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SECTION 1

Villavicencio vs. Lukban [G.R. No. 14639, March 25, 1919]

Summary:

This case involves a petition for habeas corpus filed by relatives and friends of approximately 170 women who were forcibly deported from Manila to Davao by city officials. The petitioners (Zacarias Villavicencio et al.) sought the return of the women, while the respondents (Mayor Justo Lukban et al.) argued they had no authority to bring the women back. The Supreme Court granted the writ of habeas corpus and ordered the respondents to produce the women. When the respondents failed to fully comply, the Court found Mayor Lukban in contempt but determined there was substantial compliance with its second order.

Doctrine:

- "The law is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives."
- "The very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself."
- "If the respondent is within the jurisdiction of the court and has it in his power to obey the order of the court and thus to undo the wrong that he has inflicted, he should be compelled to do so."

Facts:

- In October 1918, Mayor Justo Lukban of Manila ordered the closure of the segregated district for women of ill repute in the city.
- Between October 16–25, 1918, about 170 women were confined to their houses in the district by police.
- Around midnight on October 25, police forcibly took the women and placed them on steamers bound for Davao, Mindanao.
- The women were not given a chance to collect belongings or consent to the deportation.
- They were received in Davao by the provincial governor and some hacenderos as laborers.
- An application for habeas corpus was filed with the Supreme Court by relatives and friends of the deportees.
- The Court issued a writ ordering the respondents to produce the women by December 2, 1918.
- The respondents failed to fully comply with the first order, producing only a few women who had returned on their own.
- The Court issued a second order on December 10, 1918, giving respondents until January 13, 1919 to comply.
- By the second hearing, respondents had brought back some women and obtained sworn statements from others choosing to remain in Davao.

Petitioner's/Plaintiff's Arguments:

- The forcible deportation of the women was illegal and violated their constitutional rights.
- The writ of habeas corpus should be granted to secure the return of the women.

- The respondents should be held in contempt for failing to comply with the Court's orders.

Respondent's/Defendant's Arguments:

- The petitioners lacked standing to file for habeas corpus on behalf of the women.
- The Supreme Court lacked jurisdiction and the case should have been filed in Davao.
- The respondents no longer had custody of the women and could not produce them.
- The women were content in Davao and did not wish to return to Manila.

Issues and Ruling:

Whether or not the forcible deportation of the women from Manila to Davao was legal NO. The Court ruled that the deportation was illegal and a violation of the women's right to liberty and freedom of movement. The Court stated: "One can search in vain for any law, order, or regulation, which even hints at the right of the Mayor of the city of Manila or the chief of police of that city to force citizens of the Philippine Islands—and these women despite their being in a sense lepers of society are nevertheless not chattels but Philippine citizens protected by the same constitutional guaranties as are other citizens—to change their domicile from Manila to another locality."

Whether or not the writ of habeas corpus was the proper remedy in this case YES. The Court held that habeas corpus was the appropriate remedy to address the illegal restraint of liberty. It stated: "The writ of habeas corpus was devised and exists as a speedy and effectual remedy to relieve persons from unlawful restraint, and as the best and only sufficient defense of personal freedom." The Court rejected arguments that the writ should not apply because the women were no longer in Manila, ruling that officials who illegally removed persons from the court's jurisdiction could not evade the writ by claiming they no longer had custody.

Whether or not the respondents complied with the Court's orders to produce the women PARTIALLY. The Court found that the respondents failed to fully comply with its first order, as they did not produce the women or provide adequate justification for their failure to do so. However, the Court determined there was "substantial compliance" with the second order, as the respondents made greater efforts to locate and return women who wished to come back to Manila.

Whether or not the respondents should be held in contempt of court YES for Mayor Lukban, NO for the others. The Court found Mayor Justo Lukban in contempt for failing to fully comply with its first order and imposed a fine of 100 pesos. The other respondents were not found in contempt, as they were following orders or had lesser roles in the deportation.

Dispositive:

"In resume—as before stated, no further action on the Writ of habeas corpus is necessary. The respondents Hohmann, Rodriguez, Ordax, Joaquin, Ynigo, and Diaz are found not to be in contempt of court. Respondent Lukban is found in contempt of court and shall pay into the office of the clerk of the Supreme Court within five days the sum of one hundred pesos (P100). The motion of the fiscal of the city of Manila to strike from the record the R4pUca al Memorandum de los Recurridos of January 25, 1919, is granted. Costs shall be taxed against respondents"

SECTION 2

Poe-Llamanzares vs. COMELEC, G.R. No. 221697, March 8, 2016

Summary

This case involves a petition filed by Mary Grace Natividad S. Poe-Llamanzares against the Commission on Elections (COMELEC). Poe-Llamanzares was seeking to overturn COMELEC resolutions that cancelled her certificate of candidacy (CoC) for President in the 2016 elections on the grounds that she allegedly made material misrepresentations regarding her citizenship and residency qualifications. The Supreme Court granted Poe-Llamanzares' petition, annulled and set aside the COMELEC resolutions, and declared her qualified to be a candidate for President in the 2016 elections. The Court ruled that COMELEC gravely abused its discretion in cancelling Poe-Llamanzares' certificate of candidacy and that she met the citizenship and residency requirements to run for President.

Doctrine

- "The COMELEC cannot itself, in the same cancellation case, decide the qualification or lack thereof of the candidate."
- "It is the fact of residence, not a statement in a certificate of candidacy which ought to be decisive in determining whether or not an individual has satisfied the constitution's residency qualification requirement."
- "[T]he determination of a candidate's eligibility, e.g., his citizenship or, as in this case, his domicile, may take a long time to make, extending beyond the beginning of the term of office... This is contrary to the summary character proceedings relating to certificates of candidacy."
- "Concededly, a candidate's disqualification to run for public office does not necessarily constitute material misrepresentation which is the sole ground for denying due course to, and for the cancellation of, a COC. Further, as already discussed, the candidate's misrepresentation in his COC must not only refer to a material fact (eligibility and qualifications for elective office), but should evince a deliberate intent to mislead, misinform or hide a fact which would otherwise render a candidate ineligible. It must be made with an intention to deceive the electorate as to one's qualifications to run for office."

Facts

- Mary Grace Natividad S. Poe-Llamanzares was found abandoned as a newborn infant in a church in Iloilo City on September 3, 1968.
- She was adopted by celebrity couple Fernando Poe Jr. and Susan Roces in 1974.
- Poe-Llamanzares left the Philippines in 1988 to study in the U.S. and later became a naturalized U.S. citizen in 2001.
- She returned to the Philippines in 2005 and reacquired her Philippine citizenship in 2006 under R.A. 9225.

- In 2012, she ran for and won a Senate seat, declaring in her certificate of candidacy that she had been a resident for 6 years and 6 months.
- In 2015, she filed her certificate of candidacy for President in the 2016 elections, stating she would have been a resident for 10 years and 11 months by election day.
- Several petitions were filed with COMELEC to deny or cancel her certificate of candidacy on grounds of citizenship and residency qualifications.
- COMELEC cancelled her certificate of candidacy, ruling she was not a natural-born Filipino citizen and did not meet the 10-year residency requirement.
- Poe-Llamanzares filed a petition with the Supreme Court to overturn the COMELEC rulings.

Petitioner's/Plaintiff's Arguments

- Poe-Llamanzares argued that as a foundling, she is presumed to be a natural-born Filipino citizen under international law principles.
- She contended that she reestablished her domicile in the Philippines on May 24, 2005, meeting the 10-year residency requirement.
- She claimed that her statement of 6 years and 6 months residency in her 2012 Senate COC was an honest mistake and should not be binding.
- She argued that COMELEC gravely abused its discretion by deciding on her qualifications instead of limiting itself to determining material misrepresentation in her COC.

Respondent's/Defendant's Arguments

- COMELEC argued that Poe-Llamanzares, as a foundling, is not a natural-born Filipino citizen since her parents are unknown.
- They contended that her residency could only be counted from July 2006 when she reacquired Philippine citizenship under R.A. 9225.
- COMELEC claimed that Poe-Llamanzares made a material misrepresentation in her 2015 COC by stating a longer residency period than what she declared in her 2012 COC.
- They argued that cancelling her COC was within their jurisdiction to determine material misrepresentation.

Issues and Ruling

Whether or not the COMELEC committed grave abuse of discretion in cancelling Poe-Llamanzares' certificate of candidacy

YES. The Supreme Court ruled that the COMELEC committed grave abuse of discretion in cancelling Poe-Llamanzares' certificate of candidacy. The Court held that the COMELEC overstepped its authority by deciding on Poe-Llamanzares' qualifications in a petition to cancel her certificate of candidacy, which should have been limited to determining if there was deliberate material misrepresentation. The Court stated: "The COMELEC cannot itself, in the same cancellation case, decide the qualification or lack thereof of the candidate." The COMELEC's actions were deemed to be tainted with grave abuse of discretion "from root to fruits."

Whether or not Poe-Llamanzares is a natural-born Filipino citizen qualified to run for President

YES. The Court ruled that Poe-Llamanzares, as a foundling, is presumed to be a natural-born Filipino citizen. The Court cited international law principles and conventions that presume foundlings to be citizens of the country where they are found. It also noted statistical evidence showing an overwhelming probability that a child born in the Philippines would be born to Filipino parents. The Court stated: "To assume otherwise is to accept the absurd, if not the virtually impossible, as the norm." The Court held that Poe-Llamanzares did not lose her status as a natural-born citizen when she reacquired her citizenship under R.A. 9225.

Whether or not Poe-Llamanzares meets the 10-year residency requirement for President

YES. The Court ruled that Poe-Llamanzares meets the 10-year residency requirement. It held that she reestablished her domicile in the Philippines on May 24, 2005, when she returned to the country with the intention to reside here permanently. The Court rejected COMELEC's position that her residency could only be counted from July 2006 when she reacquired her citizenship. The Court emphasized: "It is the fact of residence, not a statement in a certificate of candidacy which ought to be decisive in determining whether or not an individual has satisfied the constitution's residency qualification requirement." The Court found that Poe-Llamanzares presented substantial evidence of her intent to permanently reside in the Philippines from May 2005.

