

ARTICLE 2

ARTICLE II – FUNDAMENTAL PRINCIPLES AND STATE POLICIES

Section 1

Villavicencio vs. Lukban [G.R. No. 14639, March 25, 1919] - 170 WOME

Section 2

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

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

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

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

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

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

Section 4

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

Section 6

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

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

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

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

Section 10

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

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

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

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

Section 11

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

Page 2 of 12

Section 12

Section 16

Section 17

Section 19

Section 21

Imbong vs. Ochoa, G.R. No. 204819, April 8, 2014

SPARK vs. Quezon City [G.R. No. 225442, August 8, 2017]

Virtouso vs. Municipal Judge [G.R. No. L-47841, March 21, 1978]

Obergefell vs. Hodges, 576 U.S. (2015), June 26, 2015

Falsis vs. Civil Registrar General, G.R. No. 217910, September 3, 2019

Oposa vs. Factoran [G.R. No. 101083, July 30, 1993]

Laguna Lake Development Authority vs. CA [G.R. No. 110120, March 16, 1994]

Guingona vs. Carague, G.R. No. 94571, April 22, 1991

Tanada v. Angara, G.R. No. 118295, May 2, 1997

Garcia vs. Board of Investments [G.R. No. 92024, November 9, 1990]

Association of Small Landowners in the Phils. vs. Sec. of DAR [G.R. No. 78742, July 14, 1989]

Hacienda Luisita, Inc. vs. Presidential Agrarian Reform Council, [G.R. No. 171101, July 5, 2011]

Section 25

Section 26

Section 28

Basco vs PAGCOR [G.R. No. 91649, May 14, 1991]

Limbona vs. Mangelin [G.R. No. 80391, February 28, 1989]

Pamatong vs. COMELEC [G.R. No. 161872, April 13, 2004]

Legaspi vs. Civil Service Commission [G.R. No. 72119, May 29, 1987]

Valmonte vs. Belmonte [G.R. No. 74930, February 13, 1989]

Aquino-Sarmiento vs. Morato [G.R. No. 92541, November 13, 1991]

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 , 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.

SECTION 12

Summary:

This case involves multiple petitions challenging the constitutionality of Republic Act No. 10354, also known as the Responsible Parenthood and Reproductive Health Act of 2012 (RH Law). The petitioners, including various religious and pro-life groups, argued that the RH Law violates constitutional provisions on the right to life, freedom of religion, and other rights. The respondents, including government officials, defended the law as a valid exercise of state power to address public health issues. The Supreme Court partially granted the petitions, declaring certain provisions of the RH Law unconstitutional while upholding the majority of the law.

Doctrine:

"Freedom of religion was accorded preferred status by the framers of our fundamental law. And this Court has consistently affirmed this preferred status, well aware that it is 'designed to protect the broadest possible liberty of conscience, to allow each man to believe as his conscience directs, to profess his beliefs, and to live as he believes he ought to live, consistent with the liberty of others and with the common good.'"

"The establishment clause 'principally prohibits the State from sponsoring any religion or favoring any religion as against other religions. It mandates a strict neutrality in affairs among religious groups.' Essentially, it prohibits the establishment of a state religion and the use of public resources for the support or prohibition of a religion."

"While the Constitution prohibits abortion, laws were enacted allowing the use of contraceptives. To some medical practitioners, however, the whole idea of using contraceptives is an anathema. Consistent with the principle of benevolent neutrality, their beliefs should be respected."

Facts:

- Republic Act No. 10354, known as the Responsible Parenthood and Reproductive Health Act of 2012 (RH Law), was enacted by Congress on December 21, 2012.
- Multiple petitions were filed challenging the constitutionality of the RH Law.
- Petitioners include religious groups, pro-life organizations, and concerned citizens.
- Respondents include government officials tasked with implementing the law.
- The RH Law aims to provide access to reproductive health services and information.
- Petitioners argue the law violates constitutional rights to life, religious freedom, and other rights.
- Respondents defend the law as addressing public health issues and population management.
- The Supreme Court issued a Status Quo Ante Order on March 19, 2013, temporarily halting the implementation of the RH Law.

Petitioner's/Plaintiff's Arguments:

- The RH Law violates the constitutional right to life of the unborn
- The law infringes on religious freedom by forcing health providers to refer for reproductive health services
- It violates marital privacy and parental authority
- The law amounts to an unconstitutional delegation of legislative power to the FDA
- It discriminates against the poor and violates equal protection
- The law imposes involuntary servitude on health providers

Respondent's/Defendant's Arguments:

- The RH Law does not legalize abortion and protects the right to life
- The law respects religious freedom and provides exemptions for conscientious objectors
- It addresses critical public health issues and helps reduce maternal mortality
- The delegation to the FDA is within constitutional bounds
- The law aims to provide equal access to reproductive health services, especially for the poor
- Pro bono services required are a valid exercise of state power

Issues and Ruling:

Whether or not the RH Law violates the right to life of the unborn

NO. The Court finds that the RH Law does not sanction abortion. It prohibits abortion and only allows access to contraceptives that are not abortifacients. The law recognizes that life begins at fertilization and provides protection from that point. The Court states: "To repeat, it is the Court's position that life begins at fertilization, not at implantation."

Whether or not the RH Law violates the freedom of religion

PARTIALLY YES. While the Court upholds most of the law, it declares unconstitutional certain provisions that infringe on religious freedom. Specifically, it strikes down portions that require health providers to refer patients for reproductive health services regardless of religious beliefs, and that punish conscientious objectors. The Court applies the principle of benevolent neutrality, stating: "Consistent with the principle of benevolent neutrality, their beliefs should be respected."

Whether or not the RH Law violates the right to privacy and family autonomy

PARTIALLY YES. The Court finds that certain provisions infringe on marital privacy and parental authority. It strikes down the provision allowing a married individual to undergo reproductive health procedures without spousal consent, as well as the provision allowing minors who are already parents to access family planning without parental consent. The Court states these provisions "drive a wedge between the husband and wife" and disregard "the natural and primary right of parents."

Whether or not the RH Law violates the principle of non-delegation of legislative authority

NO. The Court finds that the delegation of authority to the FDA to determine which drugs are non-abortifacient is valid. It states: "The FDA does not only have the power but also the competency to evaluate, register and cover health services and methods."

Dispositive:

WHEREFORE, the petitions are PARTIALLY GRANTED. Accordingly, the Court declares R.A. No. 10354 as NOT UNCONSTITUTIONAL except with respect to the following provisions which are declared UNCONSTITUTIONAL:

1. Section 7 and the corresponding provision in the RH-IRR insofar as they:
 - a) require private health facilities and non-maternity specialty hospitals and hospitals owned and operated by a religious group to refer patients, not in an emergency or life-threatening case, as defined under Republic Act No. 8344, to another health facility which is conveniently accessible; and
 - b) allow minor-parents or minors who have suffered a miscarriage access to modern methods of family planning without written consent from their parents or guardian/s;
2. Section 23(a)(1) and the corresponding provision in the RH-IRR, particularly Section 5.24 thereof, insofar as they punish any healthcare service provider who fails and or refuses to disseminate information regarding programs and services on reproductive health regardless of his or her religious beliefs.
3. Section 23(a)(2)(i) and the corresponding provision in the RH-IRR insofar as they allow a married individual, not in an emergency or life-threatening case, as defined under Republic Act No. 8344, to undergo reproductive health procedures without the consent of the spouse;
4. Section 23(a)(2)(ii) and the corresponding provision in the RH-IRR insofar as they limit the requirement of parental consent only to elective surgical procedures.
5. Section 23(a)(3) and the corresponding provision in the RH-IRR, particularly Section 5.24 thereof, insofar as they punish any healthcare service provider who fails and/or refuses to refer a patient not in an emergency or life-threatening case, as defined under Republic Act No. 8344, to another health care service provider within the same facility or one which is conveniently accessible regardless of his or her religious beliefs;
6. Section 23(b) and the corresponding provision in the RH-IRR, particularly Section 5.24 thereof, insofar as they punish any public officer who refuses to support reproductive health programs or shall do any act that hinders the full implementation of a reproductive health program, regardless of his or her religious beliefs;
7. Section 17 and the corresponding provision in the RH-IRR regarding the rendering of pro bono reproductive health service in so far as they affect the conscientious objector in securing PhilHealth accreditation; and
8. Section 3.01(a) and Section 3.01 (j) of the RH-IRR, which added the qualifier "primarily" in defining abortifacients and contraceptives, as they are ultra vires and, therefore, null and void for contravening Section 4(a) of the RH Law and violating Section 12, Article II of the Constitution.

The Status Quo Ante Order issued by the Court on March 19, 2013 as extended by its Order, dated July 16, 2013, is hereby LIFTED, insofar as the provisions of R.A. No. 10354 which have been herein declared as constitutional.

Other Notes:

n/a

Would you like me to summarize the specific reasons why the Court declared those eight points unconstitutional?

Summary:

The petitioners, led by Samahan ng mga Progresibong Kabataan (SPARK), filed a petition for certiorari and prohibition against the local governments of Quezon City, Manila, and Navotas, challenging the constitutionality of their respective curfew ordinances for minors. The petitioners argued that the ordinances violated minors' right to travel and parents' right to rear their children. They also claimed the Manila ordinance conflicted with RA 9344 (Juvenile Justice and Welfare Act) by imposing penalties on minors. The Supreme Court partially granted the petition, declaring the Manila and Navotas ordinances unconstitutional while upholding the Quezon City ordinance as constitutional.

