

NOTES *and* COMMENT

Is The Two-Party Basis of Democracy A "Nonsensical Fiction"?

By MARTINIANO P. VIVO

THE most notable development in local politics since the inauguration of the Commonwealth government on November 15, 1935 was the fusion of the two major political parties into the Nationalist Party. Efforts have been made to organize an opposition party but so far, such attempts have been unsuccessful.

Perhaps intended as the last nail on the coffin of whatever nascent second party there may be was the significant pronouncement of the President of the Commonwealth before the Nationalist Convention on July 8, 1938. President Quezon took occasion to explode the theory that in a democracy a two-party government is indispensable. "That is a 'nonsensical fiction,'" he said, "because parties grow out of real and serious differences of opinion and belief in practical principles of government and not fabricated ones which political theorists think are necessary to a democracy." He asserted that democracy can exist without any political parties or with only one political party.

"This talk about democracy needing opposition is nonsense," said the President, "good in a school for beginners in the study of political science and in oratorical contests. George Washington warned the American people against the evils of party politics and he believed in democracy."¹

These words of the President are more than passing remarks on things inconsequential. They involve fundamental questions of government theory and practice and may in fact materially influence the trend of domestic political growth. We feel naturally constrained to give the matter some kind of special attention since we believe that things of this nature deserve serious consideration. In treating the subject thus set before us, three aspects present themselves, namely: First—Whether under our constitution and our laws a one-party system is contemplated; Second—Whether the experience of countries with the party system justifies a claim that two or more parties are unnecessary in a democracy; and Third—Whether local conditions call for the existence of two or more political parties.

I. THE PARTY SYSTEM UNDER OUR CONSTITUTION AND OUR LAWS

The delegates who framed our fundamental law were men mature in years and experience, and familiar with the history and political development of other countries of the world.² The product of their labors has been lauded as being "in a great many ways an admirable

¹ *The Philippines Herald*, July 10, 1939.

² *Angara v. Electoral Commission*, G. R. No. 45081, 1936. 1V *Lawyers' Journal* 619.

document, built solidly upon the basis of Philippine experience and embodying those great principles of the American constitutional system which are time-tested in their worth. At the same time, the new constitution has managed to avoid the inclusion of those features of the American system which have blocked progress in the past, or which have, at least, prolonged political strife. In addition to this, it contains a number of novel aspects which reflect most favorably upon the intelligence and foresight of its makers."³

Among the novel features of our Constitution is the Electoral Commission, a body distinct from the Judiciary and the Assembly, though more closely related to the latter.⁴ It is the sole judge of all contests relating to the election, returns, and qualifications of the members of the National Assembly and is composed of three Justices of the Supreme Court, designated by the Chief Justice, and of six members chosen by the National Assembly, three of whom being nominated by the party having the largest number of votes, and three by the party having the second largest number of votes therein.⁵

It would have been very easy for the Convention to ignore party considerations had it wanted to. There was, in fact, a strong sentiment of making the National Assembly the sole judge of all contests relating to election returns, and qualifications of its members; and also a desire for a greater number of majority assemblymen in the Electoral Commission than minority assemblymen.⁶ But the fear of the tyranny of a single party was so strong, that equal representation in the Electoral Commission was ultimately decided upon.

From the provision made for representation of two parties in the Electoral Commission, it is reasonable to conclude that a one-party system was neither contemplated nor desired. That provision is not alone an approval but also a direct encouragement and inducement for the formation of at least two political parties. This conclusion becomes more compelling when we take into account the recent opinion of the Secretary of Justice which concedes to the National Assembly the right of filling all the six legislative chairs in the Electoral Commission with members of one political party, if only one party be present or existing.⁷ The logical consequence would be the conversion of the Electoral Commission into a body controlled, dominated, and directed by the National Assembly and acting as the one party existing may command.

Without a second party, the Justices in the Electoral Commission are rendered powerless and useless, and the same purely political and partisan considerations which almost always characterized the decision of election contests before the creation of the Electoral Commission will once more be the rule. Without a second party, protests filed by candidates not belonging to whatever party might be in power will most likely be futile. That these ends were never sought for by the members of the Constitutional Convention need no elaborate argument to demonstrate.

