

Title: Barangay Association for National Advancement and Transparency (BANAT) v. Commission on Elections: A Reevaluation of the Party-List System in the Philippines

Facts:

The case involves two consolidated petitions challenging resolutions promulgated by the Commission on Elections (COMELEC) regarding the allocation of party-list seats in the Philippine Congress. The first petition (G.R. No. 179271) was filed by the Barangay Association for National Advancement and Transparency (BANAT), which contested the COMELEC's denial to proclaim the full number of party-list representatives as mandated by the Constitution. The second petition (G.R. No. 179295) was jointly filed by Bayan Muna, A Teacher, and Abono, challenging the COMELEC's partial proclamation of winners in the party-list elections and the formula used in allocating additional seats.

The legal journey began when BANAT filed a petition before the COMELEC asserting the full proclamation of party-list seats. COMELEC, acting as the National Board of Canvassers (NBC), issued resolutions NBC No. 07-60 and No. 07-72, which partially proclaimed winners and determined the allocation of additional seats using the Veterans formula. BANAT, Bayan Muna, A Teacher, and Abono subsequently filed their respective petitions to the Supreme Court, challenging the COMELEC's actions and interpretations on various grounds, including the constitutionality of the two percent threshold for party-list representation and the allocation formula for additional seats.

Issues:

1. Whether the twenty percent allocation for party-list representatives is mandatory or merely a ceiling.
2. The constitutionality of the three-seat limit provided in Section 11(b) of RA 7941.
3. The constitutionality of the two percent threshold.
4. The appropriate method for allocating party-list representative seats.
5. The participation of major political parties in party-list elections.

Court's Decision:

The Supreme Court partly granted the petitions. It declared the two percent threshold unconstitutional in relation to the distribution of additional seats and set aside the COMELEC resolutions in question. The court established a new formula for the allocation of additional seats that does not employ the two percent threshold, allowing for a broader representation of party-list groups in Congress. However, by a narrow margin, the court maintained the exclusion of major political parties from participating directly or indirectly in

party-list elections, a stance diverging from the majority opinion.

Doctrine:

The Supreme Court elucidated that the party-list system aims to provide the broadest possible representation of party, sectoral, or group interests in the House of Representatives. It clarified that the twenty percent allocation for party-list representatives serves as a ceiling rather than a mandatory number. Furthermore, while the two percent threshold for obtaining at least one party-list seat remains constitutional, its application to the distribution of additional seats was deemed unconstitutional as it prevents achieving the maximum number of party-list seats possible under the constitution.

Class Notes:

1. The twenty percent allocation for party-list representatives in the House of Representatives is a ceiling, not a mandatory figure.
2. The three-seat cap remains a valid statutory mechanism to prevent any party from dominating the party-list scene.
3. The two percent threshold for the initial allocation of party-list seats is constitutional, but its application in allocating additional seats is not.
4. The formula for allocating party-list seats: (a) Rank parties based on votes garnered; (b) Guarantee one seat to parties with at least two percent of votes; (c) Allocate remaining seats to other qualifying parties based on votes garnered, subject to the three-seat limit.
5. Major political parties are excluded from participating directly or indirectly in the party-list elections.

Historical Background:

The party-list system in the Philippines was enacted to promote proportional representation in the Congress, allowing marginalized and underrepresented sectors to have a voice in legislative processes. The BANAT case reevaluates previous interpretations of the mechanisms for allocating party-list seats, leading to a more inclusive approach that better aligns with the constitutional intent of providing broad representation. The case marks a significant development in the jurisprudence governing the party-list system, clarifying the allocation process and reaffirming the exclusion of major political parties to preserve the system's original purpose.