Dispositive

WHEREFORE, the petition is GRANTED. The Resolutions, to wit:

1. dated 1 December 2015 rendered through the COMELEC Second Division, in SPA No. 15-001 (DC), entitled Estrella C. Elamparo, petitioner, vs. Mary Grace Natividad Sonora Poe-Llamanzares, respondent, stating that:
[T]he Certificate of Candidacy for President of the Republic of the Philippines in the May 9, 2016 National and Local Elections filed by respondent Mary Grace Natividad Sonora Poe-Llamanzares is hereby GRANTED.
2. dated 11 December 2015, rendered through the COMELEC First Division, in the consolidated cases SPA No. 15-002 (DC) entitled Francisco S. Tatad, petitioner, vs. Mary Grace Natividad Sonora Poe-Llamanzares, respondent; SPA No. 15-007 (DC) entitled Antonio P. Contreras, petitioner, vs. Mary Grace Natividad Sonora Poe-Llamanzares, respondent; and SPA No. 15-139 (DC) entitled Amado D. Valdez, petitioner, v. Mary Grace Natividad Sonora Poe-Llamanzares, respondent; stating that:
WHEREFORE, premises considered, the Commission RESOLVED, as it hereby RESOLVES, to GRANT the petitions and cancel the Certificate of Candidacy of MARY GRACE NATIVIDAD SONORA POE-LLAMANZARES for the elective position of President of the Republic of the Philippines in connection with the 9 May 2016 Synchronized Local and National Elections.
3. dated 23 December 2015 of the COMELEC En Banc, upholding the 1 December 2015 Resolution of the Second Division stating that:

WHEREFORE, premises considered, the Commission RESOLVED, as it hereby RESOLVES, to DENY the Verified Motion for Reconsideration of SENATOR MARY GRACE NATIVIDAD SONORA POE-LLAMANZARES. The Resolution dated 11 December 2015 of the Commission First Division is AFFIRMED.

4. dated 23 December 2015 of the COMELEC En Banc, upholding the 11 December 2015 Resolution of the First Division.

are hereby ANNULLED AND SET ASIDE. Petitioner MARY GRACE NATIVIDAD SONORA POE-LLAMANZARES IS DECLARED QUALIFIED to be a candidate President in the National and Local Elections of 9 May 2016.

Kuroda vs. Jalandoni [G.R. No. L-2662, March 26, 1949]

Summary

This case involves a petition filed by Shigenori Kuroda, a former Lieutenant-General of the Japanese Imperial Army, against Major General Rafael Jalandoni and other military officials. Kuroda challenged the legality of Executive Order No. 68, which established a National War Crimes Office and military commissions to try accused war criminals. He sought to prohibit the respondents from proceeding with his case before the military commission. The Supreme Court denied Kuroda's petition and upheld the validity and constitutionality of Executive Order No. 68.

Doctrine

- "In accordance with the generally accepted principles of international law of the present day, including the Hague Convention, the Geneva Convention and significant precedents of international jurisprudence established by the United Nations, all those persons, military or civilian, who have been guilty of planning, preparing or waging a war of aggression and of the commission of crimes and offenses consequential and incidental thereto, in violation of the laws and customs of war, of humanity and civilization, are held accountable therefor. Consequently, in the promulgation and enforcement of Executive Order No. 68, the President of the Philippines has acted in conformity with the generally accepted principles and policies of international law which are part of our Constitution."
- "The promulgation of said executive order is an exercise by the President of his powers as Commander-in-Chief of all our armed forces, as upheld by this Court in the case of Yamashita vs. Styer (L-129, 42 Off. Gaz., 664) when we said—'War is not ended simply because hostilities have ceased. After cessation of armed hostilities, incidents of war may remain pending which should be disposed of as in time of war.'"

Facts

- Shigenori Kuroda was a former Lieutenant-General of the Japanese Imperial Army and Commanding General of the Japanese Imperial Forces in the Philippines during 1943-1944.
- Kuroda was charged before a Military Commission with unlawfully disregarding and failing to discharge his duties as commander to control operations of his subordinates, permitting them to commit atrocities against civilians and prisoners.
- The Military Commission was convened under Executive Order No. 68 issued by the President of the Philippines on July 29, 1947.
- Kuroda filed a petition challenging the legality of Executive Order No. 68 and seeking to prohibit the respondents from proceeding with his case.

- Kuroda argued that Executive Order No. 68 violated constitutional and local laws, and that the Philippines was not a signatory to relevant international conventions.
- He also challenged the participation of American attorneys Melville S. Hussey and Robert Port as prosecutors, arguing they were not authorized to practice law in the Philippines.

Petitioner's/Plaintiff's Arguments

- Executive Order No. 68 violates constitutional and local laws.
- The Philippines is not a signatory to relevant international conventions on war crimes.
- The Military Commission has no jurisdiction to try Kuroda for war crimes.
- The participation of American attorneys as prosecutors is invalid and diminishes Philippine independence.
- The American attorneys have no personality as prosecutors since the U.S. is not a party in interest.

Respondent's/Defendant's Arguments

- Executive Order No. 68 is valid and constitutional.
- The President acted within his powers as Commander-in-Chief in issuing the order.
- The Military Commission has jurisdiction based on international law principles.
- The participation of American attorneys is valid under the executive order.
- The U.S. has an interest in prosecuting crimes against its government and people.

Issues and Ruling

Whether or not Executive Order No. 68 is valid and constitutional

YES. The Supreme Court held that Executive Order No. 68 is valid and constitutional. The Court reasoned that the President acted in conformity with generally accepted principles of international law, which are part of Philippine law under the Constitution. The Court stated that persons guilty of war crimes are held accountable under international law, and the President was exercising his powers as Commander-in-Chief in promulgating the order to try war criminals.

Whether or not the Military Commission has jurisdiction to try Kuroda for war crimes

YES. The Court ruled that the Military Commission has jurisdiction to try Kuroda for war crimes. The Court held that even though the Philippines was not a signatory to the Hague Convention and only signed the Geneva Convention in 1947, these conventions embody generally accepted principles of international law which form part of Philippine law. The Court also noted that when the alleged crimes were committed, the Philippines was under U.S. sovereignty and thus bound by treaties between belligerent countries.

Whether or not the participation of American attorneys Hussey and Port as prosecutors is valid

YES. The Court ruled that the participation of the American attorneys is valid. The Court reasoned that the Military Commission is a special tribunal not governed by the Rules of Court, and Executive Order No. 68 does not require counsel to be qualified to practice in the

Philippines. The Court also stated it was proper to allow U.S. representation in trying crimes against its government and people.

Dispositive

For all the foregoing, the petition is denied with costs de oficio.

Agustin vs. Edu [G.R. No. L49112, February 2, 1979]

Summary

This case involves a petition filed by Leovillo C. Agustin challenging the validity of Letter of Instruction No. 229, as amended, which requires motor vehicle owners to equip their vehicles with early warning devices (EWDs). The petitioner argues that the requirement violates due process, equal protection, and the principle of non-delegation of legislative power. The respondents are government officials responsible for implementing the requirement, including the Land Transportation Commissioner and various cabinet ministers. The Supreme Court dismissed the petition, ruling that the Letter of Instruction is a valid exercise of police power and does not violate constitutional principles.

Doctrine

- "The police power is thus a dynamic agency, suitably vague and far from precisely defined, rooted in the conception that men in organizing the state and imposing upon its government limitations to safeguard constitutional rights did not intend thereby to enable an individual citizen or a group of citizens to obstruct unreasonably the enactment of such salutary measures calculated to insure communal peace, safety, good order, and welfare."
- "To avoid the taint of unlawful delegation, there must be a standard, which implies at the very least that the legislature itself determines matters of principle and lays down fundamental policy. Otherwise, the charge of complete abdication may be hard to repel. A standard thus defines legislative policy, marks its limits, maps out its boundaries and specifies the public agency to apply it. It indicates the circumstances under which the legislative command is to be effected. It is the criterion by which legislative purpose may be carried out. Thereafter, the executive or administrative office designated may in pursuance of the above guidelines, promulgate supplemental rules and regulations."

Facts

- Letter of Instruction No. 229 was issued on December 2, 1974, requiring motor vehicle owners to equip their vehicles with early warning devices (EWDs).
- The Letter of Instruction was amended by Letter of Instruction No. 479 on November 15, 1976.
- Implementing rules and regulations were issued by the Land Transportation Commissioner on December 10, 1976.
- President Marcos ordered a six-month suspension of the EWD requirement on January 25, 1977.
- The suspension was lifted on June 30, 1978, and immediate implementation was ordered.
- The Land Transportation Commissioner issued Memorandum Circular No. 32 on August 29, 1978, to implement the EWD requirement.

- Petitioner Leovillo C. Agustin, owner of a Volkswagen Beetle Car, filed a petition challenging the constitutionality of the EWD requirement.

Petitioner's/Plaintiff's Arguments

- The EWD requirement violates due process and equal protection clauses of the Constitution.
- The implementing rules and regulations amount to an unlawful delegation of legislative power.
- The requirement is oppressive, unreasonable, and arbitrary.
- The EWD requirement is unnecessary for vehicles already equipped with built-in warning devices.
- The financial burden imposed on motorists is excessive and unjustified.

Respondent's/Defendant's Arguments

- The Letter of Instruction is a valid exercise of police power aimed at promoting public safety.
- The EWD requirement is based on international standards and conventions ratified by the Philippines.
- The implementing rules and regulations do not amount to legislative power but are merely supplementary to the law.
- The EWD requirement is neither oppressive nor confiscatory, as vehicle owners are not compelled to purchase from specific sources.
- The requirement is reasonable and necessary to prevent accidents and ensure road safety.

