

Title: Avelino vs. Cuenco: A Landmark Case on Senate Leadership and Jurisdictional Limits

Facts:

In February 1949, the Philippine Senate became the battleground for a power struggle between Senator Jose Avelino, the then Senate President, and a faction led by Senator Lorenzo Tañada, which sought to oust Avelino. The events unfolded as follows:

- On February 18, 1949, Senator Tañada announced his intention to present charges against Avelino in the next session scheduled for February 21, 1949. Subsequently, Senators Tañada and Sanidad filed a resolution outlining the charges against Avelino.
- On February 21, 1949, despite there being a quorum, Avelino delayed the session's commencement. Upon eventually opening the session, he focused on the resolution against him, leading to procedural disputes aimed at preventing Tañada from delivering a privilege speech.
- These disputes eventually led to Avelino adjourning the session amidst objections and physically leaving the session hall with his followers, leaving behind 12 senators who continued the session under Senate President Pro-Tempore Melecio Arranz.
- In this continued session, several critical resolutions were passed, including declaring the Senate Presidency vacant and electing Mariano J. Cuenco as Acting President of the Senate.
- Avelino sought recourse with the Supreme Court (SC) in a quo warranto proceeding, asserting his claim to the Senate Presidency and questioning the legitimacy of the continued session.

Issues:

1. Does the Supreme Court have jurisdiction over the Senate's internal affairs and leadership decisions?
2. Was there a valid quorum during the session that elected Cuenco as Acting President of the Senate?
3. Can the Supreme Court intervene in what appears to be a political question?

Court's Decision:

- Initially, the Supreme Court, by a vote of six against four, denied the petition, citing the political nature of the issue, the separation of powers doctrine, and its policy of non-interference in the legislative branch's internal affairs.

- Upon motion for reconsideration, the Court, recognizing the gravity of the national crisis and the substantial impact on legislative functions, assumed jurisdiction over the case. By a majority, it declared that there was a quorum during the session that elected Cuenco, thus legitimizing his position as Acting President of the Senate.

Doctrine:

The case established the delicate balance between the judiciary's non-interference policy concerning legislative internal matters and its ultimate duty to intervene in cases presenting substantial constitutional questions affecting national interest.

Class Notes:

- The principle of separation of powers limits the judiciary's interference in legislative affairs but doesn't preclude judicial review in cases presenting substantial constitutional issues.
- The definition of a quorum is based on the actual members who can participate in the session, excluding those incapacitated or outside the legislative body's coercive reach.
- Political questions are generally outside the scope of judicial review, except when they involve constitutional rights or implications that necessitate judicial intervention.

Historical Background:

Avelino vs. Cuenco reflects the post-World War II political tensions within the Philippine government, a period marked by power struggles within the dominant political parties. It underscores the judiciary's evolving role in adjudicating disputes that straddle the line between legal and political domains, marking a significant moment in the assertion of judicial power and constitutional law interpretation in the Philippines.