

# Philippine Government and Constitution

## Elements of State

1. People
2. Territory
3. Government
4. Sovereignty
  1. internal
  2. external

## Origin of States

1. Devine Right Theory
2. Necessity or Force Theory
3. Paternalistic Theory
4. Social Contract Theory

## State distinguished from nation

State is a political concept while nation is an ethnic concept.

State is not subject to external control while nation may or may not be.

A single state may consist of one or more nations or people and conversely, a single nation may be made up of several states.

## Purpose and Necessity of Government

1. Advancement of the public welfare
2. Consequence of absence

## Forms of Government

As to number of persons exercising sovereign powers:

1. Monarchy
  1. absolute
  2. limited

1. Aristocracy
2. Democracy

1. direct or pure democracy

2. Indirect, representative, or republican

As to extent of powers exercise by the central or national government:

1. Unitary government
2. Federal Government

As to relationship between the executive and the legislative branches of the government:

3. Parliamentary government
4. Presidential government

## **THE GOVERNMENT OF THE PHILIPPINES IN TRANSITION**

### **The pre-Spanish government**

1. Unit of government
2. Datu
3. Social classes in the government
  1. nobility
  2. freemen
  3. serfs
  4. slaves
4. Early Laws
  1. Maragtas Code
  2. Kalantiaw Code

### **Government during the Spanish period**

1. Spain's title to the Philippines
2. Spanish Colonial government
3. Government in the Philippines unitary
4. The Governor-General
5. The Judiciary

### **Government during the Revolutionary era**

1. The Katipunan government
2. The Biak-na-bato republic
3. The Dictatorial Government
4. The Revolutionary Government
5. The First Philippine Republic

## **Governments during the American regime**

1. The Military Government
2. The Civil Government
3. The Commonwealth Government of the Philippines

## **Government during the Japanese occupation**

1. The Japanese Military Administration
2. The Philippine Executive Commissions
3. The Japanese-sponsored Republic of the Philippines

## **The Provisional Government of 1986**

1. Revolutionary
2. De jure./ de facto – the first is one constituted or founded in accordance with the existing constitution not in accordance with the procedure provided in an existing constitution of the state, while the other is not so constituted or founded but has the general support of the people and effective control of the territory over which it exercises its powers.
3. Constitutional and transitory
4. Democratic
5. Powers
6. The Provisional Constitution

## **CONCEPT OF CONSTITUTION**

### **Nature and purpose or function of constitution**

1. Serves as the supreme or fundamental law
2. Establishes basic framework and underlying principles of government

### **Kinds of Constitution**

1. As to their origin and history
1. Conventional or enacted
2. Cumulative or evolved
3. Written
4. Unwritten
5. Rigid or inelastic
6. Flexible or elastic
1. as to their form

1. As to manner of amending them:

### **Requisites of a good written constitution**

1. As to form, a good written constitution should be:
  1. Brief
  2. Broad
  3. Definite
2. As to contents, it should contain at least three sets of provisions:
  1. That dealing with the framework of government and its powers, and defining the electorate. This group of provisions has been called the constitution of government.
  2. That setting forth the fundamental rights of the people and imposing certain limitations on the powers of the government as a means of securing the enjoyment of these rights. This group has been referred as to the constitution of liberty.
  3. That pointing out the mode or procedure for amending or revising the constitution. This group has been called the constitution of sovereignty

## **CONSTITUTIONS OF THE REPUBLIC OF THE PHILIPPINES**

The 1935 Constitution

The 1973 Constitution

### **Parts of the 1987 Constitution**

Preamble

Article 1 – National Territory

Article II – Declaration of Principles and State Policies

Article III – Bill of Rights

Article IV – Citizenship

Article V – Suffrage

Article VI – Legislative Department

Article VII – Executive Department

Article VIII – Judicial Department

Article IX – Constitutional Commission

Article X – Local Government

Article XI – Accountability of Public Officers

Article XII – National Economy and Patrimony

Article XIII – Social Justice and Human Rights

Article XIV – Education, Science and Technology, Arts, Culture and Sports

Article XV – The Family

Article XVI – General Provisions

Article XVII – Amendments or Revisions

Article XVIII – Transitory Provisions

## **AGRARIAN REFORM IN THE PHILIPPINES**

### A. The agrarian problem

1. The Philippines agrarian problem
2. Right to own property, universal but limited
3. A *historico-political* survey of the agrarian problem and agrarian legislation

