtaining the charter of political liberty to the neglect of scholastic inquiries in political theory and history.

Philippine Constitutional History is in reality but a tracing of the development of national ideals. It is the prime cause of the rise of liberalism and nationalism. Even more than this, it is a study in civilizations and their curious fusion in these remote isles.

The growth of what we are pleased to call the Constitution of the Philippine Islands reaches back to a remote past and proceeds therefrom to an intensely active present. At least two divergent systems of law, the Roman-Spanish Civil Law and the Anglo-American Common Law, and at least two divergent civilizations, the Latin and the English-American, have met in the Philippines and blended. The institutions of the two countries which have most influenced constitutional development are Spain and the United States. Other states, especially a near neighbor in the Orient, Japan, may be expected to cast the shadow of their institutions over the Philippines in the near future. If to all this there be added indigenous life and customs, which in their essentials have remained untouched by foreign contact, the numerous and varied currents of thought which have affected, or which will affect, the Philippines, are most plainly manifest.

A study of the Constitutional History of the Philippine Islands can best be made under three heads: Spanish influence, American influence, and Philippine influence.

Spanish Influence

For just about four centuries the Philippine Islands were under the dominion of Spain. From the circumnavigation of the globe by Magellan and his accidental "re-discovery" of the "Islands of Saint Lazarus" (Philippine Islands) in 1521, until the loss of the last vestige of sovereignty in 1899, it was the Spanish conception of government, Spanish laws, Spanish institutions, Spanish education, the Spanish language, and the Spanish state religion, which were urged upon the native inhabi-

tants, and which constituted the only avenues through which progress could be made. Practically isolated from contact with the outside world, no other country had an opportunity to modify or change native institutions. Much of the Philippines, however, particularly the Moro country, was never more than nominally subject to Spain and had only the vaguest conception of Spanish sovereignty and civilizations. It was in the centers of population, such as Manila, where there were closer and more intimate relations between Spaniard and Filipino, that Spanish methods made themselves more readily felt.

Spanish constitutional history begins in the year 1808. Of the various constitutions thereafter in force in Spain only those affected by liberal ideas reached as far as the Philippine Islands. Except for short periods, the colony did not secure the benefits of the Spanish Constitution. Unlike Cuba and Porto Rico, to which certain constitutional rights were eventually granted, there was an article in the fundamental law providing that the Philippine Islands shall be governed by special laws. Consequently all law for the Islands originated in Spain and, in accordance with the provisions of the Laws of the Indies and the Constitutions, was extended by royal decree.²

During the three short periods in which the Spanish Constitution was effective in the Philippines, namely, for the years 1810-1813, 1820-1823, and 1834-1837, the Philippines had representation in the Spanish Cortes. In the latter year the Cortes passed a law by almost unanimous vote in secret session, by which it was provided that Philippine representation in that body should be discontinued.³ Due to the great distance of the Philippines from Spain and to the impossibility of regularly appointed delegates reaching Spain in time for the sessions of the Cortes, the Islands were often represented by substitutes. The first regularly selected Philippine delegate was Ventura de los Reyes. Other deputies were chosen at later periods. Considering the disadvantages under which the Philippine representatives labored, their activities were not entirely barren of good results.⁴

After the year 1837, the Philippines had no representation in the Cortes. But repeated efforts to revive the right were made. Amendments granting parliamentary representation to the Philippines were presented in the Cortes in 1869 and again in 1890. The proposed republican constitutions of 1872 and 1873 were favorably inclined to the privilege. As a last effort, through the activities of the Philippine Association of Madrid, and the review, "*La Solidaridad*," fifty-two petitions praying for the restoration of parliamentary representation for the Philippines were presented to the Cortes

2. Chief Justice Arellano, Historical Resumé of the Administration of Justice in the Philippine Islands, Report of the Second Philippine Commission. November 30, 1900, p. 234; XXII Blair and Robertson, *The Philippine Islands*, p. 274.

3. See Blair and Robertson, *The Philippine Islands*, Vol. LI, pp. 279-297; Montero y Vidal, *Historia General*, ii, pp. 888, et seq.; Camba, *Filipinas y Su Representación en las Cortes*; Ponce, *Efemerides Filipinas*, pp. 88-91; Kalaw, *Documentos Constitucionales sobre Filipinas*.

