

**\*\*Title:\*\*** Henry R. Giron vs. Hon. Executive Secretary Paquito N. Ochoa, Jr., et al.

**\*\*Facts:\*\*** The case originated from a complaint filed by Henry R. Giron and others on November 6, 2012, against Arnaldo A. Cando, then Barangay Chairman of Capri, Novaliches, Quezon City, for dishonesty, grave abuse of authority, and violation of certain provisions of the R.A. No. 7160 due to illegal use of electricity in three computer shops. The complaint was transferred to the Office of the Vice Mayor of Quezon City for a session set on January 14, 2013, and was later referred to a special committee for investigation. The proceedings were suspended due to the Barangay Elections, in which Cando won as Barangay Kagawad and assumed office by December 1, 2013. The City Council dismissed the complaint as moot and academic, applying the condonation doctrine, which asserts re-election of a public official cuts off the right to remove them for misconduct committed during a prior term. Giron appealed to the Office of the President, which dismissed the appeal, supporting the application of the condonation doctrine to officials elected to a different position. Giron, bypassing a motion for reconsideration, directly filed a petition to the Supreme Court, challenging the applicability of the condonation doctrine under the 1987 Constitution.

**\*\*Issues:\*\***

1. Whether the Pascual case, which introduced the condonation doctrine, remains relevant under the 1987 Constitution.
2. Whether the Aguinaldo doctrine that applies the condonation doctrine violates public accountability under the 1987 Constitution and Republic Act 6713.
3. Whether the condonation doctrine applies to public officials reelected to a different position.

**\*\*Court's Decision:\*\*** The Supreme Court dismissed Giron's petition, affirming the decision of the Office of the President and ruling that the procedural missteps (failure to exhaust administrative remedies and observe the hierarchy of courts) were excused due to the legal nature of the questions posed. The Court acknowledged the abandonment of the condonation doctrine in the Carpio-Morales case but underscored that its removal should be applied prospectively, maintaining its relevance to cases before its annulment. Additionally, the Court reiterated that prior to its annulment, the doctrine was believed to legally absolve elected officials from past misconduct upon re-election, a doctrine that was applicable even when officials were elected to a different position.

**\*\*Doctrine:\*\*** The Supreme Court reiterated the abandonment of the condonation doctrine

as established in the Carpio-Morales case. However, it emphasized the prospective application of this abandonment, meaning actions and decisions made under the assumption of the doctrine's validity remain unaffected if they occurred before the ruling in Carpio-Morales.

**\*\*Class Notes:\*\***

1. **\*\*Condonation Doctrine:\*\*** A public official's re-election absolves them from administrative misconduct committed during their previous term. This doctrine was abandoned by the Supreme Court in the Carpio-Morales case.
2. **\*\*Exhaustion of Administrative Remedies:\*\*** Before seeking judicial intervention, all administrative options must be exhausted unless the issue is purely legal, involves public interest, is of urgent concern, or special circumstances justify immediate action.
3. **\*\*Hierarchy of Courts Principle:\*\*** Litigants must observe the hierarchy of courts, typically starting from lower courts up to the highest court, except in cases where direct action is necessary or justified.

**\*\*Historical Background:\*\*** The condonation doctrine has been a long-standing principle rooted in Philippine jurisprudence, derived from the Pascual and Aguinaldo cases. It reflected the assumption that the electorate's decision to re-elect an official served as a forgiveness for any previous misconduct. As societal views towards public accountability evolved, culminating in the 1987 Constitution's emphasis on integrity and accountability in public service, the doctrine's compatibility with contemporary standards of public service was called into question, leading to its eventual abandonment in the Carpio-Morales decision.