

****Title:****

Peralta v. COMELEC, et al.

****Facts:****

Pedro G. Peralta, Juan T. David, the Youