

# THE POLITICAL RIGHTS OF WOMEN IN PHILIPPINE CONTEXT

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## **I. Introduction**

The 1987 Constitution gives recognition to the role women have played and continue to play in the task of nation-building when it declares that "The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men."<sup>1</sup> It also guarantees equal access to opportunities for public service<sup>2</sup> and mandates that the State shall take appropriate steps to make quality education accessible to all.<sup>3</sup> Since women constitute one-half of the population, they are indeed a potent political force in Philippine society. On the basis of sheer numbers alone, it is but right that their voice be heard not only on matters affecting their welfare but also those affecting the country as a whole.

If only for this reason alone, women should be given a legitimate share with men in leadership at all levels.

## **II. Historical Background**

Although women enjoyed a high standing in society during the pre-colonial times, this was diminished by the imprint of Hispanic laws and culture in the Philippines. It was only in the third decade of American rule that women were given the right to vote. Historical records show that the Philippine legislature granted the right of suffrage to women, and made them eligible to all public office as early as December 7, 1933 when Governor-General Frank Murphy signed Act No. 4112 into law. This Act provided that the right of suffrage be exercised in 1935 by male or female persons who are twenty-one years of age, who could read and write either in Spanish or English, or any local language, or who paid an annual tax of

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<sup>1</sup>Art. II, sec. 14.

<sup>2</sup>CONST., art. II, sec. 26.

<sup>3</sup>CONST., art. XIV, sec. 1.

P30.00 or who owned real property to the value of P500.00.<sup>4</sup> However, the convening of the Constitutional Convention in 1934 intervened and this statute was never implemented.

Under Section 1, Article V of the 1935 Constitution, "male citizens not otherwise disqualified by law, who are twenty-one years of age or over and are able to read and write and who shall have resided in the Philippines for one year and in the municipality wherein they propose to vote for at least six months preceding the election, may exercise their right to suffrage." On the other hand, it provided that the extension of the right of suffrage to women was conditional. It depended upon a plebiscite held for that purpose within two years after the adoption of the Constitution and the affirmative votes of at least 300,000 women.

In the implementation of the constitutional provision, Commonwealth Act No. 34, approved on September 30, 1936, provided for the holding of a plebiscite on the question of woman suffrage. Every female citizen of the Philippines, twenty-one years of age or over, a resident of the Philippines for one year and of the municipality, wherein she proposed to vote for at least six months preceding the plebiscite, and possessing the qualifications required by existing law for male voters, but without the disqualifications, was entitled to vote in said plebiscite.<sup>5</sup> Four watchers were appointed for each polling place in every municipality by the women's club organized therein or, in default of any women's organization, by the National Federation of Women's Club. The same number of watchers was also allowed to groups or organizations opposed to women suffrage.<sup>6</sup>

It was only in the local elections of 1937 that the women finally exercised their right of suffrage.<sup>7</sup> It is interesting to note that in this election, male voters could be identified by producing their personal cedula for the year or the year preceding the election while women voters had to be identified by producing their birth or baptismal certificates or by means of an affidavit by the applicant made before an election inspector of the respective election precinct or before a notary public.<sup>8</sup>

According to sources, the advent and development of the Filipina's struggle for enfranchisement may be attributed to three

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<sup>4</sup>Sec. 1, amending Sec. 431 of the Administrative Code.

<sup>5</sup>Com. Act No. 34 (1936), sec. 2.

<sup>6</sup>Id., sec. 3.

<sup>7</sup>Com. Act No. 233 (1937).

<sup>8</sup>Sec. 1, amending Sec. 127 of the Administrative Code.

factors: (1) opportunities which allowed the Filipina to be active outside the sphere of her home; (2) the influence of feminist ideas from abroad; and (3) greater confidence in herself as a person and as a member of society.<sup>9</sup>

However, much of the advance that the Filipino woman has achieved can be traced to the educational opportunities opened to her at the onset of American sovereignty because education was a key element to their colonial policy. Admission of students to state colleges and universities was not based on gender as seen in provisions of the earliest law which established the University of the Philippines in 1908:

"No student shall be denied admission to the university by reason of age, sex, nationality, religious belief, or political affiliation."<sup>10</sup>

According to Rafael Palma, "female suffrage is the consequence of the education of women; it is also the consequence of her liberty of conscience. The vote is the expression of political faith, just as worship is the expression of religious faith. There is no more reason for keeping women from the ballot box than there is for preventing her from going to church."<sup>11</sup>

### III. CATEGORIES OF RIGHTS

A right is a power, privilege, faculty, or demand, inherent in one person and incident upon another.<sup>12</sup> Collectively, rights are defined as "powers of free action."<sup>13</sup>

The 1987 Constitution contains a Bill of Rights which is a declaration of fundamental individual rights secured and guaranteed against encroachment or impairment by any form of governmental action. However, there are also rights found in other parts of the Charter. Generally, there are three categories of rights. These are civil rights, social and economic rights, and political rights.