Issues and Ruling

Whether or not Letter of Instruction No. 229, as amended, violates the constitutional guarantee of due process NO. The Court ruled that the Letter of Instruction is a valid exercise of police power. The Court stated: "It does appear clearly that petitioner's objection to this Letter of Instruction is not premised on lack of power, the justification for a finding of unconstitutionality, but on the pessimistic, not to say negative, view he entertains as to its wisdom." The Court emphasized that it does not pass upon questions of wisdom or expediency of legislation, but only interprets and applies laws as long as they do not violate constitutional provisions.

Whether or not the implementing rules and regulations issued by the Land Transportation Commissioner amount to an unlawful delegation of legislative power NO. The Court ruled that there was no unlawful delegation of legislative power. It explained: "To avoid the taint of unlawful delegation, there must be a standard, which implies at the very least that the legislature itself determines matters of principle and lays down fundamental policy." The Court found that the legislative objective of public safety was clear, and the executive was merely promulgating supplemental rules and regulations in pursuance of this policy.

Whether or not the EWD requirement violates the equal protection clause of the Constitution NO. The Court dismissed this argument, stating that the petitioner failed to

substantiate his claim of equal protection violation in a clear, positive, and categorical manner. The Court noted: "Equal protection' is not a talismanic formula at the mere invocation of which a party to a lawsuit can rightfully expect that success will crown his efforts. The law is anything but that."

Dispositive

WHEREFORE, this petition is dismissed. The restraining order is lifted. This decision is immediately executory. No costs.

Ichong vs. Hernandez [G.R. No. L-7995, May 31, 1957]

Summary

This case involves a petition filed by Lao H. Ichong, on behalf of himself and other alien residents, corporations and partnerships, against Jaime Hernandez, Secretary of Finance, and Marcelino Sarmiento, City Treasurer of Manila. The petitioners are challenging the constitutionality of Republic Act No. 1180, which regulates and effectively nationalizes the retail trade business in the Philippines. The law prohibits non-citizens from engaging in retail trade, with some exceptions. The Supreme Court upheld the constitutionality of the law, ruling that it was a valid exercise of police power and did not violate due process or equal protection clauses.

Doctrine

- "The police power of the State is 'the most essential, insistent and illimitable of powers, extending as it does to all the great public needs.' It is the power vested in the legislature by the constitution to make, ordain and establish all manner of wholesome and reasonable laws, statutes and ordinances, either with penalties or without, not repugnant to the constitution, as they shall judge to be for the good and welfare of the commonwealth, and of the subjects of the same."
- "The equal protection of the law clause is against undue favor and individual or class privilege, as well as hostile discrimination or the oppression of inequality. It is not intended to prohibit legislation, which is limited either in the object to which it is directed or by territory within which it is to operate. It does not demand absolute equality among residents; it merely requires that all persons shall be treated alike, under like circumstances and conditions both as to privileges conferred and liabilities enforced."

Facts

- Republic Act No. 1180 was enacted to regulate the retail business in the Philippines.
- The law prohibits persons who are not citizens of the Philippines from engaging directly or indirectly in the retail trade.
- Exceptions are made for aliens already engaged in the business as of May 15, 1954, who are allowed to continue until their death or voluntary retirement.
- The law also provides exceptions for U.S. citizens and corporations.
- Lao H. Ichong, on behalf of himself and other affected aliens, filed a petition challenging the constitutionality of the law.
- The petitioners argue that the law violates due process, equal protection, and international treaty obligations.
- The government contends that the law is a valid exercise of police power to protect national economic interests.

Petitioner's/Plaintiff's Arguments

- The law denies alien residents equal protection of the laws and deprives them of liberty and property without due process.
- The subject of the Act is not expressed or comprehended in its title.
- The Act violates international and treaty obligations of the Philippines.
- The provisions against transmission of retail businesses through hereditary succession violate constitutional provisions on inheritance.
- The requirement for 100% Filipino capitalization for corporations to engage in retail trade is unconstitutional.

Respondent's/Defendant's Arguments

- The Act was passed in the valid exercise of police power authorized by the Constitution in the interest of national economic survival.
- The Act has only one subject which is expressed in its title.
- No treaty or international obligations are infringed by the law.
- Regarding hereditary succession, only the form is affected but the value of the property is not impaired.
- The institution of inheritance is only of statutory origin and can be regulated by law.

Issues and Ruling

Whether or not Republic Act No. 1180 is constitutional and a valid exercise of police power YES. The Supreme Court ruled that Republic Act No. 1180 is constitutional and a valid exercise of police power. The Court held that the law was enacted to address a real threat to the national economy posed by alien domination and control of the retail business. The Court stated: "We are fully satisfied upon a consideration of all the facts and circumstances that the disputed law is not the product of racial hostility, prejudice or discrimination, but the expression of the legitimate desire and determination of the people, thru their authorized representatives, to free the nation from the economic situation that has unfortunately been saddled upon it rightly or wrongly, to its disadvantage."

Whether or not the law violates the equal protection clause of the Constitution NO. The Court ruled that the law does not violate the equal protection clause. It held: "The equal protection clause is not infringed by legislation which applies only to those persons falling within a specified class, if it applies alike to all persons within such class, and reasonable grounds exist for making a distinction between those who fall within such class and those who do not." The Court found that there were sufficient grounds for distinguishing between aliens and citizens in the regulation of retail trade.

Whether or not the law violates the due process clause of the Constitution NO. The Court determined that the law does not violate due process. It stated: "The law is prospective in operation and recognizes the privilege of aliens already engaged in the occupation and reasonably protects their privilege." The Court found that the law was not unreasonable or arbitrary in its provisions and fell within the legitimate scope of legislative power.

Whether or not the law violates international treaty obligations NO. The Court ruled that the law does not violate international treaty obligations. It held that the United Nations Charter and Declaration of Human Rights do not impose strict legal obligations regarding the rights and freedoms of subjects. The Court also noted that many nations have similar laws

restricting foreign participation in domestic trade. Regarding the Treaty of Amity with China, the Court stated that even if the law infringes upon the treaty, "the treaty is always subject to qualification or amendment by a subsequent law, and the same may never curtail or restrict the scope of the police power of the State."

Dispositive

The petition is hereby denied, with costs against petitioner.

Gonzales vs. Hechanova [G.R. No. L-21897, October 22, 1963]

Summary

This case involves a petition for prohibition with preliminary injunction filed by Ramon A. Gonzales (petitioner) against Rufino G. Hechanova, Executive Secretary, and other government officials (respondents). The petitioner, a rice planter and president of a planters' association, challenged the respondents' decision to import 67,000 tons of foreign rice, arguing that it violates Republic Act No. 3452 which prohibits rice importation by government agencies. The Supreme Court ruled that the proposed importation is not sanctioned by law and is contrary to its provisions, declaring that the Executive Secretary had no power to authorize such importation.

Doctrine

- "We are unanimously of the opinion—assuming that said Republic Act No. 2207 is still in force—that the two Acts are applicable to the proposed importation in question because the language of said laws is such as to include within the purview thereof all importations of rice and corn into the Philippines."
- "The Department of National Defense and the Armed Forces of the Philippines, as well as respondents herein, and each and every officer and employee of our Government, are government agencies and/or agents."
- "Although the President may, under the American constitutional system, enter into executive agreements without previous legislative authority, he may not, by executive agreement, enter into a transaction which is prohibited by statutes enacted prior thereto."
- "Under the Constitution, the main function of the Executive is to enforce laws enacted by Congress. The former may not interfere in the performance of the legislative powers of the latter, except in the exercise of his veto power. He may not defeat legislative enactments that have acquired the status of laws, by indirectly repealing the same through an executive agreement providing for the performance of the very act prohibited by said laws."

Facts

- On September 22, 1963, respondent Executive Secretary authorized the importation of 67,000 tons of foreign rice to be purchased from private sources.
- A rice procurement committee was created for the implementation of the proposed importation.
- On September 25, 1963, petitioner Ramon A. Gonzales filed a petition for prohibition with preliminary injunction.
- Petitioner is a rice planter and president of the Iloilo Palay and Corn Planters Association.
- Republic Act No. 3452 prohibits the importation of rice and corn by "the Rice and Corn Administration or any other government agency".

- Respondents claim the importation was authorized by the President as commander-in-chief for military stockpile purposes.
- The Government of the Philippines had entered into contracts for rice purchase with Vietnam and Burma.

Petitioner's/Plaintiff's Arguments

- The respondents are acting without jurisdiction or in excess of jurisdiction in making or attempting to make the importation of foreign rice.
- Republic Act No. 3452 explicitly prohibits the importation of rice and corn by "the Rice and Corn Administration or any other government agency".
- The petitioner has no other plain, speedy and adequate remedy in the ordinary course of law.

Respondent's/Defendant's Arguments

- The petitioner lacks sufficient interest to file the petition.
- The petitioner has not exhausted all administrative remedies available before coming to court.
- The proposed importation is not governed by Republic Act Nos. 2207 and 3452, but was authorized by the President as commander-in-chief for military stockpile purposes.
- The Government has already entered into contracts with Vietnam and Burma, which constitute valid executive agreements under international law.

Issues and Ruling

- **Whether or not the petitioner has sufficient interest to file the petition**
 - **YES.** The Court found that the petitioner, as a rice planter with substantial land and a taxpayer, has sufficient personality and interest to seek judicial assistance to restrain what he believes to be an unlawful disbursement of public funds.
- **Whether or not the principle of exhaustion of administrative remedies applies in this case**
 - **NO.** The Court held that the principle is not applicable in this case because the question in dispute is purely legal, the controverted act is patently illegal, and there are circumstances indicating the urgency of judicial intervention.
- **Whether or not the proposed importation is governed by Republic Act Nos. 2207 and 3452**
 - **YES.** The Court unanimously opined that these Acts are applicable to the proposed importation because the language of said laws includes all importations of rice and corn into the Philippines, even those made by the Government itself.
- **Whether or not the contracts with Vietnam and Burma, as executive agreements, prevail over Republic Act Nos. 2207 and 3452**
 - **NO.** The Court ruled that even if these contracts are considered executive agreements, they are unlawful and null and void from a constitutional viewpoint, being inconsistent with the provisions of Republic Act Nos. 2207

and 3452. The Executive may not defeat legislative enactments through executive agreements providing for acts prohibited by said laws.