Doctrine:

"The strict scrutiny test as applied to minors entails a consideration of the peculiar circumstances of minors as enumerated in *Bellotti vis-a-vis the State's duty as parens patriae* to protect and preserve their well-being with the compelling State interests justifying the assailed government act. Under the strict scrutiny test, a legislative classification that interferes with the exercise of a fundamental right or operates to the disadvantage of a suspect class is presumed unconstitutional. Thus, the government has the burden of proving that the classification (i) is necessary to achieve a compelling State interest, and (ii) is the least restrictive means to protect such interest or the means chosen is narrowly tailored to accomplish the interest."

"Jurisprudence holds that compelling State interests include constitutionally declared policies. This Court has ruled that children's welfare and the State's mandate to protect and care for them as *parens patriae* constitute compelling interests to justify regulations by the State. It is akin to the paramount interest of the state for which some individual liberties must give way."

Facts:

- Following President Rodrigo Duterte's campaign to implement a nationwide curfew for minors, several local governments in Metro Manila started strictly implementing curfew ordinances on minors.
- The local governments of Navotas City, City of Manila, and Quezon City implemented curfew ordinances for minors under 18 years old.
- Petitioners, led by Samahan ng mga Progresibong Kabataan (SPARK), filed a petition challenging the constitutionality of these curfew ordinances.
- Petitioners argued that the ordinances were unconstitutional for violating minors' right to travel and parents' right to rear their children.
- They also claimed the Manila ordinance conflicted with RA 9344 (Juvenile Justice and Welfare Act) by imposing penalties on minors.

- Respondents sought dismissal of the petition, questioning the propriety of certiorari and prohibition, direct resort to the Supreme Court, and lack of actual controversy and standing.

Petitioner's/Plaintiff's Arguments:

- The curfew ordinances result in arbitrary and discriminatory enforcement, falling under the void for vagueness doctrine.
- The ordinances suffer from overbreadth by proscribing or impairing legitimate activities of minors during curfew hours.
- The ordinances deprive minors of the right to liberty and the right to travel without substantive due process.
- The ordinances deprive parents of their natural and primary right in rearing the youth without substantive due process.
- The Manila ordinance contravenes RA 9344 by imposing penalties on minors for curfew violations.

Respondent's/Defendant's Arguments:

- The petition should be dismissed due to improper use of certiorari and prohibition to challenge the ordinances' constitutionality.
- Petitioners' direct resort to the Supreme Court violates the hierarchy of courts doctrine.
- There is a lack of actual controversy and standing to warrant judicial review.
- The curfew ordinances serve legitimate government interests in protecting minors and preventing juvenile crime.

Issues and Ruling:

Whether or not the curfew ordinances are unconstitutional for violating minors' right to travel PARTLY YES. The Manila and Navotas ordinances are unconstitutional, while the Quezon City ordinance is constitutional. The Court applied the strict scrutiny test, which requires that the government prove a compelling state interest and that the means chosen are the least restrictive to accomplish that interest. All three ordinances passed the first prong by showing a compelling interest to promote juvenile safety and prevent juvenile crime. However, only the Quezon City ordinance passed the second prong by providing adequate exceptions that enable minors to freely exercise their fundamental rights during curfew hours, making it narrowly tailored to achieve the state's purpose.

Whether or not the curfew ordinances violate parents' right to rear their children NO. The Court held that while parents have the primary right and duty in rearing children, the State has a complementary role as *parens patriae* to aid parents in the moral development of their children. The curfew ordinances are legal restrictions designed to aid parents in promoting their children's well-being. They only affect parents' prerogative to allow minors to remain in public places without parental accompaniment during curfew hours, which is a minimal and reasonable infringement on parental rights.

Whether or not the Manila ordinance's penal provisions conflict with RA 9344 (Juvenile Justice and Welfare Act) PARTLY YES. The Court ruled that the Manila ordinance's provisions imposing reprimand, fines, and/or imprisonment on minors for curfew violations directly conflict with Section 57-A of RA 9344, which prohibits penalties on children for status offenses like curfew violations. These provisions are therefore invalid. However, the Court held that community service programs and admonition are allowed as they do not constitute penalties under the law.

Dispositive:

WHEREFORE, the petition is PARTLY GRANTED. The Court hereby declares Ordinance No. 8046, issued by the local government of the City of Manila, and Pambayang Ordinansa Blg. 99-02, as amended by Pambayang Ordinansa Blg. 2002-13 issued by the local government of Navotas City, UNCONSTITUTIONAL and, thus, NULL and VOID; while Ordinance No. SP-2301, Series of 2014, issued by the local government of the Quezon City is declared CONSTITUTIONAL and, thus, VALID in accordance with this Decision.

Other Notes:

n/a

Virtuoso vs. Judge

Constitutional By Digest Team (Dec 2024) • Dec 1, 2024

Summary:

The case involves Francisco Virtuoso, Jr. (petitioner) filing a writ of habeas corpus against the Municipal Judge of Mariveles, Bataan, and the Chief of Police of Mariveles, Bataan (respondents). The petitioner challenged the validity of his arrest warrant, claiming the preliminary examination was constitutionally deficient and the bail was excessive. The Supreme Court resolved the case by ordering the release of the petitioner on recognizance, as he was a minor entitled to protection under the Child and Youth Welfare Code, without ruling on the constitutional issues raised.

Doctrine:

"This Court should, whenever appropriate, give vitality and force to the Youth and Welfare Code, which is an implementation of this specific constitutional mandate: 'The State recognizes the vital role of the youth in nation-building and shall promote their physical, intellectual, and social well-being.'"

"Where, however, the right to bail exists, it should not be rendered nugatory by requiring a sum that is excessive. So the Constitution commands. It is understandable why. If there were no such prohibition, the right to bail becomes meaningless."

Facts:

- Francisco Virtuoso, Jr. filed an application for the writ of habeas corpus on February 23, 1978.
- He challenged the validity of the preliminary examination that led to the issuance of a warrant of arrest against him.
- The bail imposed was ₱16,000.00 for an alleged robbery of a TV set.
- The Court issued a writ of habeas corpus, returnable on March 15, 1978.
- Respondent Judge reduced the bail amount to ₱8,000.00.
- During oral arguments, it was discovered that the petitioner was a seventeen-year-old minor.
- As a minor, he was entitled to protection under the Child and Youth Welfare Code.

Petitioner's/Plaintiff's Arguments:

- The preliminary examination which led to the issuance of a warrant of arrest was a useless formality.
- The respondent Municipal Judge failed to meet the strict standard required by the Constitution to ascertain whether there was probable cause.
- The bail imposed was clearly excessive at ₱16,000.00 for an alleged robbery of a TV set.

Respondent's/Defendant's Arguments:

- There was no impropriety in the way the preliminary examination was conducted.
- The bail was fixed in accordance with the Revised Bail Bond Guide issued by the Executive Judge of Bataan in 1977.
- The bail amount was reduced to ₱8,000.00.

Issues and Ruling:

Whether or not the preliminary examination conducted by the respondent Judge was constitutionally deficient The Court did not rule on this issue. The resolution was based on the petitioner's status as a minor, making it unnecessary to address the constitutional question.

Whether or not the bail imposed was excessive The Court did not explicitly rule on this issue. However, it emphasized the constitutional prohibition against excessive bail, stating: "Where, however, the right to bail exists, it should not be rendered nugatory by requiring a sum that is excessive. So the Constitution commands."

Whether or not the petitioner should be released on recognizance YES. The Court ordered the release of the petitioner on the recognizance of his parents and counsel,

pursuant to section 191 of Presidential Decree No. 603, as the petitioner was a 17-year-old minor entitled to the protection and benefits of the Child and Youth Welfare Code.

Dispositive:

WHEREFORE, the petition is granted in accordance with the terms of the Resolution of this Court of March 15, 1978 as set forth above.

Other Notes:

n/a

Falcis III vs. Civil Registrar General

Constitutional By Digest Team (Sept 2024) • Sep 30, 2024

Summary:

This case involves a petition filed by Jesus Nicardo M. Falcis III challenging the constitutionality of Articles 1 and 2 of the Family Code, which define and limit marriage to opposite-sex couples. Falcis, who identifies as homosexual, filed the petition directly with the Supreme Court, arguing that the Family Code provisions violate constitutional rights to due process, equal protection, and religious freedom. The LGBTS Christian Church and several individuals later filed a petition-in-intervention supporting Falcis' petition. The Civil Registrar General opposed the petition. The Supreme Court ultimately dismissed both the original petition and petition-in-intervention on procedural grounds, finding there was no actual case or controversy and the petitioners lacked legal standing. The Court also found the petitioners and their counsel guilty of indirect contempt for failing to comply with Court orders.

Doctrine:

"Cultural hegemony often invites people to conform to its impositions on their identities. Yet, there are some who, despite pressures, courageously choose to be authentic to themselves. This case is about the assurance of genuine individual autonomy within our constitutional legal order. It is about the virtue of tolerance and the humane goal of non-discrimination. It is about diversity that encourages meaningful—often passionate—deliberation. Thus, it is about nothing less than the quality of our freedom."

