



Executive Summary

The **People's Draft** is a crowd-sourced constitution framed in 2018 at the initiative of **Tanggulang Demokrasya (Tan Dem), Inc.**ⁱⁱ and **PUBLICUS Asia, Inc.**ⁱⁱⁱ These organizations are comprised of citizens who firmly believe that constitutional reform will finally change the nation's course of history, towards a strong republic and respected member of the international community.

The main features of the Peoples' Draft are as follows: (1) "Foreign investment liberalization" (for massive job creation and consumer price reduction); (2) "Collective rule" by a unicameral parliament and the local councils (for platform-based party politics, instead of personality-based politics); (3) "Regional decentralization" *via* the "bottom-up" approach, instead of the "top-down" approach (to empower the people of the regions).

The People's Draft is the shortest and 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 (like President, Congress, Supreme Court) understood by the people.

Nonetheless, the People's Draft is the most comprehensive draft. It restructures the "political branch" by merging the "executive" with the "legislature" (to harmonize legislation and execution), and retains the separation of the judiciary as the "non-political branch" (for checks and balances). It pursues asymmetric decentralization, enabling the people to choose either a regional authority (like SBMA), autonomous region (like BARMM) or sub-state (like Sabah), for full flexibility.

The People's Draft boosts political efficiency, providing:

- (1) *NO duplication of legislation*; unicameral assembly avoids bicameral delay and deadlock; faster than bicameral process requiring 3 approvals, i.e. house, senate, bicam committee;
- (2) *NO overlapping jurisdiction* of LGUs; City & Municipality as main LGU; Mayor as primary local official;
- (3) *NO bloating of bureaucracy*; Mayors and district Representatives as *ex-officio* members of higher bodies (i.e. provincial board, regional assembly);
- (4) *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, providing:

- (1) *NO term extension* for any elective official, including the President, Vice-President, Senators, Representatives, all local elective officials;
- (2) *NO term reduction* for any elective official; Senators elected in May 2019 serve as *ex-officio* members of the new Congress until June 2025;
- (3) *NO absolute abolition* of Senate, which is merged into the House; Senators as new Regional Representatives under the new Constitution;
- (4) *NO reorganization* of Supreme Court; Justices *continue old terms* under the new Constitution;
- (5) *NO service disruption* for all officers and employees of the national government and the LGUs.

The People's Draft phases in "regional decentralization" based on "subsidiarity" and "accession." It establishes a "unitary state," but provides a process for transition to a "federal state," *if and when* the people desire it. NO region is forced to, or prevented from, creating an autonomous region or sub-state.

The "regional decentralization" process addresses the major "security" and "finance" concerns. There will be NO "Balkanization" (or breakup of the State) because the draft prohibits secession and the establishment of

military & police forces by sub-states. ONLY “internal security forces” (to protect persons & properties) will be allowed. Basic “regional decentralization” is provided with NO additional budget for new government offices, because the existing regional offices of *select line departments*^{iv} will ONLY be integrated and consolidated into 6 major regions.^v

The People’s Draft pursues strong political reforms, that:

- (1) Checks *political dynasties*; 2 or more family members barred from elections in the same national or local constituency;
- (2) Enables political parties to capture the political branches with less votes (i.e. less campaign expenses) *via* multiple small district elections (i.e. Congress, local council);
- (3) Provides *immediate accountability* of chief executives (i.e. President, Governor, Mayor, Punong Barangay) *via* vote of no confidence (i.e. Congress, local council);
- (4) Provides *mid-term accountability* of congressional Representatives *via* recall elections;
- (5) Provides a *stable term* of 5 years for Representatives & Councilors, with mid-term recall and 3-term limit;
- (6) Secures the people’s *right to vote* for chief executive *via* party voting; the ballots disclose both the candidate and the nominee for President or Mayor (*aka* electoral college);
- (7) Limits *impeachment* to SC only, excluding CSC, Comelec, COA & Ombudsman;
- (8) Provides *manual safeguards* to automated elections.

The People’s Draft champions genuine social reforms, that: (1) Ensures the *genuine representation* of sectors and peoples in Congress, i.e. workers’ associations under DOLE (not party-list groups under Comelec); (2) Provides *reserved seats* in Congress for labor, farmers, fishermen, youth, Southern Sultanates and Lumads; (3) Provides *legal recognition* of the Southern Sultanates, BUT sovereignty and ALL political powers are retained by the People and the Government.

The People’s Draft defends the national sovereignty. It reinstates the broad legal bases (i.e. historic right, legal title) of the national territory (i.e. legal jurisdiction over Kalayaan Islands; historical claims to Sabah). By recognizing the Sulu Sultanate, it strengthens the kingdom’s proprietary claims to Sabah.

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); mandates the recognition of the Southern Sultanates; affirms the Lumad peoples and their ancestral lands; and provides *inclusive* linguistic bases of the national language.^{vi}

The People’s Draft adopts prudent economic safeguards, providing: (1) Foreign investment liberalization NOW, subject to limitations by Congress later; (2) NO *new taxes* by sub-states on imports, exports, income, value added, unless allowed by Congress; (3) NO *new laws* by sub-states on currency, banking, insurance, insolvency, commerce, intellectual property, professions, immigration & naturalization, unless allowed by Congress.

Finally, the People’s Draft presents the most cost-efficient option for constitutional reform:

- Con-Com draft: PhP40,876,211,465.00 est. add’l. annual budget
- PDP-Laban draft: PhP30,327,617,981.00 est. add’l. annual budget
- **People’s Draft: (PhP13,457,281,108.00) est. annual savings in budget**

ⁱ Facebook: #PeoplesDraft. Twitter: @PeoplesDraft.

ⁱⁱ TanDem is an NGO. In pursuit of “system change” and/or “electoral reforms,” TanDem has collaborated with various organizations, including the Center for Preservation of Historical Rights of the Sulu Archipelago, Citizen National Guard (CNG), Federation of Free Workers (FFW), Global Filipino Nation (GFN), Lumad Mindanao Peoples Federation (LMPF), Network Revolution (RevGov) and Philippine Constitution Association (Philconsa).

ⁱⁱⁱ Publicus is a lobby firm.

^{iv} All departments and attached agencies, except DND, DILG, DFA, DOJ, DOF, DBM, NEDA and BSP.

^v NCR, Cordillera, Luzon, Visayas, Mindanao & Bangsamoro regions.

^{vi} National language based on Tagalog, and enriched by Cebuano, Ilocano, Hiligaynon, Waray-Waray, Bikol, Kapangpangan, Pangasinan, Maranao, Tausug, Maguindanao and Kinaray-a, among others.