

of the Philippines using comparative analysis.

2. Identify sections of the constitution relevant to

# GEN 004: Readings in Philippine History Module #16

Name:		Class number:
Section:	Schedule:	Date:
Lesson title: The Constitution of the Philippines and		Materials:
Relevance to the	People	SAS
Learning Targets	:	References:
At the end of the n	nodule, students will be able to:	Asuncion, N. & Cruz, G.R. (2019).
1. Compare the salient provisions of the different constitutions		Readings in Philippine History

#### A. CONNECT

contemporary issues

HI, PHINMA students! How are you doing today? I trust everything is going smoothly, and you're finding your exploration of this course/subject enjoyable. Always keep in mind the excitement of discovering new concepts and acquiring knowledge. In our previous session, we delved into the topic of Agrarian Reforms in the Philippines. Today, we're shifting our focus to another important subject: The Constitution of the Philippines and Relevance to the People. Our discussion will center on the constitutions that the country has had.

To help us understand what we read, we will use the comprehension strategy of **defining and describing** arguments and texts. This will help us grasp the content better.

To help you learn better, remember to work with the SAS in sequence. Our SAS activities are designed so that each task will help you learn more effectively. Do all the tasks. Working on all the tasks will help you learn more. If there are changes to the tasks, your teacher will tell you. Read the instructions carefully. Ask your teacher or your classmates if you have questions about the tasks. Let's start learning!

# THE 1987 CONSTITUTION PREAMBLE

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.

### Activity 1. Analysis (10 minutes)

**Instructions:** Look for a pair. Take 5 minutes to read the Preamble of the 1987 Philippine Constitution. With your pair, answer the questions in the boxes below.



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What type of government does it want to establish?	What values are being implored by the Constitution?

#### B. COACH

#### **B.1 Content Notes (30 minutes)**

Like I said earlier in the lesson preview, In this lesson, you are going to learn about the "Agrarian Reforms in the Philippines". To assist us in understanding what we'll read, we will use the comprehension strategy of **defining and describing.** 

A **constitution** is a codified list of provisions that identifies the limitations of the power of the government and enumerates its responsibilities to the people. It is the set of established precedents and codified principles according to which a state is governed. It is the highest law of the land.

#### Provides a Framework for Lawmaking

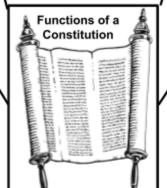
- -Establishes procedures for creating, amending, and repealing laws.
- Ensures laws are made in a systematic and transparent manner.

## Defines the Relationship Between Government and Citizens

- Outlines the duties and obligations of both the government and its citizens.
- Ensures that the government serves the interests of the people.

#### Facilitates Adaptation and Change

- Provides mechanisms for amending the constitution to address changing needs and circumstances.
- Ensures the constitution remains relevant over time.



### Establishes Government Structure

- -Defines the organization of government, including the separation of powers among the executive, legislative, and judicial branches.
- Specifies the roles and responsibilities of each branch of government.

#### Limits Government Power

- Sets boundaries on governmental authority to prevent abuse of power.
- Includes checks and balances to ensure no single branch becomes too powerful.

#### Protects Individual Rights and Liberties

- Guarantees fundamental rights and freedoms to individuals, such as freedom of speech, religion, and assembly.
- Provides legal protections against arbitrary government actions.







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#### Foundation of Governance

- -Serves as the cornerstone for the rule of law and the functioning of the government.
- -Establishes the legitimacy and authority of the government.

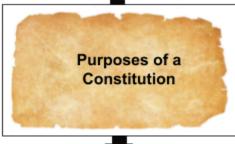
#### Protection of Rights

- -Ensures the protection and promotion of human rights and fundamental freedoms.
- -Acts as a safeguard against tyranny and oppression.

#### Promotion of Justice and Equality

- -Aims to provide a fair and just society where all individuals are treated equally under the law.
- Encourages social justice and the equitable distribution of resources.







### Guidance for Policy and Decision-Making

 Offers a reference point for government policies and decisions.
 Ensures that actions taken by the government are consistent with constitutional principles.

## Expression of National Ideals and Values

- -Reflects the core values, beliefs, and aspirations of a nation.
- -Serves as a symbol of national identity and unity.

### **Enhancement of Stability and Order**

- -Provides a stable and predictable framework for governance.
- -Helps maintain public order and national security.