"Judicial wisdom is, in large part, the art of discerning when courts choose not to exercise their perceived competencies. In this case, this Court unanimously chooses the path of caution."

"To do so assumes a blind unproven judicial faith that the shape of marriage in our current laws will be benign for same-sex couples. Progressive passion asserted recklessly may unintentionally impose more burdens rather than less."

"Basic in litigation raising constitutional issues is the requirement that there must be an actual case or controversy. This Court cannot render an advisory opinion."

"Allegations of abuse must be anchored on real events before courts may step in to settle actual controversies involving rights which are legally demandable and enforceable."

"This Court is a court of law. We are equipped with legal expertise, but we are not the final authority in other disciplines. In fields such as politics, sociology, culture, and economics, this Court is guided by the wisdom of recognized authorities, while being steered by our own astute perception of which notions can withstand reasoned and reasonable scrutiny."

Facts:

- Jesus Nicardo M. Falcis III filed a petition with the Supreme Court on May 18, 2015 challenging the constitutionality of Articles 1 and 2 of the Family Code.
- Falcis identifies as an "open and self-identified homosexual" and claims standing based on his personal stake in the outcome.
- The petition sought to declare Articles 1 and 2 of the Family Code unconstitutional and to nullify Articles 46(4) and 55(6) as a consequence.
- Falcis argued the provisions violate constitutional rights to due process, equal protection, privacy, and religious freedom.
- The LGBTS Christian Church and several individuals later filed a Petition-in-Intervention supporting Falcis' petition.
- The Civil Registrar General, through the Office of the Solicitor General, opposed the petition.
- Several individuals filed motions to intervene in opposition to the petition.
- The Supreme Court set oral arguments and ordered the parties to submit memoranda.
- Falcis and his co-counsel failed to submit their memorandum by the deadline set by the Court.
- The Court found Falcis and his co-counsel guilty of indirect contempt for failing to comply with Court orders.

Petitioner's/Plaintiff's Arguments:

- Articles 1 and 2 of the Family Code are unconstitutional for limiting marriage to opposite-sex couples.
- The provisions violate constitutional rights to due process, equal protection, privacy, and religious freedom.
- The case raises issues of transcendental importance that justify relaxing procedural rules.
- The mere passage of the Family Code created an actual case or controversy.
- Falcis has standing based on his identity as a homosexual and personal stake in the outcome.

Respondent's/Defendant's Arguments:

- The petition fails to present an actual case or controversy ripe for judicial review.
- Falcis lacks legal standing to challenge the Family Code provisions.

- The issues raised are political questions for Congress to address, not the courts.
 - The definition of marriage in the Family Code is consistent with the Constitution.
 - The petition violates the doctrine of hierarchy of courts by being filed directly with the Supreme Court.
-

Issues and Ruling:

Whether or not the petition presents an actual case or controversy that is ripe for judicial review NO. The Court ruled there was no actual case or controversy presented. Falcis had never applied for a marriage license or taken any concrete action that was denied based on the challenged provisions. The Court stated: "Petitioner has neither suffered any direct personal injury nor shown that he is in danger of suffering any injury from the present implementation of the Family Code. He has neither presented an actual case nor legal standing."

Whether or not Falcis has legal standing to challenge the constitutionality of the Family Code provisions NO. The Court found Falcis lacked legal standing, stating: "Petitioner's supposed 'personal stake in the outcome of this case' is not the direct injury contemplated by jurisprudence as that which would endow him with standing. Mere assertions of a 'law's normative impact'; 'impairment' of his 'ability to find and enter into long-term monogamous same-sex relationships'; as well as injury to his 'plans to settle down and have a companion for life in his beloved country'; or influence over his 'decision to stay or migrate to a more LGBT friendly country' cannot be recognized by this Court as sufficient interest."

Whether or not the petition-in-intervention cures the procedural defects of the original petition NO. The Court ruled that the petition-in-intervention suffered from the same procedural defects as the original petition and could not cure its flaws. The Court found it was "not a bona fide plea for relief, but a sly, tardy stratagem" to prop up the deficient original petition.

Whether or not the doctrine of transcendental importance justifies relaxing the rules on standing and justiciability NO. The Court held that transcendental importance does not automatically justify relaxing procedural rules, especially when there are no actual facts presented to substantiate the claims. The Court stated: "Transcendental importance is not a life buoy designed to save unprepared petitioners from their own mistakes and missteps. Its mere invocation is not license to do away with this Court's own rules of procedure."

Dispositive:

WHEREFORE, the Petition for Certiorari and Prohibition and the Petition-in-Intervention are DISMISSED. This Court finds petitioner Atty. Jesus Nicardo M. Falcis III, his co-counsels Atty. Darwin P. Angeles, Atty. Keisha Trina M. Guangko, Atty. Christopher Ryan R. Maranan, as well as intervenor-oppositor Atty. Fernando P. Perito, all GUILTY of INDIRECT CONTEMPT of COURT. Atty. Falcis is sentenced to pay a fine of Five Thousand Pesos (P5,000.00) within thirty (30) days from notice. Atty. Angeles, Atty. Guangko, Atty. Maranan,

and Atty. Perito are REPRIMANDED AND ADMONISHED to be more circumspect of their duties as counsel. They are STERNLY WARNED that any further contemptuous acts shall be dealt with more severely.

Other Notes:

n/a

SECTION 16

This image contains a case digest for the landmark Philippine Supreme Court case **Oposa vs. Factoran**. Here is the transcription of the text:

Oposa vs. Factoran

By Digest Team (Sept 2024) - Sep 15, 2024

Summary:

This case involves a petition filed by minors represented by their parents against the Secretary of the Department of Environment and Natural Resources (DENR) to cancel existing timber license agreements (TLAs) and cease issuing new ones. The petitioners argue that deforestation violates their constitutional right to a balanced and healthful ecology. The case originated as Civil Case No. 90-777 in the Regional Trial Court, which dismissed the complaint. On appeal, the Supreme Court reversed the dismissal, ruling that the petitioners have a cause of action and that the case does not present a political question. The Court held that the right to a balanced ecology is a fundamental legal right that implies a correlative duty to refrain from impairing the environment.

Doctrine:

- "The right to a balanced and healthful ecology carries with it the correlative duty to refrain from impairing the environment."
- "While the right to a balanced and healthful ecology is to be found under the Declaration of Principles and State Policies and not under the Bill of Rights, it does not follow that it is less important than any of the civil and political rights enumerated in the latter. Such a right belongs to a different category of rights altogether for it concerns nothing less than self-preservation and self-perpetuation — aptly and fittingly stressed by the petitioners — the advancement of which may even be said to predate all governments and constitutions."
- "Timber licenses, permits and license agreements are the principal instruments by which the State regulates the utilization and disposition of forest resources to the end that public welfare is promoted. And it can hardly be gainsaid that they merely evidence a privilege granted by the State to qualified entities, and do not vest in the latter a permanent or irrevocable right to the particular concession area and the forest products therein. They may be validly amended, modified, replaced or rescinded by the Chief Executive when national interests so require."

Facts:

- The petitioners are minors represented by their parents, filing on behalf of themselves and future generations.
- They filed a class action suit against the Secretary of the Department of Environment and Natural Resources (DENR).
- The petitioners seek the cancellation of all existing timber license agreements (TLAs) in the country.
- They also request the DENR to cease receiving, accepting, processing, renewing or approving new TLAs.

- The complaint alleges that deforestation has caused environmental damage including water shortages, drought, flooding, and climate change.
- The case was originally filed as Civil Case No. 90-777 in the Regional Trial Court.
- The RTC dismissed the complaint, citing lack of cause of action and the political question doctrine.
- The petitioners appealed to the Supreme Court through a special civil action for certiorari.

Petitioner's/Plaintiff's Arguments:

- The granting of TLAs violates their constitutional right to a balanced and healthful ecology.
- Continued deforestation will cause irreparable damage to present and future generations.
- The DENR has a correlative duty to protect and advance the right to a balanced ecology.
- The case does not present a political question but involves the enforcement of a legal right.
- The non-impairment clause does not apply to TLAs as they are not contracts but regulatory instruments.

Respondent's/Defendant's Arguments:

- The petitioners failed to state a cause of action in their complaint.
- The issue of logging permits is a political question that should be addressed by the executive or legislative branches.
- Cancelling TLAs without due process would violate the non-impairment of contracts clause in the Constitution.
- The petitioners' allegations are based on unverified data and vague assumptions.

Issues and Ruling:

Whether or not the petitioners have a cause of action to "prevent the misappropriation or impairment" of Philippine rainforests and "arrest the unabated hemorrhage of the country's vital life-support systems and continued rape of Mother Earth."

YES. The Supreme Court ruled that the petitioners have a cause of action. The Court held that the right to a balanced and healthful ecology is a fundamental legal right that implies a correlative duty to refrain from impairing the environment. This right is enshrined in Section 16, Article II of the 1987 Constitution. The Court stated: "The complaint focuses on one specific fundamental legal right -- the right to a balanced and healthful ecology which, for the first time in our nation's constitutional history, is solemnly incorporated in the fundamental law." The Court further emphasized that this right is linked to the constitutional mandate for the State to protect and advance the right to health.

Whether or not the case presents a political question that is beyond the scope of judicial review.

