

Title: Philippine Press Institute, Inc. v. Commission on Elections

Facts:

The Philippine Press Institute, Inc. (PPI), a non-stock, non-profit organization of newspaper and magazine publishers, challenged the constitutional validity of Resolution No. 2772 issued by the Commission on Elections (Comelec) and its corresponding directive dated 22 March 1995. The Comelec Resolution sought to procure free print space from various publishers for “Comelec Space” to disseminate election-related information and candidate profiles, without just compensation. The PPI alleged that the resolution and its implementing directives constituted a taking of private property without just compensation, involuntary servitude, and a violation of the freedom of speech and press.

Issues:

1. Whether the Comelec’s directive requiring publishers to provide free “Comelec Space” constitutes a taking of private property for public use without just compensation, in contravention of the Constitution.
2. Whether the requirement represents an imposition of involuntary servitude, contrary to the constitutional prohibitions.
3. Whether Section 8 of the Comelec Resolution, which regulates the content of the newspaper publication concerning candidates and political parties, violates constitutional guarantees of freedom of speech, expression, and the press.

Court’s Decision:

The Supreme Court concluded that Section 2 of the Comelec Resolution, compelling newspapers to provide free print space, suffered from a “fatal constitutional vice.” It amounted to a taking of private property for public use without just compensation and was not authorized by the Constitution or legislative enactment. Therefore, it lacked elements of lawful taking such as necessity for public use and legal authority. The Court did not address the issue of involuntary servitude because the resolution was already invalidated on other grounds.

With regards to Section 8, the Court determined that there was no actual case or controversy because there was no specific affirmative action by the Comelec to enforce or implement this section. Therefore, the Court dismissed this part of the petition for lack of justiciability.

Doctrine:

The Supreme Court reaffirmed that the taking of private property for public use is permissible only with payment of just compensation. The Court further clarified that compulsion of private entities to donate property for election purposes does not constitute a valid exercise of police power or eminent domain without legislative authorization and necessary public use.

Class Notes:

1. For a “taking” to be valid, the requisites are as follows: (a) necessity of the taking, (b) legal authority to effect the taking, and (c) payment of just compensation.
2. Eminent domain requires a showing of compelling state interest and legislative authorization for the taking.
3. Freedom of speech and the press are protected under the Constitution, prohibiting prior restraint or censorship by government authorities, except for very narrowly defined exceptions.

Historical Background:

This case arose in the context of preparation for national elections in the Philippines, a time when dissemination of information about candidates is critical. It represents a tension between election regulators’ goals to provide information to the electorate and the constitutional rights of the press and property owners. The Supreme Court’s decision in this case is situated within the broader historical struggle to maintain a free and independent press in the face of government regulation, particularly during politically sensitive periods such as elections.