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Abstract
In the words of C. Neal Tate, since the late 1980s, the Philippines have become, “[a]side from India … the only nation in Afro-Asia where the expansion of judicial power can be said to be a significant, current political development.” Indeed, the Supreme Court of the Philippines has struck down significant economic reforms, issued new rules to assist human rights victims, thwarted constitutional amendments, and even helped overthrow a president. Until recently, the Court was even one of the most popular institutions in the country. Despite these developments, there has been remarkably little scholarship about the Court as a political institution from either Filipinos or foreign observers. Legal developments in the Philippines should be of particular interest to American comparative law scholars. The United States colonial period heavily influenced Filipino law and legal institutions. Filipino lawyers have pursued LLM degrees at American law schools. Justice Antonio Carpio of the Supreme Court of the Philippines has even given new justices books on the history of the U.S. Supreme Court because he considers it a role model. Yet, despite these links to the U.S., the Supreme Court of the Philippines faces unique political and institutional challenges. Likewise, although the Court frequently cites U.S. case law, its own jurisprudence has gone in directions that would bewilder many American jurists. Indeed, the country is a prime example of how local political cultures can reinterpret and reshape foreign legal transplants.

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