NO. The Supreme Court ruled that the case does not present a political question. The Court cited the expanded judicial power under the 1987 Constitution, which allows courts to determine whether there has been grave abuse of discretion by any branch of government. The Court stated: "Policy formulation or determination by the executive or legislative branches of Government is not squarely put in issue. What is principally involved is the enforcement of a right vis-a-vis policies already formulated and expressed in legislation." The Court emphasized that the political question doctrine is no longer an insurmountable obstacle to judicial review.

Whether or not the non-impairment of contracts clause in the Constitution prevents the cancellation or modification of timber license agreements.

NO. The Supreme Court ruled that the non-impairment clause does not apply to timber license agreements. The Court held that TLAs are not contracts but rather instruments of regulation that can be modified or rescinded by the government when public interest requires. The Court stated: "A timber license is not a contract within the purview of the due process clause; it is only a license or privilege, which can be validly withdrawn whenever dictated by public interest or public welfare as in this case." Furthermore, the Court noted that even if TLAs were considered contracts, the non-impairment clause must yield to the police power of the state when it comes to environmental protection.

Dispositive:

WHEREFORE, being impressed with merit, the instant Petition is hereby GRANTED, and the challenged Order of respondent Judge of 18 July 1991 dismissing Civil Case No. 90-777 is hereby set aside. The petitioners may therefore amend their complaint to implead as defendants the holders or grantees of the questioned timber license agreements. No pronouncement as to costs.

Other Notes:

n/a

Would you like me to explain the concept of **intergenerational responsibility** mentioned in this case, or perhaps compare this ruling to other environmental cases?

Laguna Lake Development Authority vs. CA

By Digest Team (Sept 2024) - Sep 17, 2024

Summary:

This case involves a dispute between the Laguna Lake Development Authority (LLDA) and the City Government of Caloocan regarding the dumping of garbage at an open dumpsite in Barangay Camarin, Caloocan City. The LLDA issued a cease and desist order to stop the dumping, which the City Government challenged in court. The case reached the Supreme

Court, which had to determine whether the LLDA had the authority to issue such an order. The Supreme Court ruled in favor of the LLDA, affirming its power to issue the cease and desist order and making the temporary restraining order against garbage dumping permanent.

Doctrine:

- "By its express terms, Republic Act No. 4850, as amended by P.D. No. 813 and Executive Order No. 927, series of 1983, authorizes the LLDA to 'make, alter or modify orders requiring the discontinuance of pollution.'"
- "While it is a fundamental rule that an administrative agency has only such powers as are expressly granted to it by law, it is likewise a settled rule that an administrative agency has also such powers as are necessarily implied in the exercise of its express powers."
- "Ex parte cease and desist orders are permitted by law and regulations in situations like that here presented precisely because stopping the continuous discharge of pollutive and untreated effluents into the rivers and other inland waters of the Philippines cannot be made to wait until protracted litigation over the ultimate correctness or propriety of such orders has run its full course, including multiple and sequential appeals such as those which Solar has taken, which of course may take several years."

Facts:

- On March 8, 1991, the Task Force Camarin Dumpsite filed a complaint with the LLDA to stop the operation of an 8.6-hectare open garbage dumpsite in Tala Estate, Barangay Camarin, Caloocan City.
- The LLDA conducted an investigation and found that the City Government of Caloocan was operating the dumpsite without proper environmental clearances.
- On December 5, 1991, the LLDA issued a Cease and Desist Order to stop the dumping of garbage at the site.
- The City Government of Caloocan initially complied but resumed dumping in August 1992.
- The LLDA issued another order reiterating the cease and desist order.
- The City Government of Caloocan filed a case in the Regional Trial Court to nullify the LLDA's order.
- The case eventually reached the Supreme Court after going through the Court of Appeals.

Petitioner's/Plaintiff's Arguments:

- The LLDA has the power and authority to issue a cease and desist order under its charter and amendatory laws.
- The LLDA's jurisdiction was validly invoked based on the allegation that the dumpsite project was undertaken without clearance from the LLDA.
- The power to issue a cease and desist order is necessarily implied in the LLDA's express powers as a regulatory and quasi-judicial body.

Respondent's/Defendant's Arguments:

- The City Government of Caloocan, as a local government unit, has the power to determine the effects of the dumpsite on ecological balance.
- The LLDA does not have the express power to issue an ex-parte cease and desist order.
- The LLDA should institute legal proceedings instead of issuing a cease and desist order.

Issues and Ruling:

Whether or not the LLDA has the authority to issue a cease and desist order against the City Government of Caloocan's garbage dumping activities**YES.** The Supreme Court ruled that the LLDA has the authority to issue a cease and desist order. The Court based this decision on the LLDA's charter (Republic Act No. 4850) and its amendatory laws, which grant the LLDA broad powers to protect the Laguna Lake region from pollution. The Court stated that while the power to issue a cease and desist order is not explicitly granted, it is necessarily implied in the LLDA's express powers to "make, alter or modify orders requiring the discontinuance of pollution." The Court also emphasized that such authority is crucial for the LLDA to effectively carry out its mandate of environmental protection.

Whether or not the LLDA's issuance of the cease and desist order was a valid exercise of its powers**YES.** The Supreme Court held that the LLDA's issuance of the cease and desist order was a valid exercise of its powers. The Court reasoned that as a specialized administrative agency, the LLDA is mandated to protect the inhabitants of the Laguna Lake region from the deleterious effects of pollutants. The Court also cited the constitutional right of people to a balanced and healthful ecology, stating that the LLDA's action was in line with this constitutional mandate. Furthermore, the Court emphasized that in cases of pollution, immediate action through orders like cease and desist is necessary to prevent ongoing harm to the environment and public health.

Dispositive:

WHEREFORE, the petition is GRANTED. The temporary restraining order issued by the Court on July 19, 1993 enjoining the City Mayor of Caloocan and/or the City Government of Caloocan from dumping their garbage at the Tala Estate, Barangay Camarin, Caloocan City is hereby made permanent.

Other Notes:

n/a

SECTION 17

Below are the transcriptions for the two case digests provided in the images:

Laguna Lake Development Authority vs. CA

By Digest Team (Sept 2024) - Sep 17, 2024

Summary:

This case involves a dispute between the Laguna Lake Development Authority (LLDA) and the City Government of Caloocan regarding the dumping of garbage at an open dumpsite in Barangay Camarin, Caloocan City. The LLDA issued a cease and desist order to stop the dumping, which the City Government challenged in court. The case reached the Supreme Court, which had to determine whether the LLDA had the authority to issue such an order. The Supreme Court ruled in favor of the LLDA, affirming its power to issue the cease and desist order and making the temporary restraining order against garbage dumping permanent.

Doctrine:

- "By its express terms, Republic Act No. 4850, as amended by P.D. No. 813 and Executive Order No. 927, series of 1983, authorizes the LLDA to 'make, alter or modify orders requiring the discontinuance of pollution.'"
- "While it is a fundamental rule that an administrative agency has only such powers as are expressly granted to it by law, it is likewise a settled rule that an administrative agency has also such powers as are necessarily implied in the exercise of its express powers."
- "Ex parte cease and desist orders are permitted by law and regulations in situations like that here presented precisely because stopping the continuous discharge of pollutive and untreated effluents into the rivers and other inland waters of the Philippines cannot be made to wait until protracted litigation over the ultimate correctness or propriety of such orders has run its full course, including multiple and sequential appeals such as those which Solar has taken, which of course may take several years."

Facts:

- On March 8, 1991, the Task Force Camarin Dumpsite filed a complaint with the LLDA to stop the operation of an 8.6-hectare open garbage dumpsite in Tala Estate, Barangay Camarin, Caloocan City.
- The LLDA conducted an investigation and found that the City Government of Caloocan was operating the dumpsite without proper environmental clearances.
- On December 5, 1991, the LLDA issued a Cease and Desist Order to stop the dumping of garbage at the site.

- The City Government of Caloocan initially complied but resumed dumping in August 1992.
- The LLDA issued another order reiterating the cease and desist order.
- The City Government of Caloocan filed a case in the Regional Trial Court to nullify the LLDA's order.
- The case eventually reached the Supreme Court after going through the Court of Appeals.

Petitioner's/Plaintiff's Arguments:

- The LLDA has the power and authority to issue a cease and desist order under its charter and amendatory laws.
- The LLDA's jurisdiction was validly invoked based on the allegation that the dumpsite project was undertaken without clearance from the LLDA.
- The power to issue a cease and desist order is necessarily implied in the LLDA's express powers as a regulatory and quasi-judicial body.

Respondent's/Defendant's Arguments:

- The City Government of Caloocan, as a local government unit, has the power to determine the effects of the dumpsite on ecological balance.
- The LLDA does not have the express power to issue an ex-parte cease and desist order.
- The LLDA should institute legal proceedings instead of issuing a cease and desist order.

Issues and Ruling:

Whether or not the LLDA has the authority to issue a cease and desist order against the City Government of Caloocan's garbage dumping activities YES. The Supreme Court ruled that the LLDA has the authority to issue a cease and desist order. The Court based this decision on the LLDA's charter (Republic Act No. 4850) and its amendatory laws, which grant the LLDA broad powers to protect the Laguna Lake region from pollution. The Court stated that while the power to issue a cease and desist order is not explicitly granted, it is necessarily implied in the LLDA's express powers to "make, alter or modify orders requiring the discontinuance of pollution". The Court also emphasized that such authority is crucial for the LLDA to effectively carry out its mandate of environmental protection.