### B. Imperative of Agrarian Reform

1. Necessity of agrarian reform in the Philippines
2. Objections to agrarian reforms
3. Components of agrarian reform
4. Arguments for the “land to the tiller” program
5. Companion measures to land distribution
6. Role of the farmer in agrarian reform
7. Role of the landlord in agrarian reform

### C. Constitutional Provisions Relevant to Agrarian Reform

1. Promotion of just and dynamic order
2. Expropriation of private property
3. Promotion of social justice

### D. Bill of Rights for Agricultural Labor

1. Exercise of right to self-organization

### **CARP**

1. Coverage
2. Improvement of Tenurial and Labor Relation
  1. Agricultural Leasehold and lease rental determination
  2. Production sharing plan
3. Land Acquisition and Redistribution
  1. Compulsory acquisition of private lands
  2. Qualified beneficiaries
  3. Compensation
  4. Corporate farms
  5. Support Services

## **GENERAL PRINCIPLES OF TAXATION**

### **Concepts, Nature, and Characteristics of Taxation and Taxes**

1. Purpose and importance of taxation
2. Essential characteristics of tax
3. Theory and basis of taxation
4. Nature of power of taxation

### **NATIONAL TAXES**

1.
  1. Income Tax
  2. Estate Tax
  3. Donor's Tax
  4. Value Added Tax
  5. Percentage Taxes
  6. Excise Tax
  7. Documentary Stamp Tax
  8. Custom Duties
  9. Travel Tax

- 10. Energy Tax
- 11. Private Motor Vehicle Tax

## PRACTICE TEST

### Philippine Government with New Constitution

1. All of the following constitute the meaning of political science except:
  - A. A basic knowledge and understanding of the state.
  - B. It is primarily concerned with the association of human beings into a political community.
  - C. Common knowledge every events taking place in the society.**
  - D. It deals with the relationship among men and groups which are subject to the control by the state.
  
2. It refers to the community of persons more or less numerous, permanently occupying a definite portion of territory, having a government of their own to which the great body of inhabitants render obedience, and enjoying freedom from external control.
  - A. Sovereignty
  - B. Nation
  - C. Citizenship
  - D. State**
  
3. It refers to the agency through which the will of the state is formulated, expressed and carried out.
  - A. Government**
  - B. Sovereignty
  - C. Constitution
  - D. Laws
  
4. What are the four elements of state?
  - A. people, territory, sovereignty, government**
  - B. people, constitution, territory, government
  - C. government, law, peace, territory
  - D. constitution, people, land, independence
  
5. What theory asserts that the early states must have been formed by deliberate and voluntary compact among the people to form a society and organize government for their common good?
  - A. Necessity Theory
  - B. Devine Right Theory
  - C. Social Contact Theory**
  - D. Social Compact Theory

6. Government exists and should continue to exist for the benefit of the people.
- A. The statement is a general truth.
  - B. The statement is just an assumption.
  - C. The statement is a fallacy.
  - D. There is no basis for judgment.
7. What are the forms of government in which the political power is exercised by a few privilege class.
- A. Oligarchy and Aristocracy
  - B. Aristocracy and Monarchy
  - C. Theocracy and Fascism
  - D. Democracy and Tyranny
8. The pre-colonial Philippines has no established government. Its villages and settlements were called *barangays*.
- A. Only the first statement is true and correct.
  - B. Only the second statement is true and correct.
  - C. Both statements are true and correct.
  - D. Both statements are untrue and incorrect.
9. There were four social classes of people in the pre-colonial *barangays*. They were the nobles, freemen, serfs, and the slaves.
- A. Only the first statement is true and correct.
  - B. Only the second statement is true and correct.
  - C. Both statements are true and correct.
  - D. Both statements are untrue and incorrect.
10. What are the two known written codes during the pre-Spanish era in the Philippines?
- A. Maragtas and Kalantiaw Codes
  - B. Sumakwil and Sulayman Codes
  - C. Panay and Subanon Codes
  - D. Hammurabi and Ur Nammu Codes
11. Under the Spanish colonial government, who directly governed the Philippines?
- A. The Governor-General
  - B. The Viceroy of Mexico
  - C. The Royal Audiencia
  - D. The King of Spain



12. What is the first city to be established in 1565 in the Philippines?

- A. Manila
- B. Davao
- C. Cebu
- D. Iloilo

13. The government which Spain established in the Philippines was defective. It was a government for the Spaniards and not for the Filipinos.