4. But see LI Blair and Robertson, p. 280.

*Contributed by the Section of Comparative Law.
1. See Kalaw, *Documentos Constitucionales sobre Filipinas* (Constitutional Documents Concerning the Philippines), unfortunately existing only in mimeographed form.

in its session of 1895. The Filipino prayer eloquently stated by Marcelo M. del Pilar was: "In exchange for the loyalty of so many generations, in exchange for so much blood shed for Spain, the present generation does not ask for anything which will mean a sacrifice to the metropolis of its ideals, nothing which should impose any burden on its interests at all; it does not ask anything but a little consideration, it only asks to have its voice heard, that it be allowed to express its necessities by means of representatives freely elected by the vote of the interested parties."⁵ None of these proposals received more than scant consideration from the Spanish Government.

In 1843, Sinabaldo de Mas in an elaborate and fearless report⁶ to the Spanish Government recommended the institution of a legislative assembly in the Islands and ultimate transference of authority to a Philippine Constitutional Government. The report was quietly pigeonholed.

The failure to extend the Spanish Constitution to the Philippines, to provide for Filipino representation in the Spanish legislative body, and to grant representative institutions to the Filipinos was not without disastrous results. It was the direct cause of the Ilocano revolt of 1814 and one of the causes of the more general revolts in 1896 and 1898. One of the reforms "*sine quibus non*," to use the words of Rizal and Mabini, always insisted upon by the Filipinos, was Philippine representation in the Spanish Cortes, the promulgation in the Islands of the Spanish Constitution, and complete assimilation equal to that of any in the Spanish provinces on the continent. There was always uppermost the idea that the Filipino people should have the same political and civil rights as the Spanish people.⁷

Although the Filipinos did not receive many direct benefits from a constitutional government, they did receive indirect benefits from the Spanish administration. To a slight extent, the Filipinos were permitted to participate in the administration of the Government. In the judicial service some held the positions of justices of the peace and a few, positions as fiscals and judges; in the executive department, they filled the lowest municipal offices and a few were members of the consultative Administrative Council. Of greater moment was the education received both in the Islands and in Europe and the uplifting benefits of the Christian religion. Through social, educational, governmental, and religious contact with the Spaniards, Spanish ideas of government and Spanish thoughts became predominant. And this resulted in a great advance in civilization.

When the Spanish flag was hauled down for the last time in the Philippines, and the American emblem was raised in its stead, the Filipino people, Filipinos in name and in innate characteristics, were, nevertheless, thinking in many ways as Spaniards. The mental processes and culture of the Filipinos were those of the Latins. This, in fine, was the result, whether beneficent or not we would not presume to say, although we incline to

the view that it was, of the long years of Spanish administration, including the meager periods when the Spanish Constitution was directly effective in the Islands.

American Influence

Dewey's victory in Manila Bay, followed by the capture of Manila by the American forces, and the formal ratification of the Treaty of Peace with Spain transferring Spanish sovereignty over the Philippine Islands to the United States, mark the inception of American Constitutional History in the Philippines. For over a score of years the American conception of good government has been modified to meet Philippine conditions; American laws have been bodily or partially transplanted; American methods of education have been inaugurated; and American thought has been predominant. Accordingly, there could be no other result than that democratic institutions, as fostered under the Constitution of the United States, should become known in the Philippines and should there meet, and to a great extent overcome, the more conservative notions of Spanish times.

The Constitution of the United States, as a constitution, to make use of a popular phrase, has not followed the flag to the Philippines. This does not mean, however, that the influence of this document has not been felt. Whenever the Congress of the United States has come to legislate for the Philippine Islands, it has done so with the principles of the American Constitution before it, and has naturally taken as models the Government of the United States and the State governments. All the more important of the principles of American Constitutional Law and Constitutional History are, consequently, of nearly as much weight in the Philippines as in the United States.*

The President of the United States has issued orders and the Congress of the United States has passed laws having force in the Philippine Islands. Three of these, the Instructions of the President to the Philippine Commission of April 7, 1900, the Philippine Bill, the Act of Congress of July 1, 1902, and the Philippine Autonomy Act, the Act of Congress of August 29, 1916, have been more nearly in the nature of organic acts and have best served to take to the Islands American constitutional principles. Of even greater importance is the fact that along with these Executive orders and Congressional statutes and along with Acts passed by the Philippine Commission and Legislature, have gone English and American jurisprudence interpretative of the same. Not a day passes but that American cases are studied in the schools and cited in the courts.

The settled policy has been for the American representatives not to interfere any more than is necessary with local law and institutions. Native customs and even native prejudices are respected. Democratic notions of popular government have been instilled in the minds of the younger generation in the schools and have gained entrance by way of the halls of the Legislature and the court rooms of the Judiciary. As was said by President McKinley not long before his untimely death, the American policy was to take to the Filipino people "the principles of liberty, of freedom of conscience,

5. Prologue to *Filipinas en las Cortes*; Ponce. Our Representation in the Cortes; *Efemerides Filipinas*, pp. 185-187. See also speech of the Spanish Deputy Pablo La Llave before the Cortes, found in Kalaw, *Documentos sobre Filipinas*.