Whether or not the LLDA's issuance of the cease and desist order was a valid exercise of its powers YES. The Supreme Court held that the LLDA's issuance of the cease and desist order was a valid exercise of its powers. The Court reasoned that as a specialized administrative agency, the LLDA is mandated to protect the inhabitants of the Laguna Lake region from the deleterious effects of pollutants. The Court also cited the constitutional right of people to a balanced and healthful ecology, stating that the LLDA's action was in line with this constitutional mandate. Furthermore, the Court emphasized that in cases of pollution, immediate action through orders like cease and desist is necessary to prevent ongoing harm to the environment and public health.

Dispositive:

WHEREFORE, the petition is GRANTED. The temporary restraining order issued by the Court on July 19, 1993 enjoining the City Mayor of Caloocan and/or the City Government of Caloocan from dumping their garbage at the Tala Estate, Barangay Camarin, Caloocan City is hereby made permanent.

Guingona vs. Carague

By Digest Team (Sept 2024) - Sep 17, 2024

Summary:

This case involves a petition filed by Senators Teofisto T. Guingona, Jr. and Aquilino Q. Pimentel, Jr. (petitioners) against the Secretary of Budget and Management, the National Treasurer, and the Commission on Audit (respondents). The petitioners questioned the constitutionality of the automatic appropriation for debt service in the 1990 budget, which was authorized by presidential decrees issued during the Marcos administration. They argued that these decrees were no longer valid and that the large debt service allocation violated the constitutional mandate to give highest priority to education. The Supreme Court dismissed the petition, ruling that the automatic appropriations for debt service were valid and constitutional.

Doctrine:

- "There can be no question that petitioners as Senators of the Republic of the Philippines may bring this suit where a constitutional issue is raised. Indeed, even a taxpayer has personality to restrain unlawful expenditure of public funds."
- "Section 3, Article XVIII of the Constitution recognizes that 'All existing laws, decrees, executive orders, proclamations, letters of instructions and other executive issuances not inconsistent with the Constitution shall remain operative until amended, repealed or revoked.'"
- "The automatic appropriation provides the flexibility for the effective execution of debt management policies."
- "There being no undue delegation of legislative power as clearly above shown, petitioners insist nevertheless that subject presidential decrees constitute undue delegation of legislative power to the executive on the alleged ground that the appropriations therein are not exact, certain or definite, invoking in support therefor the Constitution of Nebraska, the constitution under which the case of State v. Moore, 69 NW 974, cited by petitioners, was decided. Unlike the Constitution of Nebraska, however, our Constitution does not require a definite, certain, exact or specific appropriation made by law."

Facts:

- The 1990 budget consisted of P98.4 Billion in automatic appropriation (with P86.8 Billion for debt service) and P155.3 Billion appropriated under the General Appropriations Act.
- The automatic appropriation for debt service was authorized by presidential decrees issued during the Marcos administration (P.D. No. 81, P.D. No. 1177, and P.D. No. 1967).
- Petitioners argued that these decrees became functus officio when Marcos was ousted in 1986 and that they violate provisions of the 1987 Constitution.
- Petitioners contended that the large debt service allocation violated the constitutional mandate to give highest priority to education.
- The budget for the Department of Education, Culture and Sports was P27,017,813,000.00.

Petitioner's/Plaintiff's Arguments:

- The automatic appropriations under the Marcos-era decrees became functus officio when Marcos was ousted in 1986.
- The large debt service allocation violates the constitutional mandate to give highest priority to education.
- The presidential decrees are inconsistent with Sections 24 and 27 of Article VI of the Constitution, which require appropriation bills to be passed by Congress.
- The decrees constitute an undue delegation of legislative power to the executive.
- The appropriations in the decrees are not exact, certain or definite as required for valid appropriations.

Respondent's/Defendant's Arguments:

- The presidential decrees remain valid under Section 3, Article XVIII of the Constitution as they are not inconsistent with it.
- The automatic appropriation provides necessary flexibility for effective debt management.
- Congress has complied with the mandate to prioritize education, with the DECS budget being the highest among all departments.
- The decrees provide sufficient legislative parameters and do not constitute undue delegation.
- The Constitution does not require appropriations to be definite, certain, exact or specific.

Issues and Ruling:

Whether or not the automatic appropriation for debt service in the 1990 budget violates Section 5, Article XIV of the Constitution which mandates giving highest budgetary priority to education NO. The Court held that while Congress is mandated to "assign the highest budgetary priority to education," this does not deprive Congress of the power to respond to other imperatives of national interest. The Court noted that since 1985, the education budget has tripled, teacher compensation has doubled, and the DECS budget is the highest among all departments. Having complied with the mandate to prioritize education, Congress can reasonably provide appropriations to service the country's debt.

Whether or not P.D. No. 81, P.D. No. 1177 and P.D. No. 1967 are still operative under the 1987 Constitution YES. The Court ruled that these presidential decrees remain valid and operative under Section 3, Article XVIII of the Constitution, which states that existing laws not inconsistent with the Constitution shall remain operative until amended, repealed or revoked. The Court found that these decrees are not inconsistent with the Constitution and serve the purpose of enabling prompt payment of loans to protect the country's credit standing.

Whether or not P.D. No. 81, P.D. No. 1177 and P.D. No. 1967 violate Section 29(1), Article VI of the Constitution NO. The Court ruled that these decrees do not violate the constitutional provision requiring appropriations to be made by law. The Court held that while the decrees do not state specific amounts, they provide sufficient legislative parameters. The executive is limited to paying only the principal, interest, taxes and other normal banking charges on loans as they become due, based on the exact amounts shown in Treasury books.

Dispositive:

WHEREFORE, the petition is DISMISSED, without pronouncement as to costs.

SECTION 19

Tañada vs. Angara

Constitutional By Digest Team (Sept 2024) - Sep 19, 2024

Summary:

The petitioners, including members of the Philippine Senate, House of Representatives, and various non-governmental organizations, filed a petition against respondents, including members of the Philippine Senate who concurred in the ratification of the World Trade Organization (WTO) Agreement and various government officials. The petitioners sought to nullify the Philippine Senate's concurrence in the ratification of the WTO Agreement, arguing that it violates provisions of the 1987 Philippine Constitution mandating the development of a self-reliant economy controlled by Filipinos. The Supreme Court dismissed the petition, ruling that the Senate's concurrence in the WTO Agreement was a valid exercise of its constitutional power and did not violate the Constitution.

Doctrine:

- "The Constitution does not prohibit the Philippines from entering into treaties that allow a limited surrender of sovereign powers to an international body for the purpose of promoting economic cooperation and development. The WTO Agreement, which aims to foster global economic cooperation, does not contravene the constitutional provisions on national economy and patrimony."
- "The Court's power of judicial review does not extend to invalidating treaties on the ground that they are unwise or disadvantageous to the nation. The wisdom of economic policies embodied in treaties is a political question best left to the elected branches of government."
- "International agreements must be performed in good faith. A state which has contracted valid international obligations is bound to make in its legislations such modifications as may be necessary to ensure the fulfillment of the obligations undertaken."

Facts:

- **On April 15, 1994**, the Philippines signed the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations in Marrakesh, Morocco.
- **On August 12, 1994**, the President of the Philippines submitted the WTO Agreement to the Senate for concurrence pursuant to Section 21, Article VII of the Constitution.
- **On December 14, 1994**, the Philippine Senate adopted Resolution No. 97 concurring in the ratification of the WTO Agreement.
- **On December 16, 1994**, the President of the Philippines signed the Instrument of Ratification for the WTO Agreement.
- **On December 29, 1994**, petitioners filed the present petition seeking to nullify the Senate's concurrence in the WTO Agreement.

Petitioner's/Plaintiff's Arguments:

- The WTO Agreement violates constitutional provisions mandating the development of a self-reliant economy effectively controlled by Filipinos.
- The WTO Agreement's "national treatment" and "parity provisions" negate the preferential treatment accorded to Filipino labor, domestic materials, and locally produced goods.
- The WTO Agreement unduly limits and restricts the sovereignty of the Philippines, particularly the legislative power of Congress.
- The WTO Agreement interferes with the exercise of judicial power by the Supreme Court.
- The Senate's concurrence in only the WTO Agreement, without the other documents in the Final Act, is defective and insufficient.

Respondent's/Defendant's Arguments:

- The constitutional provisions on economic nationalism are not self-executing and merely set out general policies.
- The WTO Agreement does not conflict with the Constitution when read properly and in relation to other constitutional provisions.
- The WTO Agreement contains sufficient provisions to protect developing countries like the Philippines from sudden trade liberalization.
- The Philippines' participation in the WTO is consistent with constitutional provisions on adopting the generally accepted principles of international law and adhering to the policy of cooperation with all nations.
- The Senate's concurrence in the WTO Agreement alone is sufficient and valid under the Final Act's requirements.