- A. Only the first statement is true and correct.
- B. Only the second statement is true and correct.
- C. Both statements are true and correct.
- D. Both statements are untrue and incorrect

14. What was the secret society founded in 1896 that precipitated the glorious revolution against the Spaniards.

- A. The Katipunan
- B. The Kalahi
- C. The Biak na Bato Republic
- D. The Ilustrado

15. Arrange the sequence of governments during the revolutionary era:

- 1. The Dictatorial Government
- 2. The Revolutionary Government
- 3. The Biak-na-Bato Republic
- 4. The First Philippine Republic

- A. 2 3 1 4
- B. 3 1 2 4
- C. 4 1 3 2
- D. 1 2 3 4

16. Arrange according to its establishment during the American Regime:

- 1. The Commonwealth Government
- 2. The Military Government
- 3. The Civil Government

- A. 1 2 3
- B. 2 3 1
- C. 3 2 1
- D. 2 1 3

17. What was the civil government established during the Japanese occupation of the Philippines?
- A. The Japanese Imperial Government
  - B. The Philippine Republic
  - C. The Puppet Government of Japan
  - D. The Philippine Executive Commission
18. The Constitution used by the Philippine government from the commonwealth period until 1973.
- A. The Malolos Constitution
  - B. The Biak-na-Bato Constitution
  - C. The 1935 Constitution
  - D. The 1901 Constitution
19. What kind of government was installed under the 1973 Constitution under the Marcos regime?
- A. Modified Presidential system
  - B. Modified Parliamentary system
  - C. Military system
  - D. Bicameral system
20. A de facto government acquires a de jure status when it gains wide acceptance from the people and recognition from the community of nations.
- A. The statement is true and valid.
  - B. The statement is an assumption.
  - C. The statement is a fallacy.
  - D. The statement is doubtful.
21. It is defined as written instrument by which the fundamental powers of the government are established, limited and defined and by which these powers are distributed among the several departments or branches for their and useful exercise for the benefit of the people.
- A. Laws
  - B. Statutes
  - C. Constitution
  - D. Ordinances
22. There is no Constitution that is entirely written or unwritten.
- A. The statement is true and correct.
  - B. The statement is incorrect.
  - C. The statement is partially correct.
  - D. There is no basis to conclude.

23. Requisites of a good written constitution.

- A. Brief
- B. Broad
- C. Definite
- D. All of the given options

24. Who has the authority to interpret the constitution?

- A. Private individual
- B. Courts
- C. Legislative and Executive departments of the government
- D. All of the given options

25. "We, the sovereign Filipino people, imploring the aid of Almighty God , in order to build a just and humane society and establish a government that shall embody our ideals and aspirations, promote our common good, conserve and develop our patrimony, and secure to ourselves and our posterity the blessings of independence and democracy under the rule of law and the regime of truth, justice, freedom, equality and peace, do ordain and promulgate this Constitution."

What part of Constitution is this?

- A. General Provision
- B. Amendments
- C. Preamble
- D. National Patrimony

### **Economics, Taxation, Land Reform, and Cooperative**

1. The problem of scarcity \_\_\_\_\_.

- A. arises only in poor countries.
- B. exists because the price of goods is too high.
- C. exists because of limited resources.
- D. will eventually be solve by better planning.

2. "If an individual is to maximize the utility received from the consumption, he or she should spend all available income..." This statement assumes \_\_\_\_\_.

- A. that saving is impossible.
- B. that the individual is not satiated in all goods.
- C. that no goods are "inferior."
- D. both A and B.

3. An individual's demand curve

- A. represents the various quantities that the consumer is willing to purchase of a good at various price levels.

- B. is derived from an individual's indifference curve map.
- C. will shift if preferences, price of other goods, or income change.
- D. all of the above.

4. What is a firm?

- A. A president, some vice presidents, and some employees
- B. Any organization that wants to make a profit.
- C. Any accumulation of productive assets.
- D. Any organization that turns inputs into outputs

5. If more and more labor is employed while keeping all other inputs constant, the marginal physical productivity of labor \_\_\_\_\_.