6. LII Blair and Robertson, *The Philippine Islands*, pp. 29-90.

7. José Rizal, *The Philippines a Century Hence*, pp. 62, *et seq.*; Apolinario Mabini, *The Philippine Revolution*.

*Note by the Editor: The constitutional right to trial by jury does not exist in the Philippines.

and of opportunity, that are enjoyed by the people of the United States."

The right to have Resident Commissioners in the United States and to take cases to the United States Supreme Court has meant a close and a personal contact with American political institutions. The Filipino Commissioners necessarily have been forced to acquaint themselves with American methods of legislation and constitutional principles. The attorneys appearing before the United States Supreme Court have likewise found themselves forced to go to American constitutional authorities.

There seems no need to dwell on this branch of Philippine Constitutional History. As a matter of fact, at the present moment, Philippine Constitutional History is but an eddy in American Constitutional History. The development of the American Constitution and its indirect efficacy in the Philippines is nearly as interesting to the Filipino student of public affairs as to the American student. With practically everyone of the American Bill of Rights implanted in the Philippines and with a democratic government set up in the Islands, questions in constitutional law must be looked at from the same angle here as in the United States.

The topic should not be left without especial mention of the place now taken by the subjects of Constitutional History and Constitutional Law in the curricula of the schools. English and American Constitutional History are covered in the academic courses. The subject of Constitutional Law is also given, although sometimes confused with more general courses in Political Science and Political Economy. The inclusion of the subject of Constitutional Law in the law courses recognized by the Government and in the examination for admission to the bar, has naturally given an added importance to American Constitutional Law in the Philippines. While on this point, mention should be made of what Felipe G. Calderon in his *Memoirs* said of his desire to introduce the subject of Constitutional Law into the law schools:

I shall explain why I was so anxious to introduce the study of constitutional law. At the Malolos Congress, although the highest judicial talents of the country were assembled there, I found that nobody had any idea of constitutional law, and only a few of the representatives at that Congress—three or four, if I remember correctly—had even a notion of the Spanish Constitution and the constitutions of other countries, with which, I may affirm, none of those present was really acquainted. * * * I then firmly resolved that at the first opportunity offering itself I would introduce in the Philippine Islands the study of constitutional law, a branch completely unknown in our country, because although the curriculum of the University of Santo Tomas includes political and administrative law, that subject was never studied and the grading in the examinations was purely nominal. In fact, in the second year of the operation of the *Escuela de Derecho* I introduced the study of constitutional law, on which I first lectured and, if I remember correctly, in 1901 the first students who had taken up that subject gave a series of lectures on it, under my direction, in the *Club Internacional*.

Just as Spanish influence is receding, so is American influence increasing, and will continue to increase proportionately with the length of American sovereignty. It will be natural to expect that even upon a severance of relations with the United States, certain of the American constitutional institutions, such as the American Bill of Rights, will

continue, while others will disappear or become blended with later innovations. In the not distant future, the American influence on the Philippine Constitutions will constitute but a cultural chapter in Philippine Constitutional History.

Filipino Influence

The inhabitants of the Philippines possessed a culture of their own prior to the coming of the Spaniards to the Islands. There was existent the same degree of civilization as has been found in the early annals of other races. Naturally, in those ancient or mediaeval periods there could be no constitutional aspect to Filipino life or government.

There followed the Spanish rule which we have described. As a result thereof, the Filipino people received new notions of life. Over three hundred years of Spanish domination, filled with mistakes in certain respects, but more than counterbalanced with merit, resulted in the natives of the Philippines emerging far in advance of their pre-Spanish culture. In population, they had increased in numbers from half a million at the opening of the sixteenth century to seven millions. In wealth and in commerce and industry, they had been permitted to develop to a considerable, although to an unascertainable degree. In education, they had improved until some had acquired advanced learning, and the general literacy was fair. In religion, they had acquired the blessing of a common faith.

The revolutions against Spain and the United States, like revolts in other lands, first permitted of a practical demonstration of Filipino aptitude for government. During this period, a number of state papers and ideal constitutions were prepared. The *Cartilla* and *Sanggunian Hukuman*, the Charter Code of Laws and Morals of the Katipunan, was drawn up by Emilio Jacinto; the Provisional Constitution of Biak-na-bato was planned by Isabelo Artacho; a constitution for the Island of Luzon was promulgated by General Makabulos; the Constitutional Program of the Philippine Republic was written by Apolinario Mabini; a Provisional Constitution was prepared by Mariano Ponce on the request of General Emilio Aguinaldo, and Autonomy Projects were advanced by Pedro A. Paterno. More important than these was the Malolos Constitution, the work principally of Felipe Calderon. The general outline of these documents was naturally Spanish constitutions, because these were the only documents with which the Filipinos then had familiarity.