Civil rights are the prerogatives of the individual which spring from human nature and which are essential to the human being in

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<sup>9</sup>A.T. Torres, *The Filipina Looks at Herself* in *THE FILIPINO WOMEN IN FOCUS: A BOOK OF READINGS 7* (1989) citing E. ALZONA, *THE FILIPINO WOMAN: HER SOCIAL ECONOMIC AND POLITICAL STATUS, 1565-1933* (1934).

<sup>10</sup>Act No. 1870 (1908), sec. 3.

<sup>11</sup>Address delivered in support of S. Bill No. 23, November 22, 1919.

<sup>12</sup>*BLACKS' LAW DICTIONARY*, 1486 (4th rev. ed., 1968).

<sup>13</sup>*ibid.*

order that she may realize her best self and develop her fullest potentialities.<sup>14</sup> This type of right may also refer to those rights which the municipal law will enforce at the instance of private individuals for the purpose of securing to them the enjoyment of their means of happiness.<sup>15</sup> The civil rights enumerated in the Bill of Rights include guarantees of personal freedom,<sup>16</sup> inviolability of the privacy of communication and correspondence,<sup>17</sup> liberty of abode and right to travel,<sup>18</sup> right to form associations,<sup>19</sup> religious freedom,<sup>20</sup> free access to the courts and quasi-judicial bodies,<sup>21</sup> the privilege of the writ of *habeas corpus*,<sup>22</sup> and the rights of the accused.<sup>23</sup>

Freedom of speech, of expression, or of the press, the right of the people to peaceably assemble and petition the government for redress of grievances,<sup>24</sup> and the right to information<sup>25</sup> are also civil rights but when they are utilized as a means to participate in the government, they partake of the nature of political rights.

On the other hand, social and economic rights refer to those which ensure the well-being and economic security of the people. Social and economic rights are perceived in provisions on right to property,<sup>26</sup> right to just compensation if private property is taken for public use,<sup>27</sup> and the non-impairment of the obligation of contracts.<sup>28</sup> These rights can also be found in the other articles of the Constitution such as those on the promotion of social justice and human rights,<sup>29</sup> education, science and technology, culture and sports,<sup>30</sup> the family,<sup>31</sup> conservation and utilization of natural re-

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<sup>14</sup>P.V. FERNANDEZ, J.A.R. MELO, C.C. GARCIA & ALOYSIUS C. ALDAY, A STUDY OF THE PHILIPPINE CONSTITUTION 94 (1974).

<sup>15</sup>G.A. MALCOLM & J. LAUREL, PHILIPPINE CONSTITUTIONAL LAW 378, 414 (1936).

<sup>16</sup>Art. III, sec. 1.

<sup>17</sup>Art. III, sec. 3(1).

<sup>18</sup>Art. III, sec. 6.

<sup>19</sup>Art. III, secs. 4 & 8.

<sup>20</sup>Art. III, sec. 5.

<sup>21</sup>Art. III, sec. 11.

<sup>22</sup>Art. III, sec. 15.

<sup>23</sup>Art. III, secs. 11-12.

<sup>24</sup>Art. III, sec. 4.

<sup>25</sup>Art. III, sec. 7.

<sup>26</sup>CONST., art. III, sec. 1.

<sup>27</sup>CONST., art. III, sec. 9.

<sup>28</sup>CONST., art. III, sec. 10.

<sup>29</sup>CONST., art. II, secs. 9-11, 13-23 & 26; Art. XIII.

<sup>30</sup>CONST., art. XIV.