Issues and Ruling:

Whether or not the petition presents a justiciable controversy or involves a political question over which the Court has no jurisdiction NO. The Court held that the petition raises a justiciable controversy. The Court stated: "Where an action of the legislative branch is seriously alleged to have infringed the Constitution, it becomes not only the right but in fact the duty of the judiciary to settle the dispute." The Court emphasized its duty to determine whether there has been grave abuse of discretion by any branch of government, including Congress.

Whether or not the provisions of the WTO Agreement contravene Sections 19, Article II and Sections 10 and 12, Article XII of the 1987 Philippine Constitution NO. The Court ruled that the WTO Agreement does not violate the constitutional provisions on developing a self-reliant economy effectively controlled by Filipinos. The Court explained that these constitutional provisions are not self-executing and do not prohibit the Philippines from entering into treaties for economic cooperation. The Court stated: "The Constitution did not intend to pursue an isolationist policy. It did not shut out foreign investments, goods and services in the development of the Philippine economy."

Whether or not the WTO Agreement unduly limits, restricts, or impairs Philippine sovereignty, specifically the legislative power vested in Congress NO. The Court held that while treaties may limit sovereignty, this is allowed by the Constitution which adopts

generally accepted principles of international law. The Court explained: "By their voluntary act, nations may surrender some aspects of their state power in exchange for greater benefits granted by or derived from a convention or pact. After all, states, like individuals, live with coequals, and in pursuit of mutually covenanted objectives and benefits, they also commonly agree to limit the exercise of their otherwise absolute rights."

Whether or not the concurrence of the Senate in the WTO Agreement was sufficient and valid, considering it did not include concurrence in other documents referred to in the Final Act YES. The Court ruled that the Senate's concurrence was valid and sufficient. The Court explained that the Final Act itself only required submission of the WTO Agreement for approval, not the other documents. The Court stated: "The assailed Senate Resolution No. 97 expressed concurrence in exactly what the Final Act required from its signatories, namely, concurrence of the Senate in the WTO Agreement."

Dispositive:

WHEREFORE, the petition is DISMISSED for lack of merit.

Other Notes:

n/a

Garcia vs. Board Of Investments

Constitutional By Digest Team (Dec 2024) - Dec 1, 2024

Summary:

This case involves a petition filed by Congressman Enrique T. Garcia against the Board of Investments (BOI), Department of Trade and Industry (DTI), Luzon Petrochemical Corporation (LPC), and Pilipinas Shell Corporation. The petitioner sought to annul and set aside the BOI/DTI decision approving the transfer of a proposed petrochemical plant site from Bataan to Batangas and the change in feedstock from naphtha only to naphtha and/or liquefied petroleum gas (LPG). The Supreme Court granted the petition, ruling that the BOI committed grave abuse of discretion in approving the amendments to the original registration certificate.

Doctrine:

- "We rule that the Court has a constitutional duty to step into this controversy and determine the paramount issue."
- "Under Section 10, Article XII of the 1987 Constitution, it is the duty of the State to 'regulate and exercise authority over foreign investments within its national jurisdiction and in accordance with its national goals and priorities.'"
- "The Court, therefore, holds and finds that the BOI committed a grave abuse of discretion in approving the transfer of the petrochemical plant from Bataan to Batangas and authorizing the change of feedstock from naphtha only to naphtha

and/or LPG for the main reason that the final say is in the investor all other circumstances to the contrary notwithstanding."

Facts:

- 576 hectares of public land in Lamao, Limay, Bataan were reserved for the Petrochemical Industrial Zone under P.D. No. 1803.
- Taiwanese investors formed the Bataan Petrochemical Corporation (BPC) and applied with BOI for registration as a new domestic petrochemical producer.
- BPC was issued a certificate of registration on February 24, 1988 by BOI, specifying Bataan as the plant site and naphtha as feedstock.
- In February 1989, BPC requested to amend the registration to change the site from Bataan to Batangas and the feedstock from naphtha only to naphtha and/or LPG.
- The petitioner, Congressman Garcia, opposed the proposed amendments.
- Despite opposition, BOI approved the revision of BPC's registration on May 23, 1989.
- BPC was later renamed Luzon Petrochemical Corporation (LPC).

Petitioner's/Plaintiff's Arguments:

- The transfer of the plant site from Bataan to Batangas violates P.D. No. 949 and P.D. No. 1803.
- The change in feedstock from naphtha only to naphtha and/or LPG is not in the national interest.
- The BOI does not have the authority to allow the investor to have the final choice on the plant site and feedstock.
- The transfer and change in feedstock would negatively impact the development of a self-reliant and independent national economy.

Respondent's/Defendant's Arguments:

- The transfer of the plant site was requested due to insurgency and unstable labor situation in Bataan.
- The presence of a large LPG depot in Batangas makes it a more suitable location for the plant.
- The BOI recognizes and respects the principle that the final choice of plant site is with the investor who provides the funding and risk capital for the project.
- The amendments to the registration would increase investment and production capacity of the petrochemical plant.

Issues and Ruling:

Whether or not the BOI committed grave abuse of discretion in approving the transfer of the petrochemical plant site from Bataan to Batangas YES. The Supreme Court ruled that the BOI committed grave abuse of discretion in approving the transfer. The Court cited several reasons, including: the original choice of Bataan as the plant site, the availability of reserved land in Bataan, the proximity to naphtha production in Bataan, the tax exemption on naphtha as feedstock, and the constitutional mandate for the State to regulate foreign

investments in accordance with national goals and priorities. The Court found that no cogent advantage to the government was shown by this transfer.

Whether or not the BOI committed grave abuse of discretion in approving the change of feedstock from naphtha only to naphtha and/or LPG YES. The Supreme Court ruled that the BOI committed grave abuse of discretion in approving the change in feedstock. The Court noted that naphtha was readily available from local production, while LPG was in short supply and would need to be imported. Additionally, the Court pointed out that a law had been enacted specifically exempting naphtha from ad valorem tax for the petrochemical industry, indicating a clear policy determination by both Congress and the President.

Whether or not the investor has the right of final choice for the plant site and feedstock NO. The Supreme Court rejected the BOI's position that the investor has the final choice on these matters. The Court emphasized that under the Constitution and the Omnibus Investments Code, there is no such "right of final choice" for the investor. The Court stated that the investor's choice is subject to processing and approval or disapproval by the BOI, and that the BOI has the duty to determine whether a proposed project will be feasible, desirable, and beneficial to the country.

Dispositive:

WHEREFORE, the petition is hereby granted. The decision of the respondent Board of Investments approving the amendment of the certificate of registration of the Luzon Petrochemical Corporation on May 23, 1989 under its Resolution No. 193, Series of 1989, (Annex F to the Petition) is SET ASIDE as NULL and VOID. The original certificate of registration of BPC (now LPC) of February 24, 1988 with Bataan as the plant site and naphtha as the feedstock is, therefore, ordered maintained.

Other Notes:

n/a

SECTION 21

Case Digest: Association of Small Landowners in the Philippines, Inc. vs. Secretary of Agrarian Reform

Summary: This case involves multiple petitions challenging the constitutionality of several agrarian reform laws, including Republic Act No. 6657 (Comprehensive Agrarian Reform Law), Presidential Decree No. 27, Proclamation No. 131, and Executive Order Nos. 228 and 229. The petitioners are various landowners and agricultural organizations, while the respondents are government officials responsible for implementing agrarian reform. The petitioners argue that these laws violate constitutional provisions on due process, equal protection, just compensation, and separation of powers. The Supreme Court ultimately upheld the constitutionality of the challenged laws against all objections raised, while clarifying certain aspects of their implementation.

Doctrine

- "Although holding neither purse nor sword and so regarded as the weakest of the three departments of the government, the judiciary is nonetheless vested with the power to annul the acts of either the legislative or the executive or of both when not conformable to the fundamental law. This is the reason for what some quarters call the doctrine of judicial supremacy."
 - "The doctrine of separation of powers imposes upon the courts a proper restraint, born of the nature of their functions and of their respect for the other departments, in striking down the acts of the legislative and the executive as unconstitutional. The policy, indeed, is a blend of courtesy and caution. To doubt is to sustain. The theory is that before the act was done or the law was enacted, earnest studies were made by Congress or the President, or both, to insure that the Constitution would not be breached."
 - "Eminent domain is an inherent power of the State that enables it to forcibly acquire private lands intended for public use upon payment of just compensation to the owner."
 - "Just compensation is defined as the full and fair equivalent of the property taken from its owner by the expropriator. It has been repeatedly stressed by this Court that the measure is not the taker's gain but the owner's loss. The word 'just' is used to intensify the meaning of the word 'compensation' to convey the idea that the equivalent to be rendered for the property to be taken shall be real, substantial, full, ample."
-

Facts

- Multiple petitions were filed challenging the constitutionality of Republic Act No. 6657 (Comprehensive Agrarian Reform Law), Presidential Decree No. 27, Proclamation No. 131, and Executive Order Nos. 228 and 229.