Dispositive

Wherefore, judgment is hereby rendered declaring that respondent Executive Secretary had and has no power to authorize the importation in question; that he exceeded his jurisdiction in granting said authority; that said importation is not sanctioned by law and is contrary to its provisions; and that, for lack of the requisite majority, the injunction prayed for must be and is, accordingly, denied.

In Re: Garcia [2 SCRA 984, August 15, 1961]

Summary:

Arturo Efren Garcia, a Filipino citizen, petitioned for admission to the practice of law in the Philippines without taking the required bar examinations. He based his petition on his law degree from Spain and the Treaty on Academic Degrees and the Exercise of Profession between the Philippines and Spain. The Supreme Court denied his petition, ruling that the treaty provisions do not apply to Filipino citizens seeking to practice law in their own country and that the treaty cannot override the constitutional prerogative of the Supreme Court to set rules for admission to the practice of law in the Philippines.

Doctrine:

"The provisions of the Treaty on Academic Degrees and the Exercise of Profession between the Republic of the Philippines and the Spanish State can not be invoked by applicant. Under Article III thereof, 'The National of each of the two countries who shall have obtained recognition of the validity of their academic degrees by virtue of the stipulations of this Treaty, can practice their professions within the territory of the Other,' * * * (Italic supplied); from which it could clearly be discerned that said Treaty was intended to govern Filipino citizens desiring to practice their profession in Spain, and the citizens of Spain desiring to practice their profession in the Philippines."

"The aforementioned Treaty, concluded between the Republic of the Philippines and the Spanish State could not have been intended to modify the laws and regulations governing admission to the practice of law in the Philippines, for the reason that the Executive Department may not encroach upon the constitutional prerogative of the Supreme Court to promulgate rules for admission to the practice of law in the Philippines, the power to repeal, alter or supplement such rules being reserved only to the Congress of the Philippines."

Facts:

- Arturo E. Garcia is a Filipino citizen born in Bacolod City, Province of Negros Occidental.
- He completed the "Bachillerato Superior" course in Spain.
- He was approved, selected, and qualified by the "Instituto de Cervantes" for admission to the Central University of Madrid.
- He studied and finished the law course at the Central University of Madrid, graduating as "Licenciado En Derecho".
- He was allowed to practice the law profession in Spain.
- He applied for admission to practice law in the Philippines without taking the required bar examinations.
- He based his application on the Treaty on Academic Degrees and the Exercise of Profession between the Republic of the Philippines and the Spanish State.

Petitioner's/Plaintiff's Arguments:

- He is a Filipino citizen who completed his law studies in Spain.

- He graduated as "Licenciado En Derecho" from the Central University of Madrid.
- He was allowed to practice the law profession in Spain.
- Under the provisions of the Treaty on Academic Degrees and the Exercise of Profession between the Republic of the Philippines and the Spanish State, he is entitled to practice law in the Philippines without taking the bar examinations.

Respondent's/Defendant's Arguments:

- The case does not mention specific respondent arguments as it appears to be an ex parte petition.

Issues and Ruling:

Whether or not Arturo E. Garcia, a Filipino citizen, can be admitted to the practice of law in the Philippines without taking the bar examinations based on the Treaty on Academic Degrees and the Exercise of Profession between the Republic of the Philippines and the Spanish State

NO. The Court resolved to deny the petition on three grounds. First, the Treaty provisions cannot be invoked by the applicant as they are intended to govern Filipino citizens practicing in Spain and Spanish citizens practicing in the Philippines, not Filipino citizens practicing in their own country. Second, the Treaty explicitly states that the exercise of profession is subject to the laws and regulations of the contracting State, which in the Philippines requires passing the bar examinations. Third, the Treaty cannot modify the laws governing admission to law practice in the Philippines, as this would encroach upon the Supreme Court's constitutional prerogative to promulgate rules for admission to the practice of law.

Whether or not the Treaty on Academic Degrees and the Exercise of Profession between the Republic of the Philippines and the Spanish State can override the constitutional prerogative of the Supreme Court to set rules for admission to the practice of law in the Philippines

NO. The Court ruled that the Treaty could not have been intended to modify the laws and regulations governing admission to the practice of law in the Philippines, for the reason that the Executive Department may not encroach upon the constitutional prerogative of the Supreme Court to promulgate rules for admission to the practice of law in the Philippines, the power to repeal, alter or supplement such rules being reserved only to the Congress of the Philippines. This upholds the separation of powers and the Supreme Court's authority in regulating the legal profession.

Dispositive:

Petition denied.

SECTION 4

People vs. Lagman [G.R. No. 45892, July 13, 1938]

Summary:

In this case, the People of the Philippines (plaintiff-appellee) filed charges against Tranquilino Lagman and Primitivo de Sosa (defendants-appellants) for violating section 60 of Commonwealth Act No. 1, known as the National Defense Law. The defendants, both Filipino citizens who turned 20 years old in 1936, willfully refused to register for military service between April 1-7 of that year, despite being required to do so. The Court of First Instance sentenced each defendant to one month and one day of imprisonment. The defendants appealed, challenging the constitutionality of the National Defense Law. The Supreme Court affirmed the lower court's decision, upholding the law's validity and the defendants' convictions.

Doctrine:

"The duty of the Government to defend the State cannot be performed except through an army. To leave the organization of an army to the will of the citizens would be to make this duty of the Government excusable should there be no sufficient men who volunteer to enlist therein."

"The right of the Government to require compulsory military service is a consequence of its duty to defend the State and is reciprocal with its duty to defend the life, liberty, and property of the citizen."

"Without violating the Constitution, a person may be compelled by force, if need be, against his will, against his pecuniary interests, and even against his religious or political convictions, to take his place in the ranks of the army of his country, and risk the chance of being shot down in its defense."

Facts:

- Tranquilino Lagman and Primitivo de Sosa are Filipino citizens who turned 20 years old in 1936.
- They were required to register for military service between April 1-7, 1936, as per the National Defense Law.
- Both defendants willfully refused to register despite being notified by the authorities.
- Primitivo de Sosa claimed he didn't register because he is fatherless and has a mother and an 8-year-old brother to support.
- Tranquilino Lagman claimed he didn't register because he has a father to support, has no military leanings, and does not wish to kill or be killed.
- The Court of First Instance sentenced each defendant to one month and one day of imprisonment.
- The defendants appealed, challenging the constitutionality of the National Defense Law.

Petitioner's/Plaintiff's Arguments:

- The National Defense Law is unconstitutional.
- Compulsory military service violates personal freedoms.
- Family responsibilities should exempt individuals from military service.
- Personal beliefs against violence should exempt individuals from military service.

Respondent's/Defendant's Arguments:

- The National Defense Law is constitutional and in compliance with the Philippine Constitution.
- Compulsory military service is necessary for the defense of the state.
- Personal circumstances do not exempt individuals from registering for military service.
- The law provides mechanisms for deferment and financial support for those with family responsibilities.

Issues and Ruling:

Whether or not the National Defense Law, which establishes compulsory military service, is constitutional YES. The Supreme Court ruled that the National Defense Law is constitutional. The Court stated that the law does not go against Section 2, Article II of the Constitution of the Philippines, which provides that "The defense of the State is a prime duty of government, and in the fulfillment of this duty all citizens may be required by law to render personal military or civil service." The Court reasoned that the government's duty to defend the state cannot be performed without an army, and leaving the organization of an army to voluntary enlistment would make this duty excusable if insufficient volunteers came forward.

Whether or not the defendants' personal circumstances (family responsibilities and personal beliefs) exempt them from military service registration NO. The Court ruled that the defendants' personal circumstances do not exempt them from their duty to register for military service. The Court explained that if such circumstances exist, they can ask for deferment in complying with their duty and can obtain proper pecuniary allowance to attend to their family responsibilities under sections 65 and 69 of Commonwealth Act No. 1.

Dispositive:

The appealed judgment rendered in these two cases is affirmed, with the costs to the appellants.

SECTION 6

Aglipay vs. Ruiz [G.R. No. 45459, March 13, 1937]

Summary:

The petitioner, Mons. Gregorio Aglipay, Supreme Head of the Philippine Independent Church, sought a writ of prohibition to prevent the respondent Director of Posts from issuing and selling postage stamps commemorative of the Thirty-third International Eucharistic Congress. Aglipay argued that this action violated the constitutional provision on the separation of church and state. The respondent contended that the issuance of the stamps was not for religious purposes but to advertise the Philippines and attract tourists. The Supreme Court denied the petition, ruling that there was no constitutional violation in the issuance of the commemorative stamps.

Doctrine:

- "Religious freedom, however, as a constitutional mandate is not inhibition of profound reverence for religion and is not a denial of its influence in human affairs. Religion as a profession of faith to an active power that binds and elevates man to his Creator is recognized. And, in so far as it instills into the minds the purest principles of morality, its influence is deeply felt and highly appreciated."
- "We are of the opinion that the Government should not be embarrassed in its activities simply because of incidental results, more or less religious in character, if the purpose had in view is one which could legitimately be undertaken by appropriate legislation. The main purpose should not be frustrated by its subordination to mere-incidental results not contemplated."