<sup>31</sup>CONST., art. XV.

sources,<sup>32</sup> the right to own, establish and operate economic enterprises,<sup>33</sup> the protection of consumers from trade malpractices and from substandard or hazardous products,<sup>34</sup> right to health,<sup>35</sup> right to a balanced and healthful ecology,<sup>36</sup> and the rights of indigenous cultural communities to preserve and develop their cultures, traditions and institutions.<sup>37</sup>

Political rights are such rights of citizens which grant them "the power to participate, directly or indirectly, in the establishment or management of the government."<sup>38</sup> Stated simply, a right is denominated political, if the citizen is empowered to share or participate in the making of political decisions. The political rights, under the 1987 Constitution are found in provisions dealing with suffrage,<sup>39</sup> right to run for public office,<sup>40</sup> the right of political expression,<sup>41</sup> and the right to information on matters of public concern.<sup>42</sup> For purposes of this article, these political rights will be described in detail.

## IV. Political Rights

### A. Right of Suffrage

In a democracy, sovereignty resides in the people. Their sovereign power is expressed through the ballot in an election held from time to time wherein representatives, are chosen, directly or indirectly, by popular will. The right to vote enables a citizen to participate in the process of government not only to elect officials who will make political decisions in the government but to express their choice for or against a Constitution or a law in a plebiscite<sup>43</sup> or referendum,<sup>44</sup> or to directly propose and enact laws in an initia-

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<sup>32</sup>CONST., art. XII, secs. 1 & 2.

<sup>33</sup>CONST., art. XII, sec. 6.

<sup>34</sup>CONST., art. XVI, sec. 9.

<sup>35</sup>CONST., art. II, sec. 15.

<sup>36</sup>CONST., art. II, sec. 16.

<sup>37</sup>CONST., art. II, sec. 22; Art. XIV, sec. 17.

<sup>38</sup>Vera v. Avelino, 77 Phil. 221 (1946), citing 2 BOUVIER'S LAW DICTIONARY

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<sup>39</sup>CONST., art. IV.

<sup>40</sup>Art. VI, secs. 2-3, 5-6; Art. VII, art. 2-3; Art. X, sec. 8.

<sup>41</sup>Art. III, sec. 4.

<sup>42</sup>Art. III, sec. 7.

<sup>43</sup>CONST., art. XVII, sec. 2; Art. X, secs. 10, 11 & 18.

<sup>44</sup>CONST., art. VI, sec. 32.

tive;<sup>45</sup> or to recall a public officer from office during his tenure or before the expiration of his term.<sup>46</sup>

Recognition is given to the constitutional right of suffrage by Article V. Suffrage may be exercised by all Philippine citizens not otherwise disqualified by law, who are at least eighteen years of age and who have resided in the Philippines 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 can be imposed on the exercise of suffrage.<sup>47</sup> It should be noted that under the 1973 Constitution, suffrage was made a mandatory duty of every citizen while under the New Constitution, it is a choice on the part of the voter. To ensure that the voters will exercise their right freely, uninfluenced by threats, intimidation, or corrupt motives, Congress is mandated to provide a system for securing the secrecy and sanctity of the ballot.

Since there are about 600,000 overseas contract workers and employees who are deprived of the right of suffrage by the Constitution's residence requirement, Congress is required to provide a system of absentee voting by qualified Filipinos abroad.<sup>48</sup> Illiterates and the disabled were also enfranchised under the Constitution when it provides that "the Congress shall 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".<sup>49</sup>

#### B. Right to Run for Public Office

The right to run for public office is enunciated in Section 26 of Article II of the Constitution which provides that "The State shall guarantee equal access to opportunities for public service." It is also implied in the Constitution and laws when it specifies the qualifications needed for a public office without regard to gender. As long as a person is qualified for the office, he/she can run for election.

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<sup>45</sup>CONST., art. XVII, sec. 2.

<sup>46</sup>Art. X, sec. 3.

<sup>47</sup>CONST., art. V, sec. 1.

<sup>48</sup>CONST., art. V, sec. 2. See 2 RECORDS OF THE PHIL. CONSTITUTIONAL COMMISSION 11-12 (1987).

<sup>49</sup>CONST., art. V, sec. 2, par. 2.