- The petitioners include various landowners and agricultural organizations.
 - The respondents are government officials responsible for implementing agrarian reform.
 - The challenged laws aim to implement comprehensive agrarian reform in the Philippines.
 - The petitioners argue that these laws violate constitutional provisions on due process, equal protection, just compensation, and separation of powers.
 - The laws provide for the acquisition and distribution of agricultural lands to farmers and farmworkers.
 - The laws establish mechanisms for determining just compensation for expropriated lands.
 - The laws allow for payment of just compensation through various means, including cash, government financial instruments, and other forms of payment.
-

Petitioner's/Plaintiff's Arguments

- The agrarian reform laws violate the principle of separation of powers by allowing administrative bodies to determine just compensation.
 - The laws deprive landowners of their property without due process of law.
 - The payment schemes for just compensation, which include non-cash payments, are unconstitutional.
 - The laws violate the equal protection clause by unfairly targeting agricultural landowners.
 - The retention limits set by the laws are arbitrary and unconstitutional.
 - The laws improperly delegate legislative powers to the executive branch.
-

Respondent's/Defendant's Arguments

- The agrarian reform laws are valid exercises of the State's power of eminent domain and police power.
 - The determination of just compensation by administrative bodies is only preliminary and subject to judicial review.
 - The payment schemes for just compensation are necessary given the scale and importance of the agrarian reform program.
 - The classification of landowners under the laws is based on substantial distinctions and does not violate equal protection.
 - The laws properly implement the constitutional mandate for agrarian reform and social justice.
 - The delegation of powers to the executive branch is within constitutional limits.
-

Issues and Ruling

Whether or not the challenged agrarian reform laws are constitutional**YES.** The Supreme Court upheld the constitutionality of R.A. No. 6657, P.D. No. 27, Proc. No. 131, and E.O. Nos. 228 and 229 against all constitutional objections raised in the petitions. The Court found that these laws were valid exercises of the State's power of eminent domain and police power in pursuit of agrarian reform as mandated by the Constitution. The Court recognized that while the implementation of these laws may cause some inconvenience to landowners, this is necessary to achieve the constitutional goal of agrarian reform and social justice.

Whether or not the determination of just compensation by administrative bodies violates the principle of separation of powers**NO.** The Court ruled that the determination of just compensation by the Department of Agrarian Reform (DAR) is only preliminary. The Court stated: "The determination made by the DAR is only preliminary unless accepted by all parties concerned. Otherwise, the courts of justice will still have the right to review with finality the said determination in the exercise of what is admittedly a judicial function." This preserves the judiciary's role in determining just compensation while allowing for an initial administrative valuation.

Whether or not the provision for payment of just compensation through means other than cash violates the Constitution**NO.** The Court held that the payment of just compensation is not always required to be made fully in money. The Court stated: "We do not deal here with the traditional exercise of the power of eminent domain. This is not an ordinary expropriation where only a specific property of relatively limited area is sought to be taken by the State from its owner for a specific and perhaps local purpose. What we deal with here is a revolutionary kind of expropriation." Given the magnitude and national importance of the agrarian reform program, the Court found that the various modes of payment provided by the law are constitutional.

Whether or not the agrarian reform laws violate the equal protection clause of the Constitution**NO.** The Court ruled that the classification of landowners and the differential treatment under the agrarian reform laws do not violate the equal protection clause. The Court found that the classification is based on substantial distinctions, is germane to the purpose of the law, is not limited to existing conditions only, and applies equally to all members of the same class. The Court stated: "The petitioners have not shown that they belong to a different class and entitled to a different treatment. The argument that not only landowners but also owners of other properties must be made to share the burden of implementing land reform must be rejected."

Dispositive

WHEREFORE, the Court holds as follows:

1. R.A. No. 6657, P.D. No. 27, Proc. No. 131, and E.O. Nos. 228 and 229 are **SUSTAINED** against all the constitutional objections raised in the herein petitions.
2. Title to all expropriated properties shall be transferred to the State only upon full payment of compensation to their respective owners.
3. All rights previously acquired by the tenant-farmers under P.D. No. 27 are retained and recognized.

4. Landowners who were unable to exercise their rights of retention under P.D. No. 27 shall enjoy the retention rights granted by R.A. No. 6657 under the conditions therein prescribed.
 5. Subject to the above-mentioned rulings, all the petitions are DISMISSED, without pronouncement as to costs.
-

Other Notes

n/a

Hacienda Luisita Incorporated vs. Presidential Agrarian Reform Council

Summary: This case involves a dispute over the implementation of agrarian reform in Hacienda Luisita, a large sugar plantation in Tarlac. The claimants are farmworker beneficiaries (FWBs) represented by various groups including AMBALA and FARM. The respondents are Hacienda Luisita, Inc. (HLI) and other corporate entities.

In 1988, instead of land distribution, HLI implemented a Stock Distribution Option (SDO) approved by the Presidential Agrarian Reform Council (PARC). In 2005, PARC revoked its approval of the SDO and ordered compulsory land acquisition. HLI challenged this before the Supreme Court. The Court ultimately upheld PARC's revocation of the SDO but modified the implementation, allowing FWBs to choose whether to receive land or remain as HLI stockholders.

Doctrine

- "To be sure, the provisions of the first paragraph of the adverted Sec. 31 are without relevance to the issue on the propriety of the assailed order revoking HLI's SDO, for the paragraph deals with the transfer of agricultural lands to the government, as a mode of CARP compliance..."
- **SEC. 31. Corporate Landowners.** — "Corporate landowners may voluntarily transfer ownership over their agricultural landholdings to the Republic of the Philippines pursuant to Section 20 hereof or to qualified beneficiaries under such terms and conditions, consistent with this Act, as they may agree, subject to confirmation by the DAR."
- "While it is true that the farmer is issued stock certificates and does not directly own the land, still, the Corporation Code is clear that the FWB becomes a stockholder who acquires an equitable interest in the assets of the corporation, which include the agricultural lands."
- "The PARC is, therefore, correct in revoking the SDO. Consequently, the PARC Resolution No. 89-12-2 dated November 21, 1989 approving the HLI's SDO is nullified and voided."

Facts

- Hacienda Luisita is a 6,443-hectare sugar plantation in Tarlac owned by the Cojuangco family through Tarlac Development Corporation (TADECO).
- In 1988, TADECO transferred 4,915.75 hectares to Hacienda Luisita, Inc. (HLI) as part of a Stock Distribution Option (SDO) under the Comprehensive Agrarian Reform Law.
- The SDO was approved by PARC in 1989, allowing HLI to distribute corporate shares to farmworker beneficiaries (FWBs) instead of land.
- In 2003-2004, farmworker groups filed petitions with DAR seeking revocation of the SDO.
- In 2005, PARC revoked its approval of the SDO and ordered compulsory land acquisition of Hacienda Luisita.
- HLI challenged PARC's decision before the Supreme Court in 2006.
- During the pendency of the case, portions of the hacienda were sold or converted for other uses.

Petitioner's/Plaintiff's Arguments

- HLI argues that PARC has no authority to nullify, recall, revoke or rescind the PARC-approved Stock Distribution Plan.
- HLI contends that it has substantially complied with its obligations under the Stock Distribution Option Agreement.
- HLI claims that subjecting its landholdings to compulsory distribution after the approved SDO has been implemented would impair contractual obligations.
- HLI asserts that the rights, obligations and remedies of the parties are now governed by the Corporation Code, not the CARL.

Respondent's/Defendant's Arguments

- The farmworker groups argue that the Stock Distribution Option violated the intent of agrarian reform to give land to the tillers.
- They contend that HLI failed to comply with its obligations under the Stock Distribution Option Agreement.
- The respondents claim that the lives of the farmworkers have not improved under the stock distribution scheme.
- They argue that HLI violated the agreement by selling and converting portions of the agricultural land.

Issues and Ruling

Whether or not PARC has the power to revoke its previous approval of HLI's Stock Distribution Plan YES. The Court ruled that PARC has the power to revoke its previous approval of the Stock Distribution Plan (SDP). The Court stated: "As the PARC has the power and authority to approve the SDP, it also has, by implication, the power to revoke the approval of the plan unless this implied power is expressly, or by a contrary implication, withheld from it by law." The Court explained that this power is necessary for PARC to effectively implement the policies of the Comprehensive Agrarian Reform Law.

Whether or not there is legal and factual basis to revoke HLI's Stock Distribution Plan YES. The Court found that there were valid grounds to revoke HLI's Stock Distribution Plan. The Court identified several flaws in the implementation of the SDP, including: (1) the use of "man days" to determine share distribution, which violated the requirement for equal distribution; (2) the prolonged 30-year period for distributing shares, which was unreasonable; and (3) issues with the valuation of land and corporate assets. The Court stated: "These SDP provisions, among others, prejudiced the FWBs and denied them of their rights under the law. Consequently, PARC Resolution No. 2005-32-01 is legally correct in revoking the SDP of HLI."

Whether or not the agricultural lands of Hacienda Luisita should be placed under compulsory coverage of CARP YES. The Court ruled that the agricultural lands of Hacienda Luisita should be placed under compulsory coverage of the Comprehensive Agrarian Reform Program (CARP). However, the Court modified the implementation, stating: "The revocation of the SDP must, however, give way to the right of the original 6,296 qualified FWBs to choose whether they want to remain as HLI stockholders or not." The Court directed that a referendum be held among the original qualified FWBs to determine their preferred option.

Whether or not LIPCO and RCBC are innocent purchasers for value of the converted lands YES. The Court ruled that LIPCO and RCBC are innocent purchasers for value of the converted lands. The Court stated: "As bona fide purchasers for value, both LIPCO and RCBC have acquired rights which cannot just be disregarded by DAR, PARC or even by this Court." The Court found that at the time of their purchases, there was nothing in the titles that would have alerted them to any defects or claims. Therefore, the Court excluded these converted lands from compulsory CARP coverage.

