

### Title:

Bermudez v. Executive Branch (1986)

### Facts:

**Playing out of Events:**

- Petition Filed:** Saturnino Bermudez, a lawyer, filed a petition for declaratory relief without naming respondents, questioning who among the “incumbent President” and “Vice-President” as mentioned in Section 5 of Article XVIII of the 1986 Draft Constitution refer to — specifically if it referred to President Corazon Aquino and Vice-President Salvador Laurel or ex-President Ferdinand Marcos and ex-Vice-President Arturo Tolentino.
- Provision Quoted:** The petitioner quoted Section 5 of Article XVIII of the proposed 1986 Constitution:  
- “Sec. 5. The six-year term of the incumbent President and Vice-President elected in the February 7, 1986 election is, for purposes of synchronization of elections, hereby extended to noon of June 30, 1992.”
- Claim of Ambiguity:** Bermudez claimed that the provision was unclear regarding the identity of the ‘incumbent President and Vice President.’
- Petition Dismissed:** The petition was dismissed by the Supreme Court primarily for lack of jurisdiction and for lack of cause of action.

**Procedural Posture:**

- **Initial Submission:** Bermudez submitted the petition directly to the Supreme Court.
- **Lack of Jurisdiction:** The Supreme Court dismissed the petition on the grounds that the court does not entertain petitions for declaratory relief (citing existing limitations on jurisdiction).
- **Lack of Cause of Action:** The court also dismissed the petition because it failed to substantiate a valid cause of action.
- **Presidential Immunity:** The court noted that the petition effectively amounted to a suit against the incumbent President, Corazon Aquino, who was immune from suit during her incumbency.

### Issues:

- Jurisdiction:** Does the Supreme Court have jurisdiction over petitions for declaratory relief?
- Cause of Action:** Does the petitioner have a valid cause of action to invoke a declaratory interpretation of the cited constitutional provision?
- Presidential Immunity:** Can a sitting President be sued or involved in a court case

during their incumbency?

4. **Legitimacy of Government and Election Synchronization:** Whether the referenced constitutional provision was applicable to President Corazon Aquino and Vice-President Salvador Laurel, extending their terms for synchronization of elections.

**Court's Decision:**

**Issue 1: Lack of Jurisdiction**

- **Resolution:** The Supreme Court dismissed the petition for lack of jurisdiction over petitions for declaratory relief, reaffirming its stance from *Tan vs. Macapagal* (43 SCRA 677).

**Issue 2: Lack of Cause of Action**

- **Resolution:** The petition was ruled to have no cause of action. The Court found the claim of ambiguity in the provision as baseless and gratuitous. The legitimacy and identification of President Aquino and Vice-President Laurel were established facts, public knowledge, and recognized both nationally and internationally.

**Issue 3: Presidential Immunity**

- **Resolution:** The Court reiterated that a sitting President (Corazon Aquino) is immune from suit during their tenure, referencing existing legal principles.

**Issue 4: Legitimacy and Synchronization**

- **Resolution:** The Court clarified that the constitutional provision clearly referred to President Corazon Aquino and Vice-President Salvador Laurel, whose terms were extended until noon of June 30, 1992, to synchronize future elections.

**Doctrine:**

- **Jurisdictional Limitations:** The Supreme Court does not entertain petitions for declaratory relief.

- **Presidential Immunity:** Sitting presidents are immune from suit during their incumbency.

- **Legitimacy of Government:** The legitimacy of President Corazon Aquino's government is a non-justiciable matter fully recognized by the people and international community and cannot be questioned in Court.

**Class Notes:**

- **Declaratory Relief:** Not within the jurisdiction of the Supreme Court.

- **Cause of Action:** Must be clear and substantiated to be considered by the Court.

- **Presidential Immunity:** Sitting Presidents cannot be sued or brought to court during their incumbency.
- **Synchronization of Elections:** Legislative provisions to adjust term for electoral synchronization.
- **Legal Reference:** Article XVIII, Section 5, 1986 Draft Constitution.

### Historical Background:

- **Context of 1986 Constitution:** The 1986 Draft Constitution emerged post-EDSA People Power and aimed to establish a democratic government replacing the regime of Ferdinand Marcos.
- **February 1986 Elections:** Widely contested and marred by allegations of fraud leading to the EDSA Revolution.
- **Aquino's Government:** Officially recognized both domestically and internationally, with previous legal challenges dismissed by the Supreme Court.

This case reaffirmed the legitimacy and recognition of the Aquino administration, directly tied to the political upheaval and changes post-1986 elections.