



## Executive Summary

The **People's Draft** is a crowd-sourced constitution framed in 2018-2021 at the initiative of **Tanggulang Demokrasya (Tan Dem), Inc.**<sup>ii</sup> and **PUBLICUS Asia, Inc.**<sup>iii</sup> These organizations of concerned citizens firmly believe that national transformation may be achieved only if “culture change” comes with “system change.”

The People's Draft is the *simplest draft*. It is a 10-page constitution (with a 2-page ordinance). About 70% of the language is adopted from previous constitutions (i.e. 1987, 1973, 1935). It uses common concepts (i.e. president, congress, supreme court) the people understand.

It is the *broadest draft* including: (1) “*Free and Open Competition*” (NO *cartelization*), lifting restrictions on entry of capital for job creation, price reduction and tax generation, subject to safeguards (i.e. foreign investment council) and reciprocity; (2) “*Collegial Rule*” (NO *one-man rule*), vesting ultimate political power in the national assembly and the local councils, for continuity of plans and programs and integrated law making and implementation, and (3) “*Regional Empowerment*” (NO *remote governance*), handing over major decision-making powers thru a “bottom-up” not “top-down” approach, based on *right to self-determination*.

It consolidates the “executive” and the “legislature” as one “political branch” for a strong government, but retains the “judiciary” as a separate “non-political branch” for checks and balances. It phases “regional decentralization” based on “subsidiarity” and “accession,” establishing a “unitary state” but enabling the regions to form substates and transition to a “federal state.” It adopts asymmetric decentralization, where the people may choose from 3 systems: regional authority (i.e. SBMA), autonomous region (i.e. BARMM) or substate (i.e. Sabah). NO region is forced to, or prevented from, creating an autonomous region or substate.

The People's Draft presents a cost-saving system of government:

- Con-Com draft: **PhP40,876,211,465.00 est. annual cost**
- PDP-Laban draft: **PhP30,327,617,981.00 est. annual cost**
- **People's Draft: PhP13,457,281,108.00 est. annual savings**

The People's Draft boosts political efficiency with:

- (1) NO *duplication of legislation*; unicameral assembly avoids bicameral delay and deadlock (i.e. unicameral - 1 approval by congress; bicameral - 3 approvals by house, senate & bicameral committee);
- (2) NO *institutional deadlock*; legislation & execution merged in assembly or council; legislators elect & remove the chief executive;
- (3) NO *overlapping jurisdiction* of LGUs; City & Municipality as basic LGU; Mayor as primary local official;
- (4) NO *bloating of bureaucracy*; Mayors as *ex-officio* members of provincial board; Mayors and district Congressmen as *ex-officio* members of regional assembly, if any; and
- (5) NO *excessive politics*; local councils elect local chiefs (i.e. governor, mayor, *punong barangay*); Mayors appoint *Barangay Kagawad* nominated by community associations.

The People's Draft anchors political stability with:

- (1) NO *term extension* for any elective official, including the President, Vice-President, Senators, Congressmen, all local elective officials;
- (2) NO *term reduction* for any elective official; Senators elected in May 2022 serve as such until June 2025, and thereafter as *ex-officio* members of the new Congress until June 2028;
- (3) NO *service disruption* for all career officers and employees of the national government and the LGUs;
- (4) Sets *5-year term* for Congressmen & Councilors; and
- (5) NO *reorganization* of Supreme Court; Justices continue old terms under the new Constitution.

The People's Draft promotes political democracy that:

- (1) Secures the people's *right to elect* the President or Mayor *via* team voting; the ballots disclose both the candidate and the nominee for chief executive (*aka* electoral college);
- (2) Provides *fair and equal opportunity* to win elections with *less votes* (i.e. less campaign expenses) thru "voting by district" in several small constituencies or single-member districts, instead of "voting at large" in one sizeable constituency or multi-member district;
- (3) Ensures *genuine representation* of sectors & peoples in Congress thru "sectoral voting" instead of "party-list voting;" seats are apportioned, voters classified, and organizations registered, by sector & people;
- (4) Retains the *3-term limit* for Congressmen and Councilors;
- (5) Bars *2 or more family members* from running in elections in the same national or local constituency;
- (6) Provides for the *dissolution* of Congress and *fresh elections* for a popular vote on fundamental issues;
- (7) Lowers the *signature requirement* for people's initiative and referendum;<sup>iv</sup> and
- (8) Provides for *manual safeguards* to automated elections.

The People's Draft strengthens political accountability that:

- (1) Imposes *immediate accountability* on the chief executive (i.e. president, governor, mayor, *punong barangay*) thru removal by "vote of no confidence" (i.e. Congress, local council);
- (2) Provides *mid-term accountability* by "recall" of Congressmen; and
- (3) Sets *widest accountability* by limiting "impeachment" to Supreme Court Justices only (excl. CSC, Comelec, COA & Ombudsman).

The People's Draft ensures a stable economy with: (1) NO *new taxes* by substates on imports, exports, income, value added, unless allowed by Congress; (2) NO *new laws* by substates on currency, banking, insurance, insolvency, commerce, intellectual property, professions, immigration & naturalization, unless allowed by Congress; and (3) NO *extra budget* for Regional Authorities as regional offices of *select line departments*<sup>v</sup> will ONLY be integrated and consolidated thru *regional budgeting* into the *major regions*.<sup>vi</sup>

The People's Draft champions an inclusive society of the *Tri-People* (i.e. Christians, Muslims, Indigenous Peoples) that: (1) *Reserves seats* in Congress for labor, farmers, fisherfolk, micro enterprises, youth, Southern Sultanates & Indigenous Peoples; (2) mandates legal recognition of the Southern Sultanates, but Sovereignty and ALL political powers are retained by the People and the Government; and (3) affirms rights of the Indigenous Peoples to their ancestral lands.

The People's Draft promotes the national identity based on the people's *Southeast Asian culture*. It institutes *Lakan* as the head of state; establishes a *Lupong Pambansa* as the council of state (i.e. council of elders); and provides *inclusive* linguistic bases for the *wikang pambansa* (i.e. national language).<sup>vii</sup>

The People's Draft defends the national sovereignty. It restores "historic or legal title" as bases of the national territory (i.e. Philippine archipelago, Kalayaan islands, Sabah, exclusive economic zone). By recognizing the Sulu Sultanate, it strengthens the kingdom's claims to rentals for the lease of Sabah.

The People's Draft protects the national security. There will be NO "Balkanization" (or breakup of the State) because the new Constitution prohibits secession and the establishment of military & police forces by any substate. ONLY "internal security forces" (to protect persons & properties) will be allowed.

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<sup>i</sup> Facebook: #PeoplesDraft. Twitter: @PeoplesDraft.

<sup>ii</sup> TanDem is an NGO advocating "system change" and "electoral reform."

<sup>iii</sup> Publicus is a lobby firm.

<sup>iv</sup> 3% of the total number of registered voters, and 1% of the voters in every district.

<sup>v</sup> All departments and attached agencies, except DND, DILG, DFA, DOJ, DOF, DBM, NEDA and BSP.

<sup>vi</sup> Luzon, Visayas, Mindanao, Metro Manila & Bangsamoro regions.

<sup>vii</sup> National language based on Tagalog, and enriched by Cebuano, Ilocano, Hiligaynon, Waray-Waray, Bikol, Kapangpangan, Pangasinan, Maranao, Tausug, Maguindanao and Kinaray-a, among others.