After American occupation of the Philippines, the Filipinos were permitted to assume a more responsible part in the government of their own country. The theory of the American Government was, first to instruct the Filipino people in methods of free institutions and self-government and to make a government partly of Americans and partly of Filipinos. This policy evolved into one of a government of Filipinos assisted by a few Americans. In the final analysis there is now complete Filipino municipal government, complete Filipino provincial government, a Filipino Legislature, practically complete Filipino executive administration, partial Filipino control of the judiciary, and Filipino representation in Congress. In a word, there is Filipino self-government, a government mainly responsible to the Filipino people.

The most significant landmark along the on-

ward march of Filipino representative government was the inauguration of the Philippine Assembly on October 16, 1907. Another milestone marking the completion of Filipino representation was set up by the inauguration of the Philippine Senate nine years later. The Philippine Government is thus one which rests mostly on the consent of the governed, and which retains the good will of the populace by affection rather than force.

Only once have the Filipinos met in constitutional convention to draft an organic law. In early days, with the assistance of the military government, the people of Negros were permitted to inaugurate a civil government. What is known as the Negros Constitution (although hardly a true constitution) resulted, but was soon found to be an experiment both burdensome and overly pretentious. Outside of this petty example, Filipino influence on constitution making has been most felt by reason of petition and suggestion on the occasions when the Congress of the United States has adopted Philippine organic acts. Filipino public opinion was especially in evidence during the pendency of the Filipino Autonomy Act before the Congress of the United States.

That the Filipinos aspire to substitute a constitution of their own making for one imposed by a foreign sovereignty is easily understandable. Formal action twice taken by the duly accredited political and elective representatives of the Filipino people demonstrates this very human desire beyond cavil. When Secretary of War Dickinson was in the Islands in 1910 the two Filipino political parties joined in presenting him with a resolution praying for the right to convene a Constitutional Convention to formulate a constitution for the Philippine Islands. The Osmena-Kalaw resolution, reported by the Committee on Metropolitan Relations of the then Philippine Assembly, petitioned the Congress of the United States to concede to the Filipino people the right and power to prepare and adopt their own constitution. The resolution was unanimously adopted by the Philippine Assembly, after discussion, on December 5, 1910, but was tabled by the Philippine Commission.⁸

Filipino methods have been most affected by reason of the fact that English has been made the idiom of the schools and in part the official language of the government. This vehicle of speech has naturally caused a perusal of English and American books in political science, with a corresponding effect on methods of thought. Parliamentary law and political science as known in England and the United States has been studied not only in the schools but because of the necessities of the Legislature.

Students in the schools have been forced to go to American sources when studying constitutional law. Filipino lawyers have cited American cases and Filipino judges have weighed the same in the balance in writing their decisions. All this means a grasping of new American ideas, and a mixing of the same with Spanish ideas in the mold of Filipino sentiment.

It is interesting to note the rise of the Philippine nationality. For centuries this was a slow process. Rizal, in a letter to Reverend Vincente

Garcia, under date of January 17, 1891, wrote: "There is, then, in the Philippines a progress or improvement which is individual, but there is no 'national' progress." But with the opening of the nineteenth century, there came a change, almost imperceptible at first, which gradually evolved into racial consciousness. From an extension of ideas and ideals, from the intercourse of Filipino with Filipino, from the martyrdom of Rizal, from the common cause of revolution, and from a recognition of a common aspiration, has arisen Philippine nationality—a Filipino nation recognizing itself as such.

Notwithstanding the long Spanish dominion over the Philippines, and notwithstanding the shorter, although more influential, American control, native traditions and customs, in their essentials, have remained unaffected. Outward form has changed, but inward thought has not changed. The Filipino has neither been transmuted into a Spaniard nor an American. What we might term the Filipino Soul has survived the centuries of contact with foreign races. The Filipino has taken the gifts of the foreigner sometimes because he had to, and again because he wanted to, without, however, giving up his own racial consciousness. And this is as it should be.

In the future, it can well be expected that in the formulation of a constitution, and in its amendment and construction, the Filipinos will be influenced by past Spanish and American, and possibly Japanese, experience, but will reject as much thereof as is incompatible with the continuance of Philippine nationalism.

