

Title:

Antonio Y. Co vs. Electoral Tribunal of the House of Representatives and Jose Ong Jr.

Facts:

- Election Overview**: On May 11, 1987, a congressional election was held for the second district of Northern Samar. Candidates included Antonio Y. Co, Sixto Balinquit Jr., and Jose Ong Jr.
- Proclamation of Winner**: Jose Ong Jr. was proclaimed as the duly elected representative.
- Election Protests**: Co and Balinquit filed separate election protests against Ong Jr., alleging that:
 - Ong Jr. was not a natural-born Filipino citizen.
 - Ong Jr. was not a resident of the second district of Northern Samar.
- HRET Decision**: On November 6, 1989, the House of Representatives Electoral Tribunal (HRET) ruled in favor of Ong Jr., recognizing him as a natural-born Filipino citizen and a valid resident.
- Motion for Reconsideration**: Petitioners filed for reconsideration on November 12, 1989, which the HRET denied on February 22, 1990.
- Supreme Court Petition**: Unsatisfied, Co and Balinquit filed for certiorari and mandamus before the Supreme Court, challenging the HRET's rulings.

Issues:

- Jurisdiction**:
 - Whether the Supreme Court has jurisdiction to review the decisions of the HRET despite its constitutionally granted sole authority over election-related disputes.
- Citizenship**:
 - Whether Jose Ong Jr. is a natural-born Filipino citizen under the Constitution.
- Residence**:
 - Whether Ong Jr. met the residency requirement to run for the representative position.

Court's Decision:

Jurisdiction:

- Court Authority**: The Supreme Court affirmed its jurisdiction based on the expanded power under the 1987 Constitution to determine whether any government branch or agency acted with grave abuse of discretion amounting to lack or excess of jurisdiction.
- HRET's Exclusive Authority**: The Court reiterated that while the HRET had complete authority over election qualification issues, the judiciary could intervene if there was a clear

case of grave abuse of discretion.

Citizenship:

- **Historical Context**: Explored Ong Jr.'s lineage, starting from his grandfather who immigrated from China and settled in Samar in 1895, and his father's subsequent naturalization in 1957.
- **Constitutional Interpretation**:
 - **1987 Constitution Art. IV, Sec. 1 & 2**: Re-defined natural-born citizenship, correcting past gender-based disparities.
 - **Election of Citizenship**: Discussed how Ong Jr., through his consistent Filipino cultural practices and legal formalities (his father's naturalization), naturally elected Filipino citizenship.
 - **Retrospective Application**: Affirmed that the constitutional definition of natural-born citizens applies retroactively to those who elected citizenship according to past constitutions.
- **Decision**: Court found no grave abuse in the HRET's declaration of Ong Jr. as a natural-born citizen, emphasizing the long-settled and largely undisputed Filipino citizenship status of Ong Jr.

Residence:

- **Definitions & Evidence**: The Court equated residence with domicile, emphasizing Ong Jr.'s familial and historical ties to Laoang, Samar.
- **Frequent Visits and Registration**: His intermittent presence in Samar due to education and work in Manila did not negate his domicile status.
- **Decision**: Confirmed HRET's finding that Ong Jr. maintained his residency in Laoang, Northern Samar, throughout his adult life.

Doctrines:

- **Grave Abuse of Discretion**: The Court may only intervene in HRET decisions in cases of grave abuse of discretion, acting beyond its given constitutional mandate.
- **Natural-born Citizenship**: Clarified that natural-born Filipino citizenship can be conferred retrospectively under the 1987 Constitution for those who elected citizenship under previous constitutions.

Class Notes:

- **Grave Abuse of Discretion**: Defined and emphasized strictly for judicial intervention.
- **Natural-born Citizen**:

- Citizenship by birth or election under distinct constitutional articles.
- **Art. IV, Sec. 1 & 2** (1987 Constitution): Applicable retroactively.
- **Domicile vs. Residence**: Under constitutional law, permanent residence and intention to return define domicile.

Historical Background:

- **1935 vs. 1987 Constitutions**: Early constitutions prioritized paternal lineage in defining citizenship. The 1987 Constitution addressed gender-based disparities, simplifying and standardizing the citizenship election process for children born to Filipino mothers.
- **Electoral Tribunals**: Established to prevent the judiciary or legislature from unduly influencing election outcomes, these bodies retain substantial autonomous authority over electoral disputes.