Facts:

- In May 1936, the Director of Posts announced the issuance of postage stamps commemorating the Thirty-third International Eucharistic Congress in Manila.
- The petitioner, Mons. Gregorio Aglipay, protested the issuance of the stamps.
- The stamps were issued and sold, featuring a map of the Philippines, the location of Manila, and an inscription about the Eucharistic Congress.
- The issuance was approved by the President of the Philippines on September 1, 1936.
- The government estimated revenue from the sale of the stamps at P1,618,179.10, with P1,403,279.02 worth of stamps remaining to be sold.
- The stamps were issued under Act No. 4052, which appropriated funds for printing postage stamps with new designs.

Petitioner's/Plaintiff's Arguments:

- The issuance of the commemorative stamps violates the constitutional provision on the separation of church and state.
- The stamps appropriate public money or property for the use, benefit, or support of a particular sect, church, or religious denomination.
- The government's action favors a particular church or religious denomination.

Respondent's/Defendant's Arguments:

- The issuance of the stamps was not inspired by any sectarian feeling to favor a particular church or religious denomination.
- The stamps were issued and sold to advertise the Philippines and attract more tourists to the country.
- The purpose was to give publicity to the Philippines and its people by taking advantage of an event of international importance.
- The government would suffer financial losses if the sale of the stamps was prohibited.

Issues and Ruling:

Whether or not the issuance of the commemorative stamps violates the constitutional provision on the separation of church and state NO. The Court ruled that the issuance of the stamps did not violate the constitutional provision on the separation of church and state. The main purpose of issuing the stamps was to advertise the Philippines and attract tourists, not to benefit or support any particular religion. The Court stated: "We are of the opinion that the Government should not be embarrassed in its activities simply because of incidental results, more or less religious in character, if the purpose had in view is one which could legitimately be undertaken by appropriate legislation." The Court emphasized that while the stamps were linked to a religious event, the resulting propaganda for the Roman Catholic Church was not the aim and purpose of the government.

Whether or not the writ of prohibition is the proper legal remedy in this case YES. The Court determined that the writ of prohibition was an appropriate legal remedy in this case. Although prohibition is generally used to restrain judicial or quasi-judicial functions, the Court cited the Code of Civil Procedure, which allows the writ to be issued to "inferior tribunals, corporations, boards, or persons, whether exercising functions judicial or ministerial, which are without or in excess of the jurisdiction of such tribunal, corporation, board, or person." The Court concluded that the challenged act of the Director of Posts falls within this scope, as it was alleged to be violative of the Constitution and thus "without or in excess of jurisdiction."

Dispositive:

The petition for a writ of prohibition is hereby denied, without pronouncement as to costs.

Garces vs. Estenzo [G.R. No. L-53487, May 25, 1981]

Summary:

This case involves a dispute over the constitutionality of resolutions passed by the barangay council of Valencia, Ormoc City regarding the acquisition and custody of a wooden image of San Vicente Ferrer for use in the annual feast day celebration. The petitioners, including the parish priest Father Osmeña and three other individuals, filed a case in the Court of First Instance seeking to annul the resolutions on constitutional grounds. The lower court dismissed their complaint and upheld the validity of the resolutions. On appeal, the Supreme Court affirmed the lower court's ruling, finding that the resolutions did not violate constitutional provisions on separation of church and state or use of public funds for religious purposes.

Doctrine:

- "Not every governmental activity which involves the expenditure of public funds and which has some religious tint is violative of the constitutional provisions regarding separation of church and state, freedom of worship and banning the use of public money or property."
- "The questioned resolutions do not directly or indirectly establish any religion, nor abridge religious liberty, nor appropriate public money or property for the benefit of any sect, priest or clergyman. The image was purchased with private funds, not with tax money."
- "If there is nothing unconstitutional or illegal in holding a fiesta and having a patron saint for the barrio, then any activity intended to facilitate the worship of the patron saint (such as the acquisition and display of his image) cannot be branded as illegal."

Facts:

- On March 23, 1976, the barangay council of Valencia, Ormoc City adopted Resolution No. 5 reviving the annual feast day celebration of San Vicente Ferrer and providing for the acquisition of his image.
- Resolution No. 6 specified that a layman would be the custodian of the image, which would be made available to the church during the feast day.
- The resolutions were ratified by the barangay assembly in a plebiscite.
- Funds were raised through private solicitations and donations to purchase the wooden image.
- After the feast day mass, the parish priest Father Osmeña refused to return the image to the barangay council.
- The barangay council passed resolutions to file a replevin case to recover the image.
- Father Osmeña and three others filed a case seeking to annul the resolutions on constitutional grounds.
- The lower court dismissed their complaint and upheld the validity of the resolutions.

Petitioner's/Plaintiff's Arguments:

- The barangay council was not duly constituted because the Kabataang Barangay chairman was not allowed to participate in sessions.
- The resolutions violate constitutional provisions on separation of church and state.
- The resolutions appropriate public money or property for religious purposes.
- The resolutions favor the Catholic religion by purchasing a saint's image and making it available to the Catholic church.

Respondent's/Defendant's Arguments:

- The image was purchased with private funds raised through donations, not public money.
- The resolutions do not establish or favor any religion.
- Acquiring the image was part of a socio-religious tradition for the barrio fiesta, not for religious purposes.
- Designating a layman as custodian prevents favoring the Catholic church.

Issues and Ruling:

Whether or not the barangay council resolutions violate constitutional provisions on separation of church and state and use of public funds for religious purposes NO. The Supreme Court ruled that the resolutions do not violate the Constitution. The Court stated: "The questioned resolutions do not directly or indirectly establish any religion, nor abridge religious liberty, nor appropriate public money or property for the benefit of any sect, priest or clergyman. The image was purchased with private funds, not with tax money." The Court found that acquiring the image for the fiesta celebration was not intended to favor any religion, but was part of a socio-religious tradition in rural communities. The Court emphasized that "Not every governmental activity which involves the expenditure of public funds and which has some religious tint is violative of the constitutional provisions regarding separation of church and state, freedom of worship and banning the use of public money or property."

Whether or not the barangay council had the right to designate a layman as custodian of the image YES. The Court ruled that as the owner of the image, the barangay council "has the right to determine who should have custody thereof." The Court found that designating a layman as custodian was done "in order to forestall any suspicion that it is favoring the Catholic church" and for practical reasons of making the image available to families for prayers and novenas. The Court stated that even if the council later decided to give the image to the church, "that action would not violate the Constitution because the image was acquired with private funds and is its private property."

Whether or not the absence of the Kabataang Barangay chairman from council sessions rendered the resolutions void NO. The Court ruled that "Mañago's absence from the sessions of the barangay council did not render the said resolutions void. There was a quorum when the said resolutions were passed." The Court noted that Mañago was notified of the sessions but was unable to attend due to work commitments.

Dispositive:

Finding that the petitioners have no cause of action for the annulment of the barangay resolutions, the lower court's judgment dismissing their amended petition is affirmed. No costs.

Taruc vs. De la Cruz [G.R. No. 144801, March 10, 2005]

Summary:

This case involves petitioners Dominador L. Taruc et al., who were lay members of the Philippine Independent Church (PIC) in Socorro, Surigao del Norte, against respondents Bishop Porfirio B. de la Cruz, Rev. Fr. Rustom Florano, and Delfin Bordas. The petitioners were expelled/excommunicated from the PIC by Bishop de la Cruz for disobedience, inciting dissension, and threatening to forcibly occupy the parish church. They filed a complaint for damages with preliminary injunction against the respondents, contending their expulsion was illegal as it was done without trial. The Regional Trial Court denied the respondents' motion to dismiss, but the Court of Appeals reversed this decision and ordered the case dismissed for lack of jurisdiction. The Supreme Court affirmed the Court of Appeals' ruling, holding that civil courts do not have jurisdiction over ecclesiastical matters such as expulsion/excommunication of church members.

Doctrine:

- "Civil Courts will not interfere in the internal affairs of a religious organization except for the protection of civil or property rights. Those rights may be the subject of litigation in a civil court, and the courts have jurisdiction to determine controverted claims to the title, use, or possession of church property."
- "We agree with the Court of Appeals that the expulsion/excommunication of members of a religious institution/organization is a matter best left to the discretion of the officials, and the laws and canons, of said institution/organization. It is not for the courts to exercise control over church authorities in the performance of their discretionary and official functions. Rather, it is for the members of religious institutions/organizations to conform to just church regulations."
- "The amendments of the constitution, restatement of articles of religion and abandonment of faith or abjuration alleged by appellant, having to do with faith, practice, doctrine, form of worship, ecclesiastical law, custom and rule of a church and having reference to the power of excluding from the church those allegedly unworthy of membership, are unquestionably ecclesiastical matters which are outside the province of the civil courts."

Facts:

- Petitioners were lay members of the Philippine Independent Church (PIC) in Socorro, Surigao del Norte.
- Respondents Porfirio de la Cruz and Rustom Florano were the bishop and parish priest, respectively, of the same church.
- Petitioners requested the transfer of Fr. Florano to another parish, which Bishop de la Cruz denied.
- Petitioner Taruc organized an open mass to be celebrated by Fr. Renato Z. Ambong during the town fiesta, despite Bishop de la Cruz's disapproval.
- On June 19, 1993, Taruc and his sympathizers held the open mass with Fr. Ambong as the celebrant.
- On June 28, 1993, Bishop de la Cruz declared petitioners expelled/excommunicated from the PIC.
- Petitioners appealed to the Obispo Maximo, who did not intervene in the diocesan decision.
- Bishop de la Cruz was reassigned and replaced by Bishop Rhee M. Timbang, who also denied petitioners' request for Fr. Florano's transfer.

- Petitioners filed a complaint for damages with preliminary injunction against Bishop de la Cruz, Fr. Florano, and Delfin T. Bordas.
- The Regional Trial Court denied respondents' motion to dismiss, but the Court of Appeals reversed this decision and ordered the case dismissed for lack of jurisdiction.

Petitioner's/Plaintiff's Arguments:

- Their expulsion from the PIC was illegal because it was done without trial, violating their right to due process of law.
- They sought damages and a preliminary injunction against the respondents.
- They contended that the civil courts had jurisdiction to hear their case.