Since the basic aim of representative government is to attain the broadest possible representation of all interests in its policy-making body, a party-list system has been adopted by the Charter.<sup>50</sup>

Under the party-list system, in addition to the members of the House of Representatives elected from the legislative districts, twenty *per centum* of its total membership shall be selected from a list of registered national, regional and sectoral parties and organizations.<sup>51</sup> For three consecutive terms after the ratification of the Constitution, one-half of the seats allocated to party-list representatives shall be filled, as provided by law,<sup>52</sup> by selection or election from the labor, peasant, urban poor, indigenous cultural communities, women, youth and such other sectors as may be provided by law, except the religious sector.<sup>53</sup> The late Congresswoman Estelita Juco represented the women and handicapped sectors. As to the other nominee representing the women sector, Teresita Quintos-Deles brought a case to compel the Commission on Appointments to allow her to assume her position without subjecting her appointment to the confirmation process.<sup>54</sup> According to the Supreme Court, only appointments mentioned in Section 16, Article VII of the Constitution require confirmation by the Commission on Appointments. Since the seats reserved for sectoral representatives in paragraph 2, Section 5, Article VI may be filled by appointment by the President by express provision of Section 7, Article XVIII of the Constitution, "it is indubitable that sectoral representatives to the House of Representatives are among the other officers whose appointments are vested in the President in this Constitution." It was pointed out that the President had expressly submitted petitioner's appointment for confirmation by the Commission on Appointments and considering that Congress had adjourned without acting upon it, such appointment/nomination became moot and academic unless resubmitted by the President.

Since then, Congresswoman Juco died in office and the President has nominated Jurgette Honculada of the National Commission on the Role of Filipino Women and Trinidad Domingo of the Katipunan ng Bagong Filipina as women sectoral representa-

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<sup>50</sup>CONST., art. VI, sec. 5(1).

<sup>51</sup>CONST., art. VI, sec. 5(1) & (2).

<sup>52</sup>Executive Order No. 198 (1987)

<sup>53</sup>CONST., art. VI, sec. 5(2).

<sup>54</sup>Quintos-Deles, et al. v. Commission on Appointments, G.R. No. 83216, September 4, 1989.

tives. However, the Commission on Appointments by-passed their nominations twice which implies a bias against women in politics, considering that the majority members of the Commission on Appointments are men.

### C. Right of Political Expression

A citizen helps mold public opinion when one expresses views on an issue and thereby influences the making of policy and other political decisions. Freedom of expression is considered as one of the preferred freedoms, the exercise of which is to be encouraged since it is indispensable in a democratic government. Without effective and vigorous public opinion, democracy cannot subsist. Cognizant of this, the Philippine Constitution provides that "no law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances."<sup>55</sup>

Freedom of expression includes not only the specific guarantees of free speech and a free press, the rights of assembly and to petition but also the right to religious freedom and the right to form associations not contrary to law. The liberty of speech and of the press implies the right to freely discuss issues publicly and truthfully as well as publish any matter of public interest without censorship or punishment. There is to be, then, no previous restraint on the communication of views or subsequent liability whether in libel suits, prosecution for sedition, or action of damages, or contempt proceedings unless there be a clear and present danger of substantive evil that Congress has a right to prevent.<sup>56</sup>

Under Philippine jurisprudence, there are two abstract rules resorted to by the courts for justified limitation on the freedom of speech and the press. Both tests recognize that a limitation on this freedom may be justified by the danger or evil that the state has the right to prevent. These are the "dangerous tendency" rule and the "clear and present danger" test.<sup>57</sup> Under the "dangerous tendency" rule, "if the words uttered create a dangerous tendency which the state has a right to prevent, then such words are punishable." It is not necessary that the danger should be evident, impending, pressing, and imminent. It is sufficient that acts of

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<sup>55</sup>Art. III, sec. 4.

<sup>56</sup>Gonzales v. Commission on Elections, G.R. No. 27833, April 18, 1969, 27 SCRA 835, 856-7 (1969).

<sup>57</sup>Id. at 858-9 citing Cabansag v. Fernandez, 102 Phil. 152, 161 (1957).

force, violence or unlawfulness be advocated in general terms and that the natural tendency and probable effect of the utterance is to bring about a substantive evil which the legislative body seeks to prevent. On the other hand, under the "clear and present danger" test, the evil consequence of the comment or utterance must be extremely serious and the degree of imminence extremely high before the utterance can be punished.<sup>58</sup> The other test mentioned in a separate opinion of Justice Fred Ruiz Castro in the case of *Gonzales v. Commission on Elections* is the so-called "balancing of interests test" which requires a court to take conscious and detailed consideration of the interplay of interests observable in a given situation. Thus, the court has the duty of determining which of the two conflicting interests—the interest of the government or the constitutional right involved—demands the greater protection under the particular circumstances.<sup>59</sup> Every form of communicating ideas, by words, spoken or printed, by symbolic presentations, by cartoons, pictures or through radio, television, or peaceful picketing is included within the term "freedom of expression".

