

Running for Office, Running the Clock: Analyzing the Recent Regulations Limiting Political Advertisements for the 2013 Elections

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58 ATENEO L.J. 263 (2013)

SUBJECT(S): ELECTION LAW, CONSTITUTIONAL LAW

*KEYWORD(S): FAIR ELECTION ACT, ELECTION ADVERTISEMENT,
RIGHT TO INFORMATION, FREEDOM OF SPEECH*

This Comment discusses the provisions in COMELEC Resolution No. 9615, as amended by COMELEC Resolution No. 9631, providing for time-caps on the amount of time each candidate had for his or her political advertisements disseminated through television and radio stations. These resolutions were enacted by the COMELEC for the purpose of implementing Republic Act No. 9006, or the Fair Election Act of 2001. In light of the opposition by various media groups towards the application of these resolutions, the Authors delve into the rationale and justification for the limitation of media access to candidates for elective positions.

In arguing for the validity of the imposition of airtime regulations, the Authors opine that the resolutions are in keeping with the legislative intent of the Fair Election Act. The aim of the law is to equalize the situations of the rich and the poor and afford equal access to media time and space. It is thus with this rationale in mind that the COMELEC applied the limitations on the candidates instead of the stations. This should allow less financially-capable, but equally deserving candidates, a better chance at being elected for office. Moreover, the Authors assert that the resolutions cannot be discarded on Right to Information or Freedom of Speech grounds.

While the air-time regulations may prove challenging to some candidates, the Authors contend that it is important to keep in mind that these resolutions will prove beneficial to both candidates and constituents in the long run. Such regulations serve as both a signal call for voters and candidates to mature as an electorate and as a gentle push in the right direction for the country.