The Common Law

It is entitled to our veneration because it has, within the last two centuries, been moulded by the wisdom of the ablest statesmen, and a succession of learned and liberal-minded judges, into flexible system, expanding and contracting its provisions, so as to correspond to the changes that are continually taking place in society by the progress of luxury and refinement. As the youthful skin of a vigorous child expands with its growth, and accommodates itself to every development which the body, in its progress to maturity, makes of its powers, capacities, and energies, so does the Common Law, in order to suit the exigencies of society, possess the power of altering, amending and regenerating itself. It has been truly and eloquently said that "it is the law of a free people, and has freedom for its end; and under it we live both free and happy. When we go forth, it walks silently and unobtrusively by our side, covering us with its invisible shield from violence and wrong. Beneath our own roof, or by our own fireside, it makes our home our castle. All ages, sexes and conditions share in its protecting influence. It shadows with its wings the infant's cradle, and with its arm upholds the tottering steps of age." It is the duty of the judiciary not only to guard it with vigilance against incongruous innovations, but also to extend the operation of its principles, so as to embrace all the new and various interests which arise among an active and enterprising people. (From opinion in *Snowden vs. Warder*, 3 Rawle 103, 104.)—London Law Times.

8. VI *Diario de Sesiones de la Asamblea Filipina, Segunda Legislatura Filipina, primer periodo de sesiones*, 1910. pp. 180-181, 322.

8.2.3 DISCUSSIONS: SALIENT FEATURES OF THE PHILIPPINE CONSTITUTION

The Philippine Constitution refers to a written instrument by which the fundamental powers of the government are established, limited, and defined. Hence, studying different constitutions will expose the learner to a different feature that define the forms of government and how it will operate. Ayson & Reyes (2000) explained that the forms of government might be distinguished from each other on the basis of where the political power is located. Hence, there are governments by one person, governments by few, and government by the many. In addition, the Textbook on the Philippine Constitution by De Leon & De Leon (2019) exemplify the classification of governments according to the number of persons exercising sovereign power, according to the relationship between the legislative and executive branch of government, according to the powers exercise by the local and central or national government, and according to the legitimacy. Below are summary of these different classification and forms of government:

A. According to the number of persons exercising sovereign powers

1. Monarchy – sovereign power is in the hand of one person
 - 1.1. Absolute monarchy – type of monarchical government wherein the monarch exercises absolute power
 - 1.2. Limited Monarchy – monarch rules in accordance with the Constitution.
2. Democracy – sovereign power is in the hands of the majority
 - 1.1. Direct or Pure democracy – sovereign power is directly exercise by the people
 - 1.2. Republican, Representative or Indirect Democracy – sovereign power is exercise by elected officials chosen by the people as their representative to act for in their behalf
3. Aristocracy – sovereign power is in the hands of few people (oligarchs)

B. According to the relationship between the legislative and executive branch of Government:

1. Parliamentary – forms of government wherein the legislative and executive powers are fuse together.
2. Presidential – forms of government wherein the legislative and executive powers are separated

C. According to the power exercise by the local and central or national Government

1. Unitary – powers of governments are concentrated or exercise by the national/central government (centralized)
2. Federal – powers of government are distributed to the local government
Hence, local and national government shared its Powers (decentralized)

D. According to the legitimacy

1. De Facto – forms of government that was established in accordance with law or Constitution
2. De Jure – forms of government that was established not in accordance with law or Constitution

To understand and determine and how the forms of Philippine government evolved, students are required to read the online resource of the 1899 Constitution, 1935 Constitution, 1943 Constitution, 1973 Constitution, and 1987 Constitution. Excerpts of these Constitutions are found below for easy access to the information that defines the Philippine government. Take note of the salient features of the Philippine Constitutions found on the following provisions:

1. Malolos Constitution (Preamble, Title 1 – II Article 1 – 4; Title IV Article 33-34; Title VIII Article 58-59; Title X Article 79 and Title XIV Article 97) ,
2. 1935 Constitution (Preamble, Article II Sec.1; Article VI Sec.1; Article VII Sec.1; Article VIII Sec.1; and Article XV Sec.12),
3. 1943 Constitution (Preamble, Article I Sec.1-2; Article III Sec.1-2; Article II Sec.1-2; Article IV Sec.1; Article XII Sec.1),
4. 1973 Constitution (Preamble; Article II Sec.1; Article VIII Sec.1; Article VIII Sec.1; Article IX Sec.1; Article X Sec.1; and Article XVII Sec.3), and
5. 1987 Constitution (Preamble; Article II Sec.1; Article VI Sec.1; Article VII Sec.1; Article VIII Sec.1; and Article XVIII Sec.5-6).
6. Malolos Constitution (Preamble, Title 1 – II Article 1 – 4; Title IV Article 33-34; Title VIII Article 58-59; Title X Article 79 and Title XIV Article 97) ,
7. 1935 Constitution (Preamble, Article II Sec.1; Article VI Sec.1; Article VII Sec.1; Article VIII Sec.1; and Article XV Sec.12),
8. 1943 Constitution (Preamble, Article I Sec.1-2; Article III Sec.1-2; Article II Sec.1-2; Article IV Sec.1; Article XII Sec.1),
9. 1973 Constitution (Preamble; Article II Sec.1; Article VIII Sec.1; Article VIII Sec.1; Article IX Sec.1; Article X Sec.1; and Article XVII Sec.3), and
10. 1987 Constitution (Preamble; Article II Sec.1; Article VI Sec.1; Article VII Sec.1; Article VIII Sec.1; and Article XVIII Sec.5-6).