Although freedom of expression is not identical with the right of assembly and petition, these rights are cognate and inseparable because the latter is a complement of the former. The right of assembly means the right of the citizens to meet peaceably for consultation in respect to public affairs while the right to petition means that any person or group of persons can apply, without fear of penalty, to the appropriate branch of government for redress of grievances.<sup>60</sup> Like the freedom of expression, this right includes at the very least the freedom from prior restraint as well as the right against any subsequent punishment for its exercise. However, it is not absolute since the presence of a clear and present danger of a substantive evil that the State has a right to prevent by virtue of its police power may serve as a justification for a permissible previous restraint.

Also included in the right of political expression is the expression of beliefs through political parties or association with groups in espousing a particular cause which may take the form of concerted action through peaceful assemblies or petitions to the government for redress of grievances. The right to form associations is found in

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<sup>58</sup>This was adopted in an earlier decision of *Primicias v. Fugoso*, 80 Phil. 71 (1948).

<sup>59</sup>*Gonzales v. Commission on Elections*, supra note 56 at 900-901 citing *American Communications Assn. v. Donds*, 339 U.S. 383, 94 L. Ed. 925, 943.

<sup>60</sup>*U.S. v. Bustos*, 37 Phil. 731 (1918).

several provisions in the Constitution. In Section 8, Article III, it provides that "the right of the people, including those employed in the public or private sectors to form unions, associations, or societies for purposes not contrary to law shall not abridged." Insofar as labor is concerned, Section 3, Article XIII, states that the State shall "guarantee the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law" while it reiterates that "the right to self-organization shall not be denied to government employees."<sup>61</sup> The purpose of this constitutional guarantee is to encourage the formation of voluntary associations so that through the cooperative activities of individuals, the welfare of the nation may be advanced and the government may receive assistance in its ever increasing public service activities.<sup>62</sup>

The right of association was invoked in the case of *Philippine Association of Free Labor Unions v. Secretary of Labor*<sup>63</sup> where Section 23 of Republic Act No. 875, otherwise known as The Industrial Peace Act, required the registration of labor unions which was claimed as violative of the Bill of Rights. The Supreme Court held that the said requirement is not a limitation of the right of assembly or association which may be exercised with or without said registration but that such requirement is merely a condition for the acquisition of legal personality by labor organizations and the possession of the rights and privileges granted by law to legitimate labor organizations. In another case,<sup>64</sup> the constitutionality of Republic Act No. 1700 or the Anti-Subversion Act<sup>65</sup> which declared the Communist Party of the Philippines and other similar organizations illegal and outlawed was upheld by the Supreme Court. It can be seen that the right to form associations may be abridged or interfered with by the state only when the organization and existence of such association create a clear and present danger of some substantive evil or, danger to public order, public peace, public morals or public society.

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<sup>61</sup>CONST., art. IX-B, sec. 2(5).

<sup>62</sup>V.G. SINCO, op. cit., p. 668-9.

<sup>63</sup>G.R. No. 22228, February 27, 1969, 27 SCRA 40 (1969).

<sup>64</sup>*People v. Ferrer*, G.R. Nos. 32613-14, December 27, 1982, 48 SCRA 382 (1972); motion for reconsideration denied, April 30, 1974, 56 SCRA 793 (1974).

<sup>65</sup>This was amended by Pres. Decree Nos. 885 (1976) and 1736 (1980). These Presidential Decrees were repealed by Executive Order No. 167 (1987) but it revived Republic Act No. 1700, too. On the other hand, Executive Order No. 276 (1987) amended Rep. Act No. 1700.

#### D. Right to Information

The right to information on matters of public concern was first recognized in the 1973 Constitution and is elucidated further in the 1987 Constitution. It provides that "the right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents, and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded to the citizen, subject to such limitations as may be provided by law."<sup>66</sup> These constitutional provisions are self-executing. This means that no ancillary act of the legislature is required to implement them, since the Charter mandates that it is the duty of the State to afford access to information. Whatever may be provided for by law must be reasonable and limitations upon the access must be consistent with the declared state policy of full disclosure of all transactions involving public interest.<sup>67</sup> These provisions were inserted by the Constitutional Commission as a reaction to the government practice of withholding research data from the public whenever such data contradicted espoused government policies during the martial law regime.<sup>68</sup>

