

Arturo M. Tolentino vs. Commission on Elections, et al.: A Case Brief

Title: Arturo M. Tolentino vs. Commission on Elections, et al.

Facts:

In 1970, the Philippine Congress convened a Constitutional Convention (Con-Con) tasked with revising the 1935 Constitution. In the course of its proceedings, the Con-Con proposed Organic Resolution No. 1, which sought to amend Section 1, Article V of the Constitution to reduce the voting age from 21 to 18. The resolution also stipulated that this amendment would be submitted to the public for ratification during the forthcoming 1971 elections. This prompted several legal actions and motions:

1. **Initial Submission and Response:**

- The Con-Con passed Organic Resolution No. 1.
- Arturo M. Tolentino filed a petition challenging the resolution's validity, arguing that it violated procedural mandates for constitutional amendments.

2. **Procedural Posture:**

- The petition was initially filed in the Supreme Court.
- Respondents (Commission on Elections, Chief Accountant, Auditor, Disbursing Officer of the Con-Con) and intervenors (several Con-Con delegates) filed motions for reconsideration after the Supreme Court initially ruled Organic Resolution No. 1 invalid.

Issues:

1. **Authority of the Constitutional Convention:**

- Whether the Con-Con had the authority to propose an amendment and submit it for ratification ahead of concluding other amendments.

2. **Interpretation of "an election" in the Constitution:**

- Whether "an election" under Section 1, Article XV could mean multiple plebiscites or just one, for the purpose of ratifying constitutional amendments.

3. **Judicial Review:**

- The extent to which the judiciary can review the decisions of the Con-Con regarding procedural adherence and authority.

4. **Sufficiency of Frame of Reference:**

- Whether a single amendment could be ratified without a comprehensive context of other

related constitutional changes.

Court's Decision:

1. **Authority of the Con-Con:**

- **Resolution:** The Supreme Court ruled that the Con-Con did not have the authority to submit amendments piecemeal. It needed to complete its full mandate and then propose comprehensive amendments for ratification.

- **Reasoning:** The Court pointed out that while Congress can submit amendments either singly or collectively when acting as a constituent assembly, the Con-Con is functionally different. The Con-Con's mandate requires it to propose amendments en masse to provide the electorate with a full frame of reference.

2. **Interpretation of "an election":**

- **Resolution:** The term "an election" in Section 1, Article XV was interpreted to allow only one plebiscite for any and all amendments proposed by the Con-Con.

- **Reasoning:** Historical precedent and the clear intent of the framers indicated the preference for a singular, comprehensive plebiscite post finalization of all proposed amendments.

3. **Judicial Review:**

- **Resolution:** The Supreme Court held that it had the authority to review procedural adherence by the Con-Con to constitutional mandates.

- **Reasoning:** Asserts that the judiciary's role includes ensuring that all constitutional processes and actions conform to the clearly established legal framework even if largely consisting of "political questions".

4. **Sufficiency of Frame of Reference:**

- **Resolution:** The proposed amendment lacked a sufficient frame of reference.

- **Reasoning:** Since the proposed reduction of the voting age was provisional and conditional upon future amendments, it did not afford voters enough context to make an informed decision. A comprehensive context is essential for evaluating the implications of specific amendments.

Doctrine:

1. **Single Plebiscite Requirement:** Amendments proposed by a Constitutional Convention must be submitted to the people for ratification in one consolidated plebiscite after the complete and final draft of all amendments has been approved by the body.

2. **Judicial Review:** The judiciary has the authority to ensure the procedural propriety of constitutional amendment processes and can intervene if such processes deviate from constitutional mandates.

Class Notes:

- **Elements of a valid constitutional amendment process:**
 - Adherence to procedural requirements delineated in the Constitution.
 - Comprehensive and final draft submission for ratification by the electorate.

- **Relevant Provisions:**
 - **Section 1, Article XV of the 1935 Constitution:** Stipulates the process for amending the Constitution.
 - **Section 1, Article V of the 1935 Constitution:** Addresses voter qualifications, including age requirements.

- **Key Principles:**
 - **Doctrine of Judicial Review:** Courts must review if constitutional processes adhere to procedural correctness.
 - **Singular Plebiscite Doctrine:** Amendments must be consolidated and submitted collectively to avoid piecemeal ratification.

Historical Background:

The case is set against the backdrop of the 1971 Constitutional Convention which was held with the intent of revising the 1935 Philippine Constitution. During a period marked by political turmoil and calls for substantial legal reforms, the convention sought to introduce wide-ranging constitutional changes, beginning with reducing the voting age. This case emphasizes the constitutional rigidity and the procedural sanctity required for amendments, reflecting the foundational principle of maintaining legal stability and clarity.