

Title: In the Matter of the Petitions for Admission to the Bar of Unsuccessful Candidates of 1946 to 1953 (Cunanan v. Republic of the Philippines)

Facts:

In recent years, Republic Act No. 972, popularly known as the “Bar Flunkers’ Act of 1953,” was enacted, causing significant public interest. Under the existing Rules of Court, a candidate for admission to the bar needed to obtain a general average of 75% in all subjects without falling below 50% in any subject. However, the Supreme Court deviated from this rule for several years following WWII, adjusting the passing mark due to varying difficulties and grading strictness in the bar exams. Specifically:

- 1946: General average of 72%
- 1947: General average of 69%
- 1948: General average of 70%
- 1949: General average of 74%
- 1950-1953: General average required was reverted to 75%

Believing themselves to be as qualified as those who were previously admitted under lowered marks, unsuccessful candidates lobbied Congress, resulting in Senate Bill No. 12, which proposed lowering the passing mark retroactively to 70%. This bill was vetoed by the President. Subsequently, Senate Bill No. 371 was passed and became Republic Act No. 972 without the President’s signature.

Republic Act No. 972 set the passing marks as follows:

- 70% for 1946-1951
- 71% for 1952
- 72% for 1953
- 73% for 1954
- 74% for 1955

The Supreme Court subsequently received numerous petitions from bar candidates seeking admission based on this new law, raising concerns about its constitutionality.

Issues:

1. Whether Republic Act No. 972 is constitutional.
2. Whether the Act constitutes judicial overreach by the Legislature in revoking the Supreme Court’s decisions on bar admission.
3. Whether the Act is an arbitrary class legislation by retroactively adjusting the passing

grades for specific years.

4. Whether Section 2 of the Act, which permits partial passing of exams, is constitutionally valid.

Court's Decision:

1. **Unconstitutionality of Republic Act No. 972**:

- The Supreme Court ruled that the Act, by mandating the admission of candidates previously deemed unqualified, intrudes upon the Court's exclusive judicial power to regulate the admission, suspension, disbarment, and reinstatement of attorneys.

2. **Judicial Overreach**:

- The Court held that the Act effectively annulled the Supreme Court's prior determinations on bar qualifications, constituting an unconstitutional exercise of judicial power by the Legislature.

3. **Class Legislation**:

- The Act was deemed an arbitrary and capricious class legislation. The Court determined there was no reasonable basis for differentiating candidates from specific years while excluding others who may have had similar circumstances.

4. **Partial Passing of Exams**:

- Section 2 of the Act, allowing candidates to pass exams in parts over different periods, was held invalid. The Constitution requires such legislative changes to be clearly reflected in the law's title, which was not the case here, thus violating the constitutional requirement for legislative precision.

The Court declared Republic Act No. 972 was unconstitutional for the years 1946-1952 and that Section 2 was void. However, for lack of unanimity among justices, the reductions of passing marks from 1953-1955 remained valid.

Doctrine:

- The fundamental judicial doctrine established by this decision reinforces the judiciary's exclusive constitutional power to decide on qualifications for bar admission and to regulate the legal profession. The decision upholds the separation of powers, preventing legislative overreach into judicial functions.

Class Notes:

1. **Judicial Functions**:

- Admission to the bar is a judicial function requiring competence in considering past academic performances.

- Supreme Court rules on bar admissions.

2. **Separation of Powers**:

- The Legislature cannot overrule judicial decisions regarding qualifications for the bar.

3. **Class Legislation**:

- Laws must apply equally and uniformly to all classes unless substantial distinctions justify different treatment.

- Any legislation that arbitrarily discriminates among classes is unconstitutional.

4. **Retroactivity and Legislative Intent**:

- Retroactive laws must not infringe on the judiciary's decisions unless constitutionally permitted.

- The intent of legislation must be clear and not retrospectively alter judicial decisions.

Historical Background:

- Post-WWII Philippines faced inconsistencies in bar exam difficulty, prompting adjustments in passing marks by the Supreme Court.

- Republic Act No. 972 was passed during an election year, amid pressures to address perceived inequities in bar exam grading.

- This case underscores the dynamic interplay between legislative actions and judicial safeguards in regulating the legal profession, rooted in the country's legal evolution post-liberation.

Overall, this case encapsulates the complexities of ensuring professional standards within the constitutional framework while addressing historical contingencies and public opinion.