Respondent's/Defendant's Arguments:

- They filed a motion to dismiss the case before the lower court on the ground of lack of jurisdiction.
- They argued that the expulsion/excommunication was an ecclesiastical matter outside the jurisdiction of civil courts.
- They maintained that there was no violation of civil rights in the case.

Issues and Ruling:

Whether or not civil courts have jurisdiction to hear a case involving the expulsion/excommunication of members of a religious institution NO. The Supreme Court ruled that civil courts do not have jurisdiction over such matters. The Court stated that the expulsion/excommunication of members of a religious institution is a matter best left to the discretion of the officials, and the laws and canons, of said institution. The Court emphasized that it is not for the courts to exercise control over church authorities in the performance of their discretionary and official functions. Instead, it is for the members of religious institutions to conform to just church regulations. The Court cited the principle of separation of Church and State, and referred to previous jurisprudence stating that civil courts must not intrude unduly in matters of an ecclesiastical nature.

Dispositive:

WHEREFORE, the petition is hereby DENIED for lack of merit. Costs against petitioners.

Estrada vs. Escritor [A.M. No. P-02-1651, June 22, 2006]

Summary:

This case involves an administrative complaint filed by Alejandro Estrada against Soledad S. Escritor, a court interpreter, for disgraceful and immoral conduct. Escritor had been living with a man for over 20 years without the benefit of marriage, as the man was still legally married to another woman. Escritor and her partner were members of the Jehovah's Witnesses faith, which had sanctioned their relationship through a "Declaration Pledging Faithfulness." The Supreme Court, in its ruling, did not find Escritor guilty of disgraceful and immoral conduct, considering her religious beliefs and the lack of evidence that her relationship caused any scandal or negatively impacted her work performance.

Doctrine:

- "To find merit in a charge of disgraceful and immoral conduct is therefore a sensitive task, especially so when considered against the gravity of the offense and penalty attached to it by law together with the social consequence of ascribing a 'badge of infamy,' so to speak, that disqualifies the respondent from any further employment, including prospects of private employment, which stamps the stigma of official defamation of character."
- "'Disgraceful and immoral conduct' is never considered in the abstract but always in the context of conduct that is hostile to the welfare of a particular profession or the specific governmental position to which the alleged disgraceful and immoral employee belongs."
- "To some degree the determination of disgracefulness and immorality must depend upon the nature of the acts, the circumspection or notoriety with which they are performed and the atmosphere of the community, i.e., the standards of the general public and not some higher standard, in which they take place."

Facts:

- Soledad S. Escritor was employed as a court interpreter at RTC-Br. 253, Las Piñas City.
- Escritor had been living with Feliciano D. Quilapio Jr. for over 20 years without the benefit of marriage.
- Quilapio was still legally married to another woman, though they had been separated de facto.
- Escritor and Quilapio had a son together, who was 22 years old at the time of the case.
- Both Escritor and Quilapio were members of the Jehovah's Witnesses faith.
- In 1991, Escritor and Quilapio executed a "Declaration Pledging Faithfulness" which was recognized by their church.
- Alejandro Estrada, a resident of Bacoor, Cavite, filed an administrative complaint against Escritor for "Disgraceful and Immoral Conduct."
- Estrada admitted he did not know Escritor personally and had nothing against her, but wanted to protect the court from employing someone with questionable moral standards.
- Escritor's efficiency and work performance were never questioned or found to be compromised by her relationship.

Petitioner's/Plaintiff's Arguments:

- Escritor's relationship with a married man constitutes disgraceful and immoral conduct.
- The court should not employ a person with questionable moral standards.
- Escritor's conduct could potentially embarrass the judiciary.

Respondent's/Defendant's Arguments:

- The relationship has been sanctioned by the Jehovah's Witnesses through a "Declaration Pledging Faithfulness."
- The relationship has not caused any scandal or negatively impacted Escritor's work performance.
- The Constitution protects the right to practice one's religion and form a family in accordance with religious convictions.
- The relationship has resulted in a stable family unit for over 20 years.

Issues and Ruling:

Whether or not Soledad S. Escritor is guilty of disgraceful and immoral conduct for living with a man who is not her legal husband NO. The Supreme Court did not find Escritor guilty of disgraceful and immoral conduct. The Court considered several factors in reaching this decision:

1. The relationship between Escritor and Quilapio had been sanctioned by their religious congregation, the Jehovah's Witnesses, through a "Declaration Pledging Faithfulness."
2. There was no evidence that Escritor's relationship caused any scandal or negatively impacted her work performance. In fact, the complainant admitted that Escritor was a "decent woman."
3. The Court recognized the need to consider the religious beliefs and practices of individuals when evaluating charges of immorality, especially in a multi-cultural society.
4. The relationship had existed for over 20 years and resulted in a stable family unit, including a son.
5. The Court emphasized that "disgraceful and immoral conduct" should be evaluated in the context of its impact on the specific profession or governmental position, rather than in abstract terms.

The Court stated: "There is no cogent reason to justify any action that will disrupt or break apart the peaceful existence of the family founded by Soledad and her other half. The record does not show that they have caused discomfort and embarrassment to the Judiciary nor that the relationship ever compromised her duties as a court interpreter."

Whether or not the moral standards of the Catholic faith should be applied to Escritor, who is a member of the Jehovah's Witnesses NO. The Court ruled that it would be inappropriate to apply the moral standards of the Catholic faith to Escritor, who belongs to a different religious denomination. The Court emphasized the importance of religious freedom and the need to respect diverse religious beliefs and practices in a multi-cultural society.

The Court stated: "To be sure, there are matters that are best left to the conscience and the moral beliefs of an individual, and matters of which public law may take cognizance. Obviously, while the latter pertains to matters affecting society and public life, not every 'irregular union' constitutes immorality that is actionable under administrative law."

The Court further noted: "To hold that the second union is immoral would be to bind him to follow moral precepts divergent from those imposed upon him by his faith, contrary to the freedom of conscience and practice of his religion guaranteed under the Constitution."

Dispositive:

The Supreme Court did not provide a clear dispositive portion in the given text. However, based on the overall content and reasoning of the opinion, it can be inferred that the Court dismissed the

administrative complaint against Soledad S. Escritor and did not find her guilty of disgraceful and immoral conduct.

SECTION 10

Calalang vs. Williams [G.R. No. 47800, December 2, 1940]

Summary:

Maximo Calalang, a private citizen and taxpayer of Manila, filed a petition for a writ of prohibition against A.D. Williams (Chairman of the National Traffic Commission), Vicente Fragante (Director of Public Works), Sergio Bayan (Acting Secretary of Public Works and Communications), Eulogio Rodriguez (Mayor of Manila), and Juan Dominguez (Acting Chief of Police of Manila). The petition challenged the constitutionality of Commonwealth Act No. 548, which authorized the Director of Public Works to promulgate rules and regulations for traffic control on national roads. The petitioner argued that the Act constituted an undue delegation of legislative power and that the resulting rules interfered with legitimate business and personal liberty. The Supreme Court denied the petition, ruling that the Act was a valid exercise of police power and did not constitute an unconstitutional delegation of legislative authority.

Doctrine:

- "The true distinction therefore is between the delegation of power to make the law, which necessarily involves a discretion as to what it shall be, and conferring an authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first cannot be done; to the latter no valid objection can be made."
- "The Legislature cannot delegate its power to make the law; but it can make a law to delegate a power to determine some fact or state of things upon which the law makes, or intends to make, its own action depend. To deny this would be to stop the wheels of government. There are many things upon which wise and useful legislation must depend which cannot be known to the law-making power, and, must, therefore, be a subject of inquiry and determination outside of the halls of legislation."
- "Public welfare, then, lies at the bottom of the enactment of said law, and the state in order to promote the general welfare may interfere with personal liberty, with property, and with business and occupations. Persons and property may be subjected to all kinds of restraints and burdens, in order to secure the general comfort, health, and prosperity of the state."
- "Social justice means the promotion of the welfare of all the people, the adoption by the Government of measures calculated to insure economic stability of all the competent elements of society, through the maintenance of a proper economic and social equilibrium in the interrelations of the members of the community, constitutionally, through the adoption of measures legally justifiable, or extra-constitutionally, through the exercise of powers underlying the existence of all governments on the time-honored principle of *salus populi est suprema lex*."

Facts:

- The National Traffic Commission recommended prohibiting animal-drawn vehicles on certain streets in Manila during specific hours.

- The Director of Public Works and Secretary of Public Works and Communications approved the recommendation.
- The Mayor of Manila and Acting Chief of Police enforced these rules.
- Maximo Calalang filed a petition for a writ of prohibition against the officials responsible for implementing these rules.
- Calalang argued that Commonwealth Act No. 548, which authorized the promulgation of these rules, was unconstitutional.
- The petitioner claimed the Act constituted an undue delegation of legislative power.
- He also contended that the rules interfered with legitimate business and personal liberty.

Petitioner's/Plaintiff's Arguments:

- Commonwealth Act No. 548 constitutes an undue delegation of legislative power.
- The rules and regulations promulgated under the Act interfere with legitimate business or trade.
- The rules and regulations abridge the right to personal liberty and freedom of locomotion.
- The rules and regulations infringe upon the constitutional precept regarding the promotion of social justice.

Respondent's/Defendant's Arguments:

- Commonwealth Act No. 548 is a valid exercise of the state's police power.
- The Act does not delegate legislative power but confers administrative authority to implement legislative policy.
- The rules and regulations promote public welfare and safety.
- The restrictions on animal-drawn vehicles are necessary to relieve traffic congestion and ensure public safety.