³ Grayson L. Kirk. *Philippine Independence*, p. 166. Claro M. Recto. "The Philippine Constitution," VI Lawyer's Journal, p. 254.

⁴ *Angara v. Electoral Commission*, *supra*.

⁵ Article VI, Sec. 3.

⁶ *Angara v. Electoral Commission*, *supra*.

⁷ *The Philippines Herald*, February 3, 1939.

Not only in the composition of the Electoral Commission does the Constitution provide for more political parties than one but also in the provision for a Commission on Appointments and a Commission on Impeachments. Each of these is to consist of twenty-one members, chosen on the basis of proportional representation of the political parties therein.⁸ It need only be said in this connection that this provision is evidence of a desire to check the possible omnipotence of a single party, and, therefore, the necessity of a second party. For if only one party is really considered sufficient, it must follow that it is sufficient both outside and inside the National Assembly. But as we have seen, the Constitution takes the contrary view. It recognizes the necessity of more than one party and has made provisions for their existence.

This concept of a two-party system embodied in our Constitution is also recognized by our Election Code.⁹ Under this law the members of the board of election inspectors are appointed and apportioned on the basis of the party affiliation of the members thereof¹⁰; are nominated and proposed by the authorized representatives of the national directorate of the parties¹¹; and are relieved, substituted, and replaced upon petition of the representative of the party making the nomination.¹² And in case any officer shall fail to comply with an order of the court or any competent authority relative to the appointment of election inspectors or poll clerks, he shall immediately be suspended and replaced temporarily with a person belonging to the party of the suspended officer.¹³

The constant reference to political parties throughout the breadth and length of the Election Code

leaves no room for doubt that it was the intention of our lawmakers to encourage the growth of political parties. Surely, it was not by mere chance that political parties have been referred to. It was an inescapable recognition of vital factors in the moulding of a sound democracy which our legislators desire to perpetuate. That this recognition has been done now and has not been left to the future indicates a consciousness of the necessity of political parties even at, and perhaps because of, this stage of our political development.

II. THE PRESENT TENDENCY AND OUTLOOK OF THE PARTY SYSTEM ABROAD

We have gone at some length in our endeavor to show the constitutional and statutory status of the party system in the Philippines. Much as our Constitution and our laws may recognize the need for more than one political party, however, it may still be doubted whether that alone justifies the persistent claim that two parties at least are necessary for the maintenance of democracy. For indeed, lawmakers and even drafters of constitutions may be wrong, and the necessary implications of what they do may lead us astray. It would be, therefore, exceedingly advantageous to see how well or badly the party system has served other countries which had longer experience with it than ours.

Let us take the United States, our acknowledged tutor in our political education and the main model of our present framework of government. Contrary to ideas of President Quezon which, if

⁸ Art. VI, Sec. 7.

⁹ Com. Act No. 357.

¹⁰ Secs. 70, 71, 72.

¹¹ Sec. 73, 83.

¹² Secs. 74, 75, 78, 83.

¹³ Sec. 80.

heeded, would mean a partyless or a one-party government here, the party system in that Great Republic presents one continuous and ceaseless growth since she became independent.

At its inception, selfish party interests seemed to undermine the public good, and George Washington did not mince words when he warned his countrymen against party politics. President Quezon must have had in mind the following portion of President Washington's Farewell Address when he cited him to support his stand against the party system. Said President Washington: "The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries had perpetrated the most horrid enormities, is itself a frightful despotism. The disorders and miseries gradually incline the minds of men to seek security and repose in the absolute power of one individual; and sooner or later the chief of some prevailing faction more able or more fortunate than his competitors, turns this despotism to the purpose of his own elevation, on the ruins of public liberty. The common and continual mischiefs of the spirit of party are sufficient to make it clear in the interest and duty of a wise people to discourage and restrain it."¹⁴

Washington had in mind factions promoted for personal and selfish reasons, which are not the models of modern political parties that stand for definite principles and programs. But granting that Washington had in mind the modern political party, how much poorer or richer America would have been, or how much more power she would have possessed, had the Americans heeded the ad-

vice of their first President can only be a matter of speculation now. What is significant is that they heeded him not, and yet today America is not only the most powerful and influential single power in the world, but is also the principal outpost of democratic institutions. The party system in the United States has not only been maintained; it has every indication of being the mainstay of democracy and is bound to be the outstanding feature of American political life for ages to come.