SALIENT FEATURES OF THE PHILIPPINE CONSTITUTIONS

CONSTITUTIONS	PREAMBLE
1899 Constitution	We, the Representatives of the Filipino People, legally convened to establish justice, provide for the common defense, promote the general welfare and ensure the blessings of liberty, imploring the aid of the Sovereign Lawgiver of the Universe in order to obtain these objectives, have voted, decreed and approved the following:
1935 Constitution	The Filipino people, imploring the aid of Divine Providence, in order to establish a government that shall embody their ideals, conserve and develop the patrimony of the nation, promote the general welfare, and secure to themselves and their posterity the blessings of independence under a régime of justice, liberty, and democracy, do ordain and promulgate this Constitution.
1943 Constitution	The Filipino people, imploring the aid of Divine Providence and desiring to lead a free national existence, do hereby proclaim their independence, and in order to establish a government that shall promote the general welfare, conserve and develop the patrimony of the Nation, and contribute to the creation of a world order based on peace, liberty, and moral justice, do ordain this Constitution.
1973 Constitution	We, the sovereign Filipino people, imploring the aid of Divine Providence, in order to establish a government that shall embody our ideals, promote the general welfare, conserve and develop the patrimony of our Nation, and secure to ourselves and our posterity the blessings of democracy under a regime of justice, peace, liberty, and equality, do ordain and promulgate this Constitution
1987 Constitution	We, the sovereign Filipino people, imploring the aid of Almighty God, in order to build a just and humane society and establish a Government that shall embody our ideals and aspirations, promote the common good, conserve and develop our patrimony, and secure to ourselves and our posterity the blessings of independence and democracy under the rule of law and a regime of truth, justice, freedom, love, equality, and peace, do ordain and promulgate this Constitution.

Source: <https://www.officialgazette.gov.ph/constitutions/>

CONSTITUTIONS	POWERS AND FORMS OF GOVERNMENT
1899 Constitution	<p style="text-align: center;">Title 1 — On the Republic</p> <p>Article 1. The political association of all Filipinos constitutes a Nation, whose State shall be named the Philippine Republic.</p> <p>Article 2 .The Philippine Republic is free and independent.</p> <p>Article 3. Sovereignty resides exclusively in the people</p> <p style="text-align: center;">Title II — On the Government</p> <p>Article 4. The Government of the Republic is popular, representative, alternative and responsible, and shall be divided among three distinct powers, which shall be named legislative, executive and judicial. Never can two or more of these powers be given to a person or corporation, nor shall the power of the legislative be vested in any single individual.</p>
1935 Constitution	<p style="text-align: center;">Article II — Declaration Of Principles</p> <p>Section 1. The Philippines is a republican state. Sovereignty resides in the people and all government authority emanates from them.</p>
1943 Constitution	<p style="text-align: center;">Article I: The Republic of the Philippines</p> <p>Section 1. The Philippines is a republican state. The government established by this Constitution shall be known as the Republic of the Philippines.</p> <p>Section 2. The Republic of the Philippines shall exercise sovereignty over all the national territory as at present defined by law.</p>
1973 Constitution	<p style="text-align: center;">Article II – Declaration of Principles and State Policies</p> <p>Section 1. The Philippines is a republican state. Sovereignty resides in the people and all government authority emanates from them.</p>
1987 Constitution	<p style="text-align: center;">Article II – Declaration of Principles and State Policies</p> <p>Section 1. The Philippines is a democratic and republican State. Sovereignty resides in the people and all government authority emanates from them.</p>