Issues and Ruling:

Whether or not Commonwealth Act No. 548 constitutes an undue delegation of legislative power NO. The Supreme Court ruled that Commonwealth Act No. 548 does not constitute an undue delegation of legislative power. The Court explained that the Act merely confers administrative power to the Director of Public Works and the Secretary of Public Works and Communications to carry out the legislative policy laid down by the National Assembly. The authority given is not to determine what public policy demands but to implement the policy of promoting safe transit and avoiding obstructions on national roads. The Court stated: "The delegated power, if at all, therefore, is not the determination of what the law shall be, but merely the ascertainment of the facts and circumstances upon which the application of said law is to be predicated." The Court emphasized that this administrative function cannot be directly discharged by the National Assembly and must depend on the discretion of government officials to determine when and how to execute the law.

Whether or not the rules and regulations promulgated under Commonwealth Act No. 548 constitute an unlawful interference with legitimate business or trade and abridge the right to personal liberty and freedom of locomotion NO. The Supreme Court ruled that the rules and regulations do not constitute an unlawful interference with legitimate business or trade, nor do they abridge the right to personal liberty and freedom of locomotion. The Court held that Commonwealth Act No. 548 was passed in the exercise of the state's police power to promote public welfare. The Court stated: "Public welfare, then, lies at the bottom of the enactment of said law, and the state in

order to promote the general welfare may interfere with personal liberty, with property, and with business and occupations." The Court emphasized that individual rights are subordinated to the fundamental aim of promoting the general welfare of society. It further explained that the scope of police power expands as civilization advances, allowing the state to regulate activities that may become a menace to public health and welfare due to changed situations or population growth.

Whether or not the rules and regulations infringe upon the constitutional precept regarding the promotion of social justice NO. The Supreme Court ruled that the rules and regulations do not infringe upon the constitutional precept regarding the promotion of social justice. The Court clarified that social justice is not achieved through mistaken sympathy towards any given group. Instead, it defined social justice as "the humanization of laws and the equalization of social and economic forces by the State so that justice in its rational and objectively secular conception may at least be approximated." The Court further explained: "Social justice means the promotion of the welfare of all the people, the adoption by the Government of measures calculated to insure economic stability of all the competent elements of society, through the maintenance of a proper economic and social equilibrium in the interrelations of the members of the community." The Court emphasized that social justice must be founded on the recognition of interdependence among diverse units of society and should aim to bring about "the greatest good to the greatest number."

Dispositive:

In view of the foregoing, the writ of prohibition prayed for is hereby denied, with costs against the petitioner.

Other Notes:

n/a

Almeda vs. CA [G.R. No. L-43800, July 29, 1977]

Summary:

This case involves petitioners Leonila Laurel Almeda and Venancio Almeda (landowners) and respondent Eulogio Gonzales (tenant). Gonzales sought to redeem a 46,529-square-meter sugar cane and coconut land in Tanauan, Batangas that was sold by the previous owners to the Almedas without notifying Gonzales. Gonzales filed a complaint for redemption with the Court of Agrarian Relations. The Agrarian Court ruled in favor of Gonzales, allowing him to redeem the land. The Court of Appeals affirmed this decision. The Supreme Court reversed the lower courts' rulings, holding that Gonzales failed to validly exercise his right of redemption by not making a prior tender or judicial consignment of the redemption price.

Doctrine:

- "The timely exercise of the right of legal redemption requires either tender of the price or valid consignment thereof."
- "Bona-fide redemption necessarily imports a seasonable and valid tender of the entire repurchase price. The right of a redemptioner to pay a 'reasonable price' does not excuse him from the duty to make proper tender of the price that can be honestly deemed reasonable under the circumstances, without prejudice to final arbitration by the courts."
- "It is not difficult to discern why the redemption price should either be fully offered in legal tender or else validly consigned in court. Only by such means can the buyer become certain that the offer to redeem is one made seriously and in good faith. A buyer cannot be expected to entertain an offer of redemption without attendant evidence that the redemptioner can, and is willing to accomplish the repurchase immediately."

Facts:

- Respondent Eulogio Gonzales was an agricultural share tenant on a 46,529-square-meter land in Tanauan, Batangas, devoted to sugar cane and coconuts.
- On September 30, 1968, the landowners sold the property to petitioners-spouses Leonila Laurel Almeda and Venancio Almeda without notifying Gonzales in writing.
- The sale was registered with the Register of Deeds on March 27, 1969.
- Gonzales filed a complaint for redemption on March 27, 1971 with the Court of Agrarian Relations.
- The Agrarian Court ruled in favor of Gonzales, allowing him to redeem the land for P24,000.00.
- The Court of Appeals affirmed the Agrarian Court's decision.
- Gonzales did not make a prior tender or judicial consignment of the redemption price when filing the redemption suit.

Petitioner's/Plaintiff's Arguments:

- The landowners first offered the sale of the land to Gonzales, but he said he had no money.
- Gonzales personally implored the petitioners to buy the land.

- Gonzales is a mere dummy of someone deeply interested in buying the land.
- Gonzales made no tender of payment or valid consignment in court when he filed the complaint for redemption.

Respondent's/Defendant's Arguments:

- Gonzales seeks to redeem the land pursuant to Sections 11 and 12 of the Code of Agrarian Reforms.
- The sale was made without notifying Gonzales in writing.
- Gonzales has the right to redeem the land at a reasonable price and consideration.

Issues and Ruling:

Whether or not there is a tenant's right of redemption in sugar and coconut lands YES. The Court ruled that the right of redemption is available to tenants in sugar and coconut lands. The exemption of sugar lands from automatic conversion to agricultural leasehold is limited to the tenancy system and does not exclude other rights conferred by the Agricultural Land Reform Code, such as the right of pre-emption and redemption. Similarly, coconut lands are exempted only with respect to the consideration and tenancy system, implying that the right of pre-emption and redemption still applies.

Whether or not prior tender or judicial consignment of the redemption price is a condition precedent for the valid exercise of the right of redemption YES. The Court held that prior tender or judicial consignment of the redemption price is required for the valid exercise of the right of redemption. The Court stated: "The timely exercise of the right of legal redemption requires either tender of the price or valid consignment thereof". The absence of such tender or consignment means that the tenant failed to exercise his right of redemption in accordance with the law.

Whether or not the Court of Agrarian Relations has jurisdiction over complaints for redemption of sugar and coconut lands YES. The Court ruled that the Court of Agrarian Relations has jurisdiction over suits for redemption of sugar and coconut lands. Section 154 of the Agricultural Land Reform Code, as amended, states that the Court of Agrarian Relations has original and exclusive jurisdiction over "all cases or actions involving matters, controversies, disputes, or money claims arising from agrarian relations". Since this case involves a matter arising from agrarian relations, the Agrarian Court has jurisdiction to hear and decide the case.

Dispositive:

ACCORDINGLY, the appealed decision of the Court of Appeals is hereby reversed and set aside. Respondent Eulogio Gonzales is hereby held not to have validly exercised his right of redemption over his tenanted agricultural land. No costs.

Other Notes:

n/a

Ondoy vs. Ignacio [G.R. No. L-47178, May 16, 1980]

Summary:

This case involves a claim for compensation filed by Estrella B. Ondoy, the mother of Jose Ondoy, who drowned while employed by Virgilio Ignacio. The claim was initially dismissed by a referee and the Secretary of Labor for lack of merit. The Supreme Court granted the petition for review, awarding compensation to the petitioner. The Court ruled that the failure to controvert the claim was fatal to any defense, and that there was sufficient evidence of the deceased's death by drowning while in the performance of his work.

Doctrine:

- "The failure to controvert 'is fatal to any defense that petitioner could interpose. So we have held in a host of decisions in compliance with the clear and express language of the Workmen's Compensation Act. Any assertion to the contrary is doomed to futility."
- "Even without such evidence, the petitioner could have relied on the presumption of compensability under the Act once it is shown that the death or disability arose in the course of employment, with the burden of overthrowing it being cast on the person or entity resisting the claim."
- "To be more specific, the principle of social justice is in this sphere strengthened and vitalized. A realistic view is that expressed in *Agustin v. Workmen's Compensation Commission*: 'As between a laborer, usually poor and unlettered, and the employer, who has resources to secure able legal advice, the law has reason to demand from the latter stricter compliance. Social justice in these cases is not equality but protection.'"

Facts:

- Jose Ondoy, a fisherman, was employed by Virgilio Ignacio on a fishing vessel.
- Jose Ondoy drowned and died on October 22, 1968.
- Estrella B. Ondoy, Jose's mother, filed a claim for compensation.
- The claim was not controverted by the employer.
- The employer later filed a motion to dismiss based on alleged absence of employment relationship.
- Affidavits were submitted by the chief engineer and oiler stating that Jose left the vessel for a drinking spree.
- A counter-affidavit from the chief-mate stated that Jose died while in the actual performance of his work.
- The referee dismissed the claim for lack of merit.
- The Secretary of Labor denied the motion for reconsideration.

Petitioner's/Plaintiff's Arguments:

- The claim for compensation should be granted as there was no controversion filed by the employer.
- The deceased died while in the actual performance of his work, as evidenced by the affidavit of the chief-mate.
- The presumption of compensability under the Workmen's Compensation Act should apply.

Respondent's/Defendant's Arguments:

- There was an absence of employment relationship between the deceased and the employer.
- The deceased left the vessel and was not performing work duties when he drowned.
- The claim lacks merit and should be dismissed.

Issues and Ruling:

Whether or not the failure to controvert the claim is fatal to any defense of the employer YES.

The Court explicitly held that the failure to controvert "is fatal to any defense that petitioner could interpose." This principle has been consistently upheld in numerous decisions in compliance with the clear language of the Workmen's Compensation Act. The Court cited multiple cases supporting this doctrine, emphasizing that any assertion to the contrary would be futile.

Whether or not there is sufficient evidence to support the compensation claim YES.

The Court found that there was evidence of the fact of death due to drowning, which was not controverted. Moreover, there was direct and categorical evidence that the deceased was drowned while "in the actual performance of his work" with the shipping enterprise of private respondent. The Court also noted that even without such evidence, the petitioner could have relied on the presumption of compensability under the Act once it is shown that the death arose in the course of employment.

