

Title:

Funa v. Chairman, Civil Service Commission, Francisco T. Duque III, et al.: A Case on the Independence of the Civil Service Commission and Constitutional Prohibitions Against Holding Multiple Offices

Facts:

Dennis A.B. Funa filed a petition challenging the constitutionality of Executive Order No. 864 (EO 864), issued by then-President Gloria Macapagal-Arroyo, which designated Francisco T. Duque III, the Chairman of the Civil Service Commission (CSC), as an ex officio member of the Board of Directors/Trustees of the Government Service Insurance System (GSIS), Philippine Health Insurance Corporation (PHILHEALTH), Employees Compensation Commission (ECC), and Home Development Mutual Fund (HDMF). Funa argued that EO 864 and the designation of Duque violated the independence of the CSC and the constitutional prohibition against members of constitutional commissions holding any other office or employment. The respondents maintained that Duque's membership in the governing boards of the GSIS, PHILHEALTH, ECC, and HDMF was constitutional and did not impair the independence of the CSC.

Issues:

1. Does the designation of Duque as a member of the Board of Directors or Trustees of the GSIS, PHILHEALTH, ECC, and HDMF, in an ex officio capacity, impair the independence of the CSC?
2. Does the same designation violate the constitutional prohibition against members of constitutional commissions holding any other office or employment?

Court's Decision:

The Supreme Court partially granted the petition, declaring EO 864 unconstitutional and the designation of Duque in his ex officio capacities as contrary to the independence mandated for CSC under the 1987 Constitution and the prohibition against holding multiple offices. However, it upheld the constitutionality of Section 14, Chapter 3, Title I-A, Book V of Executive Order No. 292 (EO 292), which allowed for the CSC Chairman's membership in certain boards by virtue of his office or function. The Court emphasized the importance of preserving the independence of the CSC from the Executive Branch and ruled that Duque served as a de facto officer in the contested positions, with all his official actions presumed valid for all purposes concerning the public or third parties.

Doctrine:

This case reiterates the constitutional doctrine of the independence of the CSC and the strict prohibition against its members holding any other office or employment, emphasizing the constitutional mandate to prevent members of constitutional commissions from holding multiple offices, especially when such positions compromise the commissions' independence.

Class Notes:

- The CSC's independence is paramount and safeguarded by the 1987 Constitution (Section 1, Article IX-A).
- Members of constitutional commissions, like the CSC, are prohibited from holding any other office or employment during their tenure (Section 2, Article IX-A, 1987 Constitution).
- Ex officio positions that confer additional compensations are considered violative of this constitutional prohibition.
- The De Facto Officer Doctrine applies to Duque's actions during his tenure in the contested positions, validating his official acts for the benefit of the public and third parties involved.

Historical Background:

This case underscores the tension between executive authority and constitutional commissions' independence in the Philippines. It highlights the judiciary's role in safeguarding the independence of constitutional bodies against encroachments by other branches of government, ensuring that constitutional commissions like the CSC can operate without undue influence or interference, reflecting the intent of the framers of the 1987 Constitution to establish checks and balances within the government's structure.