This fundamental right was explained in the case of *Legaspi v. Civil Service Commission*,<sup>69</sup> where a request for information on the civil service eligibilities of certain sanitarians in the Health Department of Cebu City was earlier denied by the Civil Service Commission which brought about a special civil action for *mandamus* in the Supreme Court. The Court ruled that the civil service eligibility of a sanitarian being of public concern, and in the absence of express limitations under the law upon access to the register of civil service eligibles for said position, the duty of the respondent Commission to confirm or deny the civil service eligibility of any person occupying the position becomes imperative. In that case, Justice Irene R. Cortes speaking for the Court explained the incorporation of this right in the Constitution as follows:

"The incorporation in the Constitution of a guarantee of access to information of public concern is a recognition of the essentiality of the free flow of ideas and informa-

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<sup>66</sup>CONST., Art. III, sec. 7.

<sup>67</sup>CONST., Art. II, sec. 28.

<sup>68</sup>1 CONSTITUTIONAL COMMISSION RECORDS 708-10, 757-8, 760 (1986).

<sup>69</sup>G.R. No. 72119, May 29, 1987, 150 SCRA 530 (1987).

tion in a democracy (*Baldoza v. Dimaano*, Adm. Matter No. 1120-MJ, May 5, 1976, 17 SCRA 14). In the same way that free discussion enables members of society to cope with the exigencies of their time (*Thornhill vs. Alabama*, 310 U.S. 88, 102 [1939]), access to information of general interest aids the people in democratic decision-making (87 *Harvard Law Review* 1505 [1974]) by giving them a better perspective of the vital issues confronting the nation.

However, the Court further explained that this constitutional guarantee is not absolute, as indicated in Article III, section 7 which subjects this right to "limitations as may be provided by law." In so providing, the 1987 Constitution recognizes that certain types of information, such as that pertaining to national security, must necessarily be restricted from public scrutiny. There being no rigid test to determine what matters could be construed as not of public interest, it is left to the courts to decide the question on a case to case basis.

## V. CONCLUSION

The Philippines is signatory to the Convention on Political Rights of Women,<sup>70</sup> the International Covenant on Civil and Political Rights,<sup>71</sup> and its Optional Protocol.<sup>72</sup> Articles 1 to 3 of the Convention on Political Rights reiterates our policies that: women shall be entitled to vote in all elections on equal terms with men without discrimination; women shall be eligible for election to all publicly elected bodies established by national law, on equal terms with men, without any discrimination; and that women shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men without any discrimination. These policies were reiterated and succinctly stated in the International Covenant on Civil and Political Rights, which provides the following international norm:

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<sup>70</sup>Signed by the Philippines on 23 September 1953 and ratified on 1 April 1957, 3 PTS 87, 193 UNTS 135.

<sup>71</sup>Signed by the Philippines on 19 December 1966 and ratified on 23 October 1986.

<sup>72</sup>Signed by the Philippines on 19 December 1966 and ratified on 28 February 1986.

"Article 25. Every citizen shall have the right and opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions.

- a. To take part in the conduct of public affairs, directly or through freely chosen representatives;
- 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;
- c. To have access, on general terms of equality, to public service in his country."

The empowerment of women through full participation in the political processes and structures is the main political goal for women. The exercise of political rights, participation in the determination of laws and policies must not be limited to traditional concerns of women; but they must participate in issues that are usually associated primarily with men.

Before the 1987 elections, a Women's Political Party (WPP) was formed with Maita Gomez, Dorris Baffrey, Nikki Coseteng, Wilhelmina Orosco, Princess Tarhata Alonto-Lucman, and Charito Planas as organizers. The reason for its establishment is succinctly stated by Orosco:<sup>73</sup>

"Women's rights are not secondary or a tertiary objective. Women should be a primary force in politics. Women should also take the lead. If setting up a women's political party is one way of doing it, then we are doing it."

However, full participation is dependent upon literacy and education and, as such, attention must be devoted to ensure that literacy, education, and information which is the backbone of popular participation, are made available to all. As Orosco further says:

"In the past, women acted as entertainers, secretaries, and administrative officers during elections. A handful were asked to be candidates. And if a woman wanted to become a candidate, she had to be somebody like

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<sup>73</sup>B.G. Quiambao, "Women's Political Party: Putting Up a Tough Fight," Sunday Times Mag., October 19, 1986, p. 11, 16.