Whether or not the principle of social justice applies in this case YES.

The Court emphasized the importance of social justice in interpreting the Workmen's Compensation Act. It cited the case of *Agustin v. Workmen's Compensation Commission*, which stated: "As between a laborer, usually poor and unlettered, and the employer, who has resources to secure able legal advice, the law has reason to demand from the latter stricter compliance. Social justice in these cases is not equality but protection." The Court stressed that this principle is strengthened and vitalized in cases like this.

Dispositive:

WHEREFORE, the petition for review is granted and petitioner Estrella B. Ondoy is awarded the sum of P6,000.00 as compensation for the death of her son, Jose Ondoy; P200.00 for burial expenses; and P600.00 as attorney's fees. This decision is immediately executory. Costs against private respondent Virgilio Ignacio.

Other Notes:

n/a

Salonga vs. Farrales [G.R. No. L-47088, July 10, 1981]

Summary:

This case involves an appeal by Consolacion Duque Salonga and her husband Wenceslao Salonga (plaintiffs-appellants) against Julita B. Farrales and the Sheriff of Olongapo City (defendants-appellees). The Salongas filed a complaint seeking to compel Farrales to sell them a 156 square meter parcel of land where their house stood. They also sought an injunction to prevent their eviction based on a prior ejectment case. The Court of First Instance dismissed the Salongas' complaint. On appeal, the Supreme Court affirmed the dismissal, ruling that there was no perfected contract of sale between the parties that could be enforced through specific performance.

Doctrine:

- "It is not difficult to glean from the aforementioned averments that the petitioners themselves admit that they and the respondent still had to meet and agree on how and when the down payment and the installment payments were to be paid. Such being the situation, it cannot, therefore, be said that a definite and firm sales agreement between the parties had been perfected over the lot in question. Indeed this Court has already ruled before that a definite agreement on the manner of payment of the purchase price is as essential element in the formation of a binding and enforceable contract of sale."
- "Since contracts are enforceable only from the moment of perfection (Articles 1315 and 1475, Civil Code of the Philippines; Pacific Oxygen and Acetylene Co. vs. Central Bank, G.R. NO. L-21881, March 1, 1968; Atkins, Kroll and Co., Inc., vs. B. Cua Hian Teck, G.R. NO. L-9817, January 31, 1958), and there is here no perfected contract at all, it goes without saying that plaintiff has absolutely nothing to enforce against defendant Farrales"

Facts:

- Julita B. Farrales is the titled owner of a parcel of residential land in Sta. Rita, Olongapo City.
- Consolacion Duque Salonga was in possession of 156 square meters of this land as a lessee, on which she had built a house.
- Farrales filed an ejectment case against Salonga and other lessees for non-payment of rent.
- The City Court of Olongapo City ruled in favor of Farrales, ordering the defendants to vacate and pay rent arrears.
- This decision was affirmed on appeal by the Court of First Instance.
- Farrales sold portions of the land to some of the other lessees.
- Salonga offered to purchase the 156 square meter portion she occupied, but Farrales refused.
- Salonga filed a complaint seeking to compel Farrales to sell her the land and for an injunction against eviction.
- The Court of First Instance dismissed Salonga's complaint.
- Salonga appealed to the Court of Appeals, which certified the case to the Supreme Court as it involved purely legal issues.

Petitioner's/Plaintiff's Arguments:

- Farrales should be compelled to sell the 156 square meter portion of land to Salonga, as she had sold portions to other lessees.

- The court should issue a preliminary injunction to prevent the enforcement of the ejectment decision.
- Section 6, Article II of the New Constitution (social justice provision) should be applied to the case.

Respondent's/Defendant's Arguments:

- There was no perfected contract of sale between Farrales and Salonga.
- Salonga, as a lessee, has no right to compel the sale of the land.
- The ejectment decision is final and executory and should be enforced.

Issues and Ruling:

- **Whether or not there was a perfected contract of sale between Salonga and Farrales that could be enforced through specific performance**
 - **NO.** The Supreme Court ruled that there was no perfected contract of sale between Salonga and Farrales. The Court noted that Salonga admitted in her complaint that Farrales had "persistently refused" her offer to purchase the land. The Court held that without a meeting of the minds, no contract was formed. It cited Salonga's testimony that no agreement was finalized because Farrales wanted cash payment, which Salonga did not have, and no negotiations occurred regarding installment payments. The Court emphasized that a definite agreement on the manner of payment is an essential element in forming a binding contract of sale.
- **Whether or not Salonga, as a lessee, had the right to compel Farrales to sell her the land**
 - **NO.** The Supreme Court ruled that Salonga, as a lessee, did not have the right to compel Farrales to sell her the land. The Court clarified that lessees are neither builders in good faith nor in bad faith, and their rights are governed by Article 1678 of the New Civil Code, not Article 448. Under Article 1678, lessees may remove improvements if the lessor refuses to reimburse them, but they do not have the right to buy the land.
- **Whether or not the principle of social justice under Section 6, Article II of the New Constitution could be applied to compel the sale of the land to Salonga**
 - **NO.** The Supreme Court ruled that social justice cannot be invoked to trample on the rights of property owners who are also entitled to protection under the Constitution and laws. The Court stated that social justice was not intended to take away rights from one person and give them to another who is not entitled to them. The Court emphasized that the plea for social justice cannot nullify the law on obligations and contracts and is beyond the power of the Courts to grant.

Dispositive:

WHEREFORE, the Appeal is DISMISSED for lack of merit and the judgment appealed from is hereby affirmed, without pronouncement as to costs.

Other Notes:

n/a

SECTION 11

Secretary of National Defense v. Manalo, G.R. No. 180906, October 7, 2008

Summary:

This case involves a petition for a writ of amparo filed by Raymond and Reynaldo Manalo against the Secretary of National Defense and the Chief of Staff of the Armed Forces of the Philippines (AFP). The Manalo brothers alleged they were abducted, detained, and tortured by military personnel and CAFGU members for 18 months before escaping. They sought protection through the writ of amparo. The Supreme Court affirmed the Court of Appeals' decision granting the privilege of the writ of amparo and ordering the respondents to furnish information and confirm the whereabouts of certain military personnel implicated in the abduction.

Doctrine:

"The writ of amparo serves both preventive and curative roles in addressing the problem of extralegal killings and enforced disappearances. It is preventive in that it breaks the expectation of impunity in the commission of these offenses; it is curative in that it facilitates the subsequent punishment of perpetrators as it will inevitably yield leads to subsequent investigation and action. In the long run, the goal of both the preventive and curative roles is to deter the further commission of extralegal killings and enforced disappearances."

"The right to security of person is a guarantee of bodily and psychological integrity or security. Article III, Section 1 of the 1987 Constitution guarantees that, as a general rule, one's body cannot be searched or invaded without a search warrant. Physical injuries inflicted in the context of extralegal killings and enforced disappearances constitute more than a search or invasion of the body. It may constitute dismemberment, physical disabilities, and painful physical intrusion. As the degree of physical injury increases, the danger to life itself escalates."

Facts:

- Raymond and Reynaldo Manalo were abducted from their homes on February 14, 2006 by armed men identified as military personnel and CAFGU members.
- They were detained and tortured for 18 months in various military facilities.
- During their captivity, they witnessed other human rights violations and met other victims of abduction.
- They escaped on August 13, 2007 and subsequently filed a petition for a writ of amparo.
- The Court of Appeals granted the privilege of the writ of amparo and ordered the respondents to furnish information and confirm the whereabouts of certain military personnel.
- The Secretary of National Defense and AFP Chief of Staff appealed the decision to the Supreme Court.

Petitioner's/Plaintiff's Arguments:

- The Manalo brothers' allegations were uncorroborated and self-serving.

- The production order sought by the respondents requires compliance with the requisites for issuing a search warrant.
- The disclosure of military personnel's assignments is irrelevant and could compromise their safety and duties.
- The investigation conducted by the military was sufficient and exonerated the accused personnel.

Respondent's/Defendant's Arguments:

- There is a continuing threat to their life, liberty and security due to their escape and implication of military personnel in their abduction and torture.
- The government failed to conduct an effective investigation into their abduction and detention.
- The production of documents and information is necessary to protect their rights and facilitate further investigation.
- The disclosure of the implicated personnel's assignments is relevant to ensuring their safety and facilitating legal action.

Issues and Ruling:

Whether or not there is a continuing threat to the life, liberty and security of the Manalo brothers that justifies the grant of the privilege of the writ of amparo YES. The Supreme Court found substantial evidence of a continuing threat to the respondents' right to life, liberty and security. The Court noted that the respondents escaped captivity rather than being lawfully released, and that they had implicated specific military officers in their abduction and torture. The circumstances of their abduction, detention, torture and escape reasonably support a conclusion that there is an apparent threat that they will again be abducted, tortured, and possibly executed.

Whether or not the government failed in its duty to protect the Manalo brothers' right to security YES. The Court found that apart from the military's direct involvement in the abduction and torture, they also failed to conduct an effective investigation into the incident. The investigation conducted was limited, superficial, and one-sided. Despite directives from the Secretary of National Defense and the AFP Chief of Staff to investigate the matter, no results had been furnished to the respondents almost a year after the directive was issued.

Whether or not the Court of Appeals erred in ordering the respondents to furnish information and confirm the whereabouts of certain military personnel NO. The Supreme Court affirmed the Court of Appeals' order, ruling that the production order under the Amparo Rule should not be confused with a search warrant. The Court likened it to the production of documents under the Rules of Civil Procedure. The Court also found the disclosure of the whereabouts of the implicated military personnel relevant to ensuring the safety of the respondents and facilitating any further investigation or legal action.

Dispositive:

WHEREFORE, premises considered, the petition is DISMISSED. The Decision of the Court of Appeals dated December 26, 2007 is affirmed.