The first constitution of the Philippines was the Malolos Constitution or the 1899 Constitution. It was drafted after the Congress of the Aguinaldo Revolutionary Government convened on September 15, 1898 at the Barasoain Church in Malolos, Bulacan. Eighty-five deputies comprised the Committee on Constitution that was tasked to draft the constitution of the Philippines. There were three initial drafts submitted for consideration: (1) the True Decalogue and Constitutional Program of Apolinario Mabini; (2) the Pedro Paterno version; and (3) the Felipe Calderón version, which prevailed among the three drafts. Discussions and debates on the constitution lasted for a month, from October 25, 1898 to November 29, 1898. Majority of the arguments centered on the provision stipulating the separation of Church and State and the provision contradicting it which was settled via a one vote margin with the provision for separation prevailing. After the constitution was approved, it was forwarded to President Aguinaldo. However, on December 1, 1898, President Aguinaldo returned it to Congress for some amendments. Congress declined to consider

the amendments. This prompted Aguinaldo to approve it on December 23, 1898. It was promulgated on January 21, 1898 after it was formally adopted by Congress.



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The Malolos Constitution or the 1899 Constitution provided three significant features including (1) the provision for an independent Republic of the Philippines consisting of three independent powers distributed to the executive led by the president with a term of four years and not eligible for re-election, a unicameral legislative, and the judicial; (2) the Bill of Rights; and (3) the Separation of Church and State. In general, the Malolos Constitution took into account the constitutions of other countries with marked Filipino resemblance such as those of Belgium, Mexico, Brazil, Nicaragua, Costa Rica, and Guatemala. The overall structure of the Constitution was borrowed from Costa Rica, Chile, and Spain.

Nevertheless, the Malolos Constitution was never exercised as the Philippine-American war broke out on February 4, 1899. This led to the downfall of the First Republic of the Philippines with the arrest of President Aguinaldo on March 23, 1901 in Palanan, Isabela.

During the American colonial period, the Philippines was governed by laws including the Philippine Organic Act of 1902, which provided for the creation of an elected Philippine Assembly composed of Filipinos and the Philippine Autonomy Act of 1916 that announced the intention of the United States government to "withdraw their sovereignty over the Philippine Islands as soon as a stable government can be established therein." The Philippine Independence Act that set the parameters for the creation of a constitution for the Philippines was passed by America in 1934. This also called for the election of delegates to a constitutional convention that aimed to draft a constitution for the country. The constitutional convention on February 8, 1935 came up with a constitution submitted to the Filipinos for a plebiscite on May 14, 1935 and was subsequently ratified. It came into effect on November 15, 1935. It was later amended by the National Assembly in 1940 by changing the term limit of the President from six years with no re-election to four years with a possibility of having a second term.

The Japanese-sponsored government during the Second World War nullified the 1935 Constitution and appointed the Preparatory Committee as replacement. The 1943 Constitution which replaced the 1935 Constitution was used during the presidency of Jose P. Laurel in the Second Republic. The 1935 Constitution came back into effect after the war in 1945 and was amended on March 11, 1947 with the Parity amendment giving US citizens equal rights with Filipino citizens to develop natural resources and operate public utilities.

Marcos called a Constitutional Convention to amend or revise the 1935 Constitution. The Constitutional Convention on December 1, 1972 came up with a constitution providing for a modified parliamentary government. This was then submitted for ratification through citizen assemblies created by Presidential Decree No. 86, series of 1972. The ratification was done via viva voce in lieu of secret ballots. The legality of this ratification was guestioned, however, the Supreme Court affirmed its validity and deemed it to be in full effect.

Corazon Aquino, after taking oath over a provisional Freedom Constitution to formally assume the presidency, issued Presidential Decree No. 13 which suspended certain provisions of the 1973 Constitution. A month later, President Aquino issued Presidential Decree No. 9 series of 1986 creating a Constitutional Commission tasked to draft a new charter to replace the 1973 Constitution. The Commission came up with a constitution on October 16, 1986 which was ratified by the people through a plebiscite on February 2, 1987. With Presidential Decree No. 58, the new constitution came into full force and effect on February 11, 1987. The new constitution was written in such a way that it provided significant provisions for checks and balances to prevent the



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	ernmental authority by one entity or person. Its preamble s t the rule of tyranny and oppression.	summarily implies the general
	e changing political landscape in the country, there are calls ge the form of government from unitary to federal. Other propliamentary form.	
attempts were no	ons after President Aquino attempted to change the form of the tractualized. Presently, the administration of President Rodrig thange as one of its core government policies.	
	Definition	
Functions of	a Constitution CONSTITUTION	Purposes of a Constitution
	Different kinds of Philippine Constitution	
better and deeper get used to this bu <b>Strategy Review</b> : 1. What is the title	r, finding the definition and description of our main topic is r. You can use this comprehension strategy in any subject! Als at I assure you that this will help you study smarter and will make	o, no pressure! It takes time to the things easier.