"There is no longer any serious objection to the honest functioning of political parties in Western Democracy. The efforts of legislation have been to improve the party and make it a responsible political group; legislation has attempted to throw legal safeguards around the functions that it is supposed to perform. These functions may be classified as follows: The selection or nomination of official personnel; (2) the formulation of public policies; (3) conductors and critics of government; (4) political education; (5) intermediation between the individual and the government; (6) the development and maintenance of national unity; (7) the coordination of the branches of the government, particularly in a government such as the United States where the separation of powers would encourage deadlocks without the integrating force of the party system; (8) minimizing of the clash of economic forces by establishing a basis of compromise under a common party platform; and (9) making it possible for the electorate to

¹⁴ Richardson, *Messages and Papers of the Presidents* (Washington, D.C., 1917), Vol. 1, p. 219.

Wilson, *Elements of Modern Politics* (New York & London, 1936), p. 329.

function in organized and effective mass.¹⁵

"Western Democracy has in general believed that the solutions of policies are a matter of balance and criticism and opposition supplied by a party out of power are a valuable corrective to the major or majority party. Opposition assures publicity at least, and their publicity provides for the freer formation of public opinion."¹⁶

American experience has furthermore demonstrated that the party has been an influence for nationalization, creating national opinions and judgments as over local interests and preferences. It has pierced through barriers of section, religion, and race during the young days of the Republic and several authors attribute to it the present solidarity of the American nation in a measure not achieved by any other agency.¹⁷

III. THE PARTY SYSTEM AND PHILIPPINE DEMOCRACY

We have seen that experience elsewhere clearly supports the view that the two-party system is a vital prop in a democracy. The outstanding examples of countries where parties have flourished are Great Britain, the United States, and France. In Russia, only one party has been organized; and in Italy the Fascist party has been made an integral part of the government.¹⁸ In Germany, the existence of only one party has been considered essential for the national good, and all others have, therefore, been outlawed.¹⁹

No suggestion is here made that it is intended to outlaw the formation of other parties than the Nationalist Party in the Philippines. But it is insisted that whether or not parties are formally ruled out by law or are discouraged systematically and effectively, the re-

sult will be the same: the existence of only one political party or no political party at all.

We have also seen that our legislators and the drafters of our Constitution have not been unmindful of the salutary effects of the party system upon democracy, and drawing their lesson from the experience of other countries and ours, have made ample provisions for the free development of the party system both in our Constitution and the Election Code. But it is now claimed that the theory that two political parties are necessary in a democracy is a "nonsensical fiction." We are in effect told that the Constitution is a mistake, and the Election Code is a misfortune.

We find it difficult to concur in such view. We fail to see any difference between conditions in other countries and conditions in the Philippines, so far as the requisite stimulus for democracy is concerned. The foundation upon which the conviction that the two-party system is an essential requirement for the proper functioning of democratic processes is too well supported by experience here and abroad that it will require more than a sweeping statement to the effect that the party system is out of place here to convince us that local conditions are so singularly peculiar as to enable us to evolve a democratic system without the aid of two or more political parties.

¹⁵ Wilson. *Elements of Modern Politics*, p. 332.

¹⁶ Wilson. *op. cit.*, p. 328.

¹⁷ Merriam & Gosnell (New York, 1933) *The American Party System*, p. 417. See also the many authors therein cited.

¹⁸ Merriam & Gosnell. *op. cit.*, p. 451. S. N. Harper. *Civic Training in Soviet Russia* (1929). Schneider. *Making Fascists* (1929).

¹⁹ Adolf Hitler. *Mein Kampf* (My Battle. Eng. Tr.).