

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

Facts:

- Introduction:** Arturo M. Tolentino, a delegate of the 1971 Constitutional Convention, challenged Organic Resolution No. 1 of said convention. The resolution proposed to amend Section 1 of Article V of the Philippine Constitution to reduce the voting age from 21 to 18.
- Proposed Amendment Details:** Resolution No. 1 not only aimed to alter the voting age but also contained a provision calling for a plebiscite on this amendment to coincide with the November 8, 1971, elections for senators and local officials.
- Contention:** Tolentino argued that Organic Resolution No. 1 violated Section 1 of Article XV of the 1935 Constitution, which dictates the procedure for constitutional amendments. He insisted that the proposal to amend the voting age could not be submitted for a plebiscite separately from other potential amendments by the Convention.
- Procedural Posture:**
 - Initially, the Convention, via Organic Resolution No. 1, decided to submit the proposed amendment lowering the voting age directly to a plebiscite.
 - Tolentino filed a petition questioning the validity of this separate submission.
 - The Commission on Elections (COMELEC), Chief Accountant, Auditor, and Disbursing Officer of the Convention opposed the petition.
 - Intervenors, including Raul S. Manglapus and others, supported Tolentino's challenge.
 - The Supreme Court initially ruled in favor of Tolentino, declaring the resolution invalid.
 - Motions for reconsideration were then filed by the respondents and intervenors seeking to overturn the Court's decision.

Issues:

- Whether the Constitutional Convention can submit proposed amendments to the people for ratification in a piecemeal manner?**
- Whether Section 1 of Article XV allows for more than one plebiscite for submitting constitutional amendments?**
- Whether the Convention, in proposing a separate plebiscite, acted outside its authority or jurisdiction?**
- Whether the amendment regarding the reduction of the voting age lacks a frame of reference necessary for voters to make an informed decision?**

Court's Decision:

1. **Single Plebiscite Rule:** The Court reaffirmed its initial ruling that the Constitution does not permit more than one plebiscite for submitting amendments proposed by the Convention. The language of Section 1 of Article XV, referring to "an election," implies a single plebiscite.
2. **Inconsistency and Lack of Frame of Reference:** The Court underlined that submitting a single change, like the reduction of the voting age, out of context with other amendments made by the Convention would not provide voters a comprehensive frame of reference necessary to make an informed decision. It stressed that voting age is intertwined with larger constitutional principles and governmental functionalities which should be considered as a whole.
3. **Interpretative Boundaries and Misconstruction:** The claim that the Convention is equal in power to Congress sitting as a constituent body and thus could propose amendments piecemeal was rejected. The Court noted that once a Convention submits its amendments, it should be on a complete and final basis. Furthermore, the powers vested in the Convention were meant to be exercised within the strict guidelines of the Constitution, ensuring that amendments aren't submitted in a provisional or piecemeal method.
4. **Binding Nature of Constitutional Mandates:** The respondents and intervenors' argument acknowledging the binding nature of Section 1 of Article XV highlighted that the Convention must adhere to the stipulated amending process. Disregarding this procedure would undermine the Constitution itself and can't be sanctioned.

Doctrine:

- **Doctrine of Single Plebiscite for Amendments:** Constitutional amendments must be submitted to the people for ratification in a single, all-encompassing plebiscite and not in a piecemeal manner.
- **Necessity of Frame of Reference:** Any proposed amendment to the Constitution must be understood within its full context, providing voters with a comprehensive understanding of how it fits within the entire Constitution.

Class Notes:

- **Article XV, Section 1 of the 1935 Constitution:** "The Congress in joint session

assembled, by a vote of three-fourths of all the Members of the Senate and of the House of Representatives voting separately, may propose amendments to this Constitution or call a convention for that purpose. Such amendments shall be valid as part of this Constitution when approved by a majority of votes cast at an election at which the amendments are submitted to the people for their ratification.”

Explanation: This section establishes the process for constitutional amendments requiring a single electoral event for voter ratification. It implies a collective submission rather than fragmented proposals to ensure holistic consideration by the electorate.

****Historical Background:****

- ****1971 Constitutional Convention Context****: The 1971 Constitutional Convention was convened to propose necessary amendments to the 1935 Constitution, driven by contemporary political and social pressures, including the youth’s significant clamor for voting rights.
- ****Context of Organic Resolution No. 1****: Emerging from the larger global trend towards youth enfranchisement, the Resolution sought quick implementation, which led to procedural contentions. The Court’s ruling underscored the necessity of abiding by existing constitutional processes during such transformative legal reforms.