Source: <https://www.officialgazette.gov.ph/constitutions/>

CONSTITUTIONS	LEGISLATIVE POWER
1899 Constitution	<p style="text-align: center;">Title IV — On Legislative Power</p> <p>Article 33. Legislative power shall be exercised by an Assembly of Representatives of the Nation. This Assembly shall be organized in the form and conditions determined by the law enacted for such purpose.</p> <p>Article 34. The members of the Assembly shall represent the entire Nation, and not only the voters who elected them.</p>
1935 Constitution	<p style="text-align: center;">Article VI - Legislative Department</p> <p>Section 1. The Legislative power shall be vested in a National Assembly. The Members of the National Assembly shall not exceed one hundred and twenty, shall be chosen every three years, and shall be apportioned among the several provinces as nearly as may be according to the number of their respective inhabitants, but each province shall have at least one Member. The National Assembly shall by law make an apportionment within three years after the return of every enumeration, and not otherwise. Until such apportionment shall have been made, the National Assembly shall consist of ninety-eight Members, of whom eighty-seven shall be elected by the representative districts as now provided by law; and three by the Mountain Province, and one by each of the other eight existing special provinces. The Members of the National Assembly in the provinces of Sulu, Lanao, and Cotabato shall be chosen as may be determined by law; in all other provinces they shall be elected by the qualified voters therein.</p>
1943 Constitution	<p style="text-align: center;">Article III: The Legislature</p> <p>Section 1. The Legislative power shall be vested in the National Assembly.</p> <p>Section 2. The National Assembly shall be composed of the provincial governors and city mayors as members ex-officio and of delegates to be elected every three years, one from each and every province and chartered city. The date and manner of their election and the method of filling vacancies shall be prescribed by law, which shall not be subjected to change or modification during the Greater East Asia War.</p>
1973 Constitution	<p style="text-align: center;">Article VIII – The National Assembly</p> <p>Section 1. The Legislative power shall be vested in a National Assembly.</p>
1987 Constitution	<p style="text-align: center;">Article VI - The Legislative Department</p> <p>Section 1. 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.</p>

Source: <https://www.officialgazette.gov.ph/constitutions/>

CONSTITUTIONS	EXECUTIVE POWER
1899 Constitution	<p>Title VIII — On the President of the Republic</p> <p>Article 58. The President of the Republic shall be elected through an absolute majority of votes by the Assembly and the special representatives convened as a constituent chamber. His appointment shall be for four years and he will be eligible for re-election.</p> <p>Article 59. The President of the Republic, as well as the members of the Assembly, shall have the initiative of the laws. He shall promulgate the laws once they have been passed and approved by the latter, and shall supervise and ensure their execution.</p>
1935 Constitution	<p>Article VII Executive Department</p> <p>Section 1. The Executive power shall be vested in a President of the Philippines.</p>
1943 Constitution	<p>Article II: The Executive</p> <p>Section 1. The Executive power shall be vested in the President of the Republic of the Philippines.</p> <p>Section 2. The President shall be elected by a majority of all the members of the National Assembly at the place and on the date to be fixed by law.</p>
1973 Constitution	<p>Article IX – The Prime Minister and the Cabinet</p> <p>Section 1. The Executive power shall be exercised by the Prime Minister with the assistance of the Cabinet. The Cabinet, headed by the Prime Minister, shall consist of the heads of ministries as provided by law. The Prime Minister shall be the head of the government.</p> <p>Article VII – The President and Vice - President</p> <p>Section 1. The President shall be the head of state and chief executive of the Republic of the Philippines.</p> <p>The President shall be elected from among the Members of the National Assembly by a majority vote of all its Members for a term of six years from the date he takes his oath of office, which shall not be later than three days after the proclamation of the National Assembly, nor in any case earlier than the expiration of the term of his predecessor. Upon taking his oath of office, the President shall cease to be a Member of the National Assembly and of any political party. He shall be ineligible to hold any other elective office during his term.</p>
1987 Constitution	<p>Article VII - Executive Department</p> <p>Section 1. The executive power shall be vested in the President of the Philippines.</p>

Source: <https://www.officialgazette.gov.ph/constitutions/>

CONSTITUTIONS	JUDICIAL POWER
1899 Constitution	<p>Title X — On Judicial Power</p> <p>Article 79. The exercise of judicial power resides in a Supreme Court of Justice, and in the tribunals that are to be established by law.</p>
1935 Constitution	<p>Article VIII. —Judicial Department</p> <p>Section 1. The Judicial power shall be vested in one Supreme Court and in such inferior courts as may be established by law.</p>
1943 Constitution	<p>Article IV: The Judiciary</p> <p>Section 1. The Judicial Power shall be vested in the Supreme Court and such inferior courts as may be established by law.</p>
1973 Constitution	<p>The Judiciary</p> <p>Section 1. The Judicial power shall be vested in one Supreme Court and in such inferior courts as may be established by law. The Batasang Pambansa shall have the power to define, prescribe and apportion the jurisdiction of the various courts, but may not deprive the Supreme Court of its jurisdiction over cases enumerated in Section five thereof.</p>
1987 Constitution	<p>Article VIII Judicial Department</p> <p>Section 1. The judicial power shall be vested in one Supreme Court and in such lower courts as may be established by law.</p>