Dispositive

WHEREFORE, the instant petition is DENIED. PARC Resolution No. 2005-32-01 dated December 22, 2005 and Resolution No. 2006-34-01 dated May 3, 2006, placing the lands subject of HLI's SDP under compulsory coverage on mandated land acquisition scheme of the CARP, are hereby AFFIRMED WITH THE MODIFICATION that the original 6,296 qualified FWBs shall have the option to remain as stockholders of HLI. DAR shall immediately schedule meetings with the said 6,296 FWBs and explain to them the effects, consequences and legal or practical implications of their choice, after which the FWBs will be asked to manifest, in secret voting, their choices in the ballot, signing their signatures or placing their thumbmarks, as the case may be, over their printed names.

Other Notes

n/a

SECTION 25

Basco vs. Pagcor

Constitutional By Digest Team (Sept 2024) • Sep 17, 2024

Summary:

This case involves a petition filed by Attorneys Humberto Basco, Edilberto Balce, Socrates Maranan and Lorenzo Sanchez (petitioners) against the Philippine Amusements and Gaming Corporation (PAGCOR) (respondent). The petitioners sought to annul PAGCOR's charter, Presidential Decree 1869, arguing that it is unconstitutional on several grounds. They claimed it violates local autonomy, the equal protection clause, and various constitutional principles. The Supreme Court dismissed the petition, upholding the constitutionality of PD 1869 and PAGCOR's operations.

Doctrine:

"Every law has in its favor the presumption of constitutionality (Yu Cong Eng v. Trinidad, 47 Phil. 387; Salas v. Jarencio, 48 SCRA 734; Peralta v. Comelec, 82 SCRA 30; Abbas v. Comelec, 179 SCRA 287). Therefore, for PD 1869 to be nullified, it must be shown that there is a clear and unequivocal breach of the Constitution, not merely a doubtful and equivocal one. In other words, the grounds for nullity must be clear and beyond reasonable doubt. (Peralta v. Comelec, supra) Those who petition this Court to declare a law, or parts thereof, unconstitutional must clearly establish the basis for such a declaration. Otherwise, their petition must fail."

"The power to tax which was called by Justice Marshall as the 'power to destroy' (McCulloch v. Maryland, supra) cannot be allowed to defeat an instrumentality or creation of the very entity which has the inherent power to wield it."

Facts:

- Petitioners filed a petition seeking to annul PAGCOR's charter, Presidential Decree 1869.
- They argued PD 1869 is contrary to morals, public policy and order.
- Petitioners claimed PD 1869 waives Manila's right to impose taxes and violates local autonomy.
- They alleged it violates equal protection by legalizing PAGCOR gambling while outlawing other forms.
- Petitioners argued it goes against government trends away from monopolies and crony economy.
- They claimed it violates constitutional provisions on personal dignity, family, youth, social justice, and educational values.
- PAGCOR was created in 1977 to regulate and centralize authorized gambling.
- It is reported to be the third largest source of government revenue.
- PAGCOR operates casinos nationwide and employs thousands of people.

Petitioner's/Plaintiff's Arguments:

- PD 1869 is contrary to morals, public policy, and order.
- It constitutes a waiver of Manila's right to impose taxes and violates local autonomy.
- The decree violates the equal protection clause by legalizing PAGCOR gambling while outlawing other forms.
- It goes against government trends away from monopolies and crony economy.
- PD 1869 violates constitutional provisions on personal dignity, family, youth, social justice, and educational values.

Respondent's/Defendant's Arguments:

- PAGCOR was created to regulate and centralize authorized gambling.
- It is a significant source of government revenue.
- PAGCOR's operations are subject to close scrutiny, regulation, and control by the government.
- The decree aims to minimize or eradicate evil practices and corruptions in gambling.
- PAGCOR contributes to social impact projects and employment.

Issues and Ruling:

Whether or not the petitioners have legal standing to file the petition YES. The Court brushed aside technicalities of procedure and took cognizance of the petition due to the importance of the case to the public. The Court cited precedents where it had allowed ordinary citizens to question the constitutionality of executive orders and other laws, even when they only had an indirect interest shared with the public.

Whether or not PD 1869 constitutes a waiver of the right of the City of Manila to impose taxes and legal fees NO. The Court ruled that the City of Manila, being a mere municipal corporation, has no inherent right to impose taxes. Its power to tax must be clearly shown in its charter or statute. Moreover, the Court noted that the power of local governments to regulate gambling through licenses or permits had been revoked by PD 771 in 1975 and vested exclusively in the national government.

Whether or not PD 1869 violates the principle of local autonomy NO. The Court explained that the Local Autonomy Clause of the 1987 Constitution provides that the power of local governments to impose taxes and fees is always subject to limitations which Congress may provide by law. Since PD 1869 remains an operative law, its exemption clause is consistent with the principle of local autonomy. The Court further clarified that local autonomy under the Constitution simply means decentralization and does not make local governments sovereign within the state.

Whether or not PD 1869 violates the equal protection clause of the Constitution NO. The Court held that the equal protection clause does not preclude classification of individuals who may be accorded different treatment under the law, as long as the classification is not unreasonable or arbitrary. The Court found that the petitioners failed to clearly explain how PD 1869, in legalizing gambling conducted by PAGCOR, violates equal protection.

Whether or not PD 1869 is contrary to the government's policies on monopolies and free enterprise NO. The Court stated that this is not a ground for nullifying PD 1869. If the decree runs counter to government policies, it is for the Executive Department to recommend its repeal or amendment to Congress. The Court emphasized that it does not settle policy issues, as these are within the domain of the political branches of government.

Dispositive:

WHEREFORE, the petition is DISMISSED for lack of merit.

Other Notes:

n/a

Alimbusa vs. Mangelin

Constitutional By Digest Team (Dec 2024) • Dec 1, 2024

Summary:

This case involves a petition filed by Sultan Alimbusar P. Limbona against Conte Mangelin and other members of the Sangguniang Pampook of Region XII. Limbona, who was appointed as a member of the Sangguniang Pampook and elected as Speaker of the Regional Legislative Assembly, challenges the acts of the Sangguniang Pampook in declaring his position as Speaker vacant and subsequently expelling him from membership. The case centers on issues of due process, the autonomy of regional governments, and the validity of the Sanggunian's actions. The Supreme Court ruled in favor of Limbona, ordering his reinstatement both as a member and as Speaker of the Sangguniang Pampook.

Doctrine:

- "On the ground of the immutable principle of due process alone, we hold that the expulsion in question is of no force and effect. In the first place, there is no showing that the Sanggunian had conducted an investigation and whether or not the petitioner had been heard in his defense, assuming that there was an investigation, or otherwise given the opportunity to do so."
- "While we have held that due process, as the term is known in administrative law, does not absolutely require notice and that a party need only be given the opportunity to be heard, it does not appear herein that the petitioner had, to begin with, been made aware that he had in fact stood charged of graft and corruption before his colleagues. It cannot be said therefore that he was accorded any opportunity to rebut their accusations."
- "An autonomous government that enjoys autonomy of the latter category [CONST. (1987), art. X, sec. 15] is subject alone to the decree of the organic act creating it and accepted principles on the effects and limits of 'autonomy.' On the other hand, an autonomous government of the former class is, as we noted, under the supervision of

the national government acting through the President (and the Department of Local Government)."

Facts:

- Sultan Alimbusar P. Limbona was appointed as a member of the Sangguniang Pampook, Regional Autonomous Government, Region XII on September 24, 1986.
- Limbona was elected Speaker of the Regional Legislative Assembly on March 12, 1987.
- On October 21, 1987, Congressman Datu Guimid Matalam invited Limbona to attend consultations in Congress from November 1 to 15, 1987.
- Limbona instructed that there would be no session in November due to the congressional hearings.
- On November 2, 1987, the Assembly held a session in defiance of Limbona's advice and declared the seat of the Speaker vacant.
- On November 5, 1987, the Assembly resumed session and reconfirmed the vacancy of the Speaker position.
- The Sangguniang Pampook later issued a resolution expelling Limbona from membership, citing various grounds including alleged misuse of funds.

Petitioner's/Plaintiff's Arguments:

- The proceedings held by respondents in their session on November 2, 1987 were null and void.
- The election of petitioner as Speaker of the Legislative Assembly held on March 12, 1987 was valid and subsisting.
- The respondents should be enjoined from proceeding with their session to be held on November 5, 1987, and on any day thereafter.

Respondent's/Defendant's Arguments:

- The petition had become moot and academic due to the expulsion resolution issued against the petitioner.
- The petitioner had caused withdrawal of funds from the Assembly resulting in non-payment of salaries of some Assembly members.
- The petitioner had filed a case before the Supreme Court against some members of the Assembly on questions that should have been resolved within the confines of the Assembly.

Issues and Ruling:

Whether or not the case has been rendered moot and academic by the expulsion resolution issued by the Sangguniang Pampook NO. The Court held that the expulsion resolution does not render the case moot and academic. The Court stated: "For, if the petitioner's expulsion was done purposely to make this petition moot and academic, and to preempt the Court, it will not make it academic." The Court emphasized that the expulsion was of no force and effect due to lack of due process.