

Title: Integrated Bar of the Philippines vs. Hon. Ronaldo B. Zamora, et al.

Facts:

The case started when President Joseph Ejercito Estrada, due to the alarming increase in violent crimes in Metro Manila, verbally directed the Philippine National Police (PNP) and the Philippine Marines to conduct joint visibility patrols around the metropolis for crime prevention and suppression. The execution and implementation of the order were assigned to the Secretary of National Defense, the Chief of Staff of the Armed Forces of the Philippines (AFP), the Chief of the PNP, and the Secretary of the Interior and Local Government. Police Chief Superintendent Edgar B. Aglipay then formulated Letter of Instruction 02/2000 (LOI), detailing how the joint visibility patrols, called Task Force Tulungan, would be conducted. The plan placed the Metro Manila Police Chief as the leader of Task Force Tulungan.

The Integrated Bar of the Philippines (IBP) contested the constitutionality of the deployment of the Philippine Marines, arguing that it violated the constitutional provisions on civilian supremacy over the military and the civilian character of the PNP. The case reached the Supreme Court, brought forth as a special civil action for certiorari and prohibition with a request for a temporary restraining order.

Issues:

1. Does the IBP have legal standing to file the petition?
2. Is the President's determination of the necessity of calling the armed forces subject to judicial review?
3. Does the calling of the armed forces to assist the PNP in joint visibility patrols violate the constitutional provisions on civilian supremacy over the military and the civilian character of the PNP?

Court's Decision:

1. Legal Standing: The Supreme Court found that the IBP lacked legal standing as it failed to show direct injury as a result of the deployment of the Marines.
2. Judicial Review: The Court held that the President's decision to deploy the Marines, invoking his Commander-in-Chief powers, does not constitute grave abuse of discretion and is not subject to judicial review. The determination of the existence of conditions necessitating the deployment falls within the President's discretionary power.
3. Constitutionality: The deployment of the Marines does not violate the Constitutional provisions on civilian supremacy over the military nor the civilian character of the PNP. The

operational control of the joint visibility patrols remained with the PNP, thereby preserving its civilian character.

Doctrine:

The President, as Commander-in-Chief, enjoys full discretionary power to determine the necessity of calling out the armed forces to prevent or suppress lawless violence, invasion, or rebellion. Such decision is considered a political question not subject to judicial review unless it is proven that there was grave abuse of discretion.

Class Notes:

- The distinction between political and justiciable questions: Political questions involve those that are to be decided by the people in their sovereign capacity or in which full discretionary authority has been delegated to another branch of government; justiciable questions involve rights legally demandable and enforceable.
- Legal standing requires a personal and substantial interest in the case, meaning the party must have sustained or will sustain direct injury as a result of the governmental act questioned.
- The principle of civilian supremacy over the military ensures that military power is subordinate to civilian authority, a cornerstone of democratic governance.

Historical Background:

The deployment of military forces for law enforcement purposes within a democracy raises pertinent questions about civilian supremacy over the military, balances of power, and constitutional mandates. This case emphasizes the President's discretionary power in matters of national security and public safety under the Philippine Constitution, while underscoring the limits of judicial review in such matters, reflecting on the country's enduring commitment to uphold the rule of law and the separation of powers among its branches of government.