- A. will eventually increase.
- B. will eventually decrease.
- C. will eventually remain constant.
- D. cannot tell from the information provided.

6. In general, microeconomic theory assumes that the firms attempt to maximize the difference between \_\_\_\_\_.

- A. total revenue and accounting costs.
- B. price and marginal cost.
- C. total revenues and economic costs.
- D. economic costs and average cost.

7. In a competitive market, efficient allocation of resources is characterized by \_\_\_\_\_.

- A. a price greater than the marginal cost of production.
- B. the possibility of further mutually beneficial transactions.
- C. the largest possible sum of consumer and producer surplus.
- D. a value of consumer surplus equal to that of producer surplus.

8. Price controls \_\_\_\_\_.

- A. are always popular with consumers because they lower prices.
- B. create shortages.
- C. increase producer surplus because firms can now sell a greater quantity of a good at a lower price.
- D. are necessary to preserve equity.

9. The excess burden of tax is \_\_\_\_\_.

- A. The amount of which the price of a good increases
- B. The loss of consumer and producer surplus that is not transferred elsewhere.
- C. The amount by which a person's after-tax income decrease as a result of the new tax.

D. The welfare costs to firms forced to leave the market due to an inward shift of the demand curve.

10. In the opening of the free trade, if world prices of a good are less than domestic prices of that same good, \_\_\_\_\_.

- A. domestic consumers will experience a loss of surplus.
- B. domestic prices will drop to the world price level.
- C. all domestic producers of that good will try to find another market because they can't compete with foreign producers.
- D. domestic producers will increase the quantity supplied in order to crowd out the foreign produced goods.

11. It states that as the price of the commodities increase the amount of goods the consumer is willing to purchase decrease and as the price of the commodities decrease the willingness of the consumer to buy increases and other factor remain constant.

- A. Law of Diminishing Marginal Utility
- B. Law of Gravity
- C. Law of Supply
- D. Law of Demand

12. A deliberate attempt to recognize and transform existing agrarian system with the intention of improving the distribution of agricultural incomes and thus fostering rural development.

- A. Millennium Development Plan
- B. Land Reform
- C. Water Reform
- D. Development Goals

13. What is the process by which the productive capacity of the economy is increased over time to bring about rising levels of national output and income?

- A. Economic growth
- B. Industry
- C. Economic development
- D. Employment

14. A system whereby the determination of exchange rate is left solely to the market forces.

- A. Foreign exchange liberalization
- B. Import liberalization
- C. Terms of trade
- D. Foreign investment

15. All are possible results when a high population growth rate continues in the Third World except

- A. growth of slums
- B. spread of diseases due to poverty and poor sanitation
- C. not enough schools, hospitals, roads, bridges, etc.
- D. increased Gross National Product

16. Which of the following is the nature of power of taxation?

- A. It is inherent in sovereignty.
- B. It is legislative in nature.
- C. It is subject to constitutional and inherent limitations.
- D. All of the above

17. A kind of tax based on the rate of which decreases as the tax base or bracket increases.

- A. Progressive
- B. Graduated
- C. Regressive
- D. Proportional

18. Agrarian reform program, Philippine experience is a success.

- A. The statement is generally true.
- B. The statement is doubtful.
- C. The statement is untrue.
- D. There is no basis to conclude.

19. It is also known as the Comprehensive Agrarian Reform Law (CARL)

- A. Presidential Decree # 2
- B. Presidential Decree # 27
- C. Republic Act 6657
- D. Republic Act 5766

20. The Cooperatives Development Program of the government is designed primarily to support the agrarian reform program. It aims to achieve a dignified existence for the small farmers free from pernicious institutional restraints and practices.

- A. Only the first statement is true and correct.
- B. Only the second statement is true and correct.
- C. Both statements are true and correct.
- D. Both statements are untrue and incorrect.

## Answer Key to Practice Tests

### Philippine Government with Constitution

1. C
2. D
3. A
4. A
5. C
6. A
7. A
8. C
9. C
10. A
11. D
12. C
13. C
14. A
15. B
16. B
17. D
18. C
19. B
20. A
21. C
22. A
23. D
24. D
25. C

### Economics, Taxation, CARP

1. C
2. D
3. D
4. D
5. B
6. C
7. C
8. B
9. B
10. B
11. D
12. B
13. A
14. A
15. D
16. D
17. C
18. C
19. C
20. C