(cc) BX-NC-ND



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B.2 Skill Building Act With your pair, compa answers in the boxes p	ivity: Comparative A	nalysis (20 minutes) ons of the different co	onstitutions of the Phi	
Category	Malolos Constitution	1935 Constitution	1973 Constitution	1987 Constitution
Form of Government and Separation of Powers				
Provisions on Civil Liberties				
Provisions on Taxation or Revenue Sharing				
Provisions on Changing/Removing the Head of the state or the President				
3.3 Skill Building Act Under the new dispensions of the provisions	nsation or governme e also calls to change should be changed	e or amend the Cons or added to have a g	titution. Aside from the government that is m	e form of government ore responsive, more



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#### C. CHECK

### C.1 Check for Understanding (15 minutes)

You are doing well! Next, you need to answer the activity below. This will assess your learning about the lesson.

### **Activity 3:True or False**

Read each question carefully, and understand what is being asked. Before the number, write TRUE if the statement is correct, FALSE if otherwise.

- \_\_\_\_\_1. The Malolos Constitution was effectively implemented and guided the Philippine government during the entire Philippine-American War.
- \_\_\_\_\_2. The 1943 Constitution was created and used during the Second Republic of the Philippines under Japanese occupation.
- \_\_\_\_\_3. The Philippine Independence Act of 1934 was passed by the Philippine government to set the parameters for creating a constitution for the country.
- \_\_\_\_\_4. The Constitution drafted by the Constitutional Commission on October 16, 1986, was ratified and came into full effect on February 11, 1987.
- \_\_\_\_5 President Corazon Aquino's administration did not make any attempts to change the 1973 Constitution after taking office.

### D. LESSON CONCLUDE:

#### **D.1 Summary / Frequently Asked Questions**

1. How does the principle of judicial independence enshrined in the Philippine Constitution affect the development of the rule of law and democracy in the country?

**Answer:** Judicial independence, a principle enshrined in the Philippine Constitution, ensures that the judiciary operates free from undue influence from the executive and legislative branches of government. This principle is crucial for upholding the rule of law and safeguarding human rights. By ensuring that judges can make decisions based on the law and not on political pressures, judicial independence helps maintain public confidence in the legal system and democracy. This stability is essential for development, as it provides a predictable and fair legal environment for both citizens and businesses, encouraging investment and economic growth.

2. In what ways has the 1987 Philippine Constitution addressed issues of social justice and human rights, and what impact has this had on social and economic development?

**Answer:** The 1987 Philippine Constitution includes numerous provisions aimed at promoting social justice and protecting human rights. These include the Bill of Rights, which guarantees civil liberties such as freedom of speech, assembly, and religion, as well as economic, social, and cultural rights. The Constitution also mandates the state to promote a just and dynamic social order that ensures the prosperity and independence of the nation and frees the people from poverty. Programs and measures for the redistributive justice, such as agrarian reform and social welfare programs, are also emphasized. These provisions have had a significant impact on social and economic development by fostering a more inclusive society where all citizens can participate in and benefit from economic growth.



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3.	What role does the constitutional provision on local go regional development in the Philippines?  Answer: The Philippine Constitution grants significant auto through the Local Government Code of 1991. This decentralize by granting them the authority to levy taxes, implement of resources. Local autonomy allows LGUs to tailor development conditions of their regions, promoting more efficient and respect to increased local innovation and accountability, foster local solutions to local problems.	onomy to local government units (LGUs) ration aims to empower local governments development projects, and manage local nent initiatives to the specific needs and consive governance. This decentralization
D.2 Th	inking about Learning (15 minutes)	
To end	the session today, kindly answer the questions posted	below to sum up your today's learning
	ence. I am hoping to get an honest answer.	0.00
1.	The three things that I significantly learned from the readings	are
2.	The three things that are still unclear to me are	
3.	The three questions that I want to ask about the readings are.	
D. 3 GI	ossary of Terms	
	Philippine Organic Act of 1902: This refers to legislation en provided for the establishment of an elected Philippine Assignificant step towards self-governance in the Philippines und Philippine Autonomy Act of 1916: This refers to legislation signaling the intention of the United States government to Philippines once a stable government was established	sembly composed of Filipinos, marking a der American colonial rule  n passed by the United States Congress, to eventually grant independence to the



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self-gover	nance.	
	•	ering of elected delegates tasked with drafting or ed to address significant political or constitutional
Aquino, w	hich created a Constitutional Commission	refers to a decree issued by President Corazon n tasked with drafting a new constitution to replace mocracy following the ousting of the Marcos regime.
		appointed or elected to draft or revise the country's al transition or significant constitutional reform.