[Eva] Kalaw and [Corazon] Aquino. Politics in the Philippines has for so long been dominated by men and the kind of morality in politics is very much in need of an overhaul. The political processes in the country have been so corrupted that we need new ways, new perceptions, new methods and new strategies of effecting changes in Philippine politics.

If women are placed in key government positions, there will be no 'rough sailing' in working for maternity leaves for women, stricter legislation against prostitution, revision of anti-women laws, and promulgations like the Civil Code, and a host of other women's demands which the present women's movements have failed to concretize.<sup>74</sup>

Many men view the establishment of the all-women's party as ushering in an era of sexist politics, with women acting like chauvinists. The women organizers argue that "when women start banding themselves together and asserting themselves, they see it right away as female chauvinism but when men dominate the political parties and sit comfortably on women's issues and demands, those people do not realize that it is male chauvinism."<sup>75</sup>

It should be noted that although the Philippines has a female President, it has only two women Senators (8.6 percent) in its upper house and 18 women representatives (9.05 percent) in its lower house.

As for the elective offices in the local governments, there are five women governors in 73 provinces (6.84 percent), and eight women vice-governors (10.95), five women mayors (8.33 percent), and eight women vice-mayors (13.33 percent) out of 60 chartered cities, 109 women mayors (7.11 percent), and 94 women vice-mayors (6.14 percent) out of 1,532 municipalities.

The recent concluded expert group meeting on Equality in Political Participation and Decision-Making, which was held at Vienna from 18 to 22 September 1989, made the following recommendations which should be taken into consideration:

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<sup>74</sup>Ibid.

<sup>75</sup>Ibid., p. 16.

## 1. National policy

9. A 'gender equality policy' should be adopted, aimed at increasing the number of women in decision-making positions at all levels.
10. A balance should be achieved in public appointments, moving beyond absence of women or tokenism.
11. More women with linkages to organizations representing women's interests should be appointed to promote accountability and to enlarge their social base of support.  
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13. Issues of particular relevance to women should be given high priority in national development to make optimal use of women's potential and participation.
15. National machineries for the advancement of women should be encouraged to pay special attention to political empowerment of women in formulating and implementing programmes, collecting, and disseminating information and mobilizing resources.  
\* \* \*
18. Efforts should be made to ensure the appointment of women to decision-making posts in ministries in which women are most underrepresented such as those concerned with foreign affairs, defence, interior affairs, trade, finance, agriculture, and the economy.  
\* \* \*
20. Priority should be given to increasing civic education, including equal participation of women, in formal and non-formal education systems, with an emphasis on 'legal and political awareness'.

## 2. Political parties

22. As an interim measure, substantial targets, such as quotas or similar forms of positive action to ensure women's candidacy for office and participation in political party posts, should be adopted.
23. Training programmes should be developed to increase the political and management skills of women in politics, both as candidates and as elected or appointed officials, especially making use of the experience of the women who have achieved public office.
24. Women's sections of parties should be evaluated and strengthened to enable them to influence party policy and promote female candidacy.

25. Information on potential women candidates should be compiled and maintained on a systematic basis and made available when candidacy or appointments are considered.
26. Parties should be encouraged to examine the criteria used to select persons for political functions to ensure that the varieties of experience possessed by women are taken into account in selection.
27. Training activities should be developed to make party members sensitive to the needs and potentials of female members.
28. As an interim measure where the electoral system might make it useful, parties should undertake special measures to provide funding for women candidates for office.

### **3. Other organizations**

29. As an interim measure in trade unions, farmers' associations and related economic organizations, co-operatives and professional and other associations, substantial targets, such as quotas or similar forms of positive action should be adopted to ensure women's participation in decision-making posts.
30. Women's organizations should compile and maintain on a systematic basis and make available information on women with relevant qualifications when candidacy or appointments are considered by public entities.
31. Training for women in political skill building, media relations and resource generation should be provided within organizational programmes.
32. Women's organizations should increase their participation in civic and political education, including the formation of groups to lobby actively for their interests.

### **4. Information**

33. Relevant data on women's participation at all levels of public decision-making should be collected periodically at the national level by Governments.
34. Studies of women's participation in politics, both in quantitative and qualitative terms, should be encouraged as part of research programmes.

With the 1992 elections forthcoming, the WPP or any political party could well utilize the foregoing constitutional empowerment measures to strengthen the party and further the cause of women's political rights.