Source: <https://www.officialgazette.gov.ph/constitutions/>

CONSTITUTIONS	SPECIAL/TRANSITORY PROVISIONS
1899 Constitution	<p>Title XIV</p> <p>Article 97. The incumbent President of the Revolutionary Government shall immediately assume the title of President of the Republic, and shall perform the duties of the office until the Constituent Assembly has been convened and proceeds to the election of the person who shall assume the position definitively.</p>
1935 Constitution	<p>Article XV - Transitory Provisions</p> <p>(12) The Philippines recognizes the right of the United States to expropriate property for public uses, to maintain military and other reservations and armed forces in the Philippines, and, upon order of the President of the United States, to call into the service of such armed forces all military forces organized by the Government of the Commonwealth of the Philippines.</p>
1943 Constitution	<p>Article XII: Special Provisions</p> <p>Section 1. Within one year after the termination of the Greater East Asia War, the National Assembly shall by law provide for the election by popular suffrage of delegates to a Constitutional Convention, which shall meet not later than sixty days after their election in order to formulate and adopt a new Constitution which shall become effective upon its approval by the people at a plebiscite to be held for the purpose. After such approval the National Assembly shall forthwith provide for the election of the officers under the new Constitution and the inauguration of the government established thereunder.</p>
1973 Constitution	<p>Article XVII Transitory Provision</p> <p>Section 3. The incumbent President of the Philippines shall initially convene the Interim National Assembly and shall preside over its sessions until the interim Speaker shall have been elected. He shall continue to exercise his powers and prerogatives under the nineteen hundred and thirty-five Constitution and the powers vested in the President and the Prime Minister under this Constitution until he calls upon the Interim National Assembly to elect the interim President and interim Prime Minister who shall then exercise their respective powers vested by this Constitution.</p>
1987 Constitution	<p>Article XVIII</p> <p>Section 5. The six-year term of the incumbent President and Vice-President elected in the February 7, 1986 election is, for purposes of synchronization of elections, hereby extended to noon of June 30, 1992.</p> <p>The first regular elections for the President and Vice-President under this Constitution shall be held on the second Monday of May, 1992.</p> <p>Section 6. The incumbent President shall continue to exercise legislative powers until the first Congress is convened.</p>

Source: <https://www.officialgazette.gov.ph/constitutions/>

8.3. RESOURCES

REFERENCES:

- Ayson & Reyes. 2000. Fundamentals of Political Science. National Bookstore. Manila
- De Leon & De Leon. 2019. Textbook on the Philippine Constitution. Rex Bookstore. Manila
- Philippine Constitutions. <https://www.officialgazette.gov.ph/constitutions/>
- Malcolm, G. 1920. CONSTITUTIONAL HISTORY OF PHILIPPINES. *American Bar Association Journal*, 6(5), 109-112. Retrieved April 9, 2020, from www.jstor.org/stable/25700699.
- Yusingco, M. 2015. COMMENTARY: How important is the Constitution to us? <https://www.mindanews.com/mindaviews/2015/01/commentary-how-important-is-the-constitution-to-us/>.
- ConstitutionNet. 2016. Constitutional history of Philippines. <http://constitutionnet.org/country/constitutional-history-philippines>.
- Philippine Constitutions. <https://www.officialgazette.gov.ph/constitutions/>.

8.3.2. SUPPLEMENTAL READINGS

- International IDEA. 2014. What is a Constitution? <https://www.youtube.com/watch?v=0UzKD8rZCc0>
- Kaplan, Lawrence S. 2018. “De Constitutionis Natura: After Seventy Years.” *International Social Science Review* 94 (2): 1–10. <http://search.ebscohost.com/login.aspx?direct=true&db=asn&AN=131932323&site=ehost-live>.
- Ser Ian’s Class. 2019. Ano ang Constitution? Kahulugan at Pagkakaiba (What is Constitution? Definition and Types). <https://www.youtube.com/watch?v=iF6ukYYbG0U>.
- Yusingco, M. 2019. [OPINION] Constitutional reform in the Philippines is necessary. <https://www.rappler.com/thought-leaders/220763-constitutional-reform-philippines-necessary>

8.3.3. VIDEO LINKS:

- <https://www.youtube.com/watch?v=0UzKD8rZCc0>.
- <https://www.youtube.com/watch?v=iF6ukYYbG0U>