

Philippine Elections: The Right to Political Participation in an Elite Democracy

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41 ATENEO L.J. 314 (1997)

SUBJECT(S): CONSTITUTIONAL LAW, ELECTION LAW

KEYWORD(S): ELECTION LAW

This Paper focuses on the current legal structure for electoral participation in the Philippines. It also evaluates how effectively this structure enables the majority of the Filipino people to participate in the governance of their nation. This discussion is made in light of emerging norms in international law towards “democratic entitlement” and in light of the realities of contemporary Philippine politics. First, the Paper discusses the evolution of the democratic entitlement principle in international law. Particular attention is paid to the meaning and content of the right to political participation in the International Covenant on Civil and Political Rights. Next, the Paper traces the development of democratic institutions and practices, more particularly in the conduct of elections, throughout Philippine history. There is then a description of the Philippine legal framework for political participation, with particular emphasis on electoral participation. Here, the Paper points out the flaws on the framework based on actual practice. Lastly, the Paper discusses the post-EDSA occurrences and also analyzes the reforms made since the said period. In this chapter also, the Paper recommends how international norms on free and fair elections could be made more responsive to the problems of elite democracies.