
Philippines: A moral, ethical issue for our people

In the ongoing discussion on the death penalty, which President Duterte wants to return so as to strengthen the rule of law, it is useful to note that the world - and the Philippines with it - has long debated this issue in the United Nations.

In 1966, the UN General Assembly, of which the Philippines is a founding member, adopted the International Covenant on Civil and Political Rights (ICCPR) which, together with the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights, make up what is known as the International Bill of Human Rights. The Philippines signed the ICCPR on December 19, 1966, and ratified it on October 23, 1986.

In 1989, the General Assembly adopted the Second Protocol on Civil and Political Rights, calling on all states to abolish the death penalty. The Protocol was a treaty signed by 83 states, including the Philippines. The Philippines signed the Protocol on September 20, 2006, and ratified it on September 20, 2007.

In between these 2 international agreements, the Philippines became the 1st Asian country to abolish the death penalty when the nation ratified the Constitution in 1987, but Congress could reimpose it should the need arise. In 1993, such a law was passed to address the rising criminality in the country. 7 convicts were executed in 1999, followed by a moratorium in observance of the Catholic Church's "Jubilee Year." In 2003, 2 men were about to be executed when new evidence came up that exonerated the 2.

All the while, the Commission on Human Rights vehemently opposed efforts to reimpose the death penalty. It said it was not convinced that the death penalty is the answer to rising criminality. The proper response, it said, lies in effective law enforcement, quick and impartial delivery of justice, and a responsive penal system. "To mete out to criminals the very final and irrevocable and inhuman verdict of death is tantamount to punishing them for the failure of the system," it declared.

Today we are again in the middle of debate on the death penalty. Right after he won the presidential election last May, President Duterte said he wanted Congress to restore the death penalty - by hanging - for convicts involved in illegal drugs, gun-for-hire syndicates, and for those who commit "heinous crimes" like rapists and robbers who kill their victims.

We are also in the middle of a nationwide anti-drug campaign in which thousands have already been killed, many allegedly for resisting arrest - moving some to ask if there is still need for a death penalty to discourage criminals.

The critical debate on this issue will soon be taking place in the halls of Congress. Along with all the legal arguments and all the Philippines' commitments to the international community, the Church has also weighed in against the ancient system of "a tooth for a tooth, a life for a life." More than a legal issue, it will be a moral and ethical one which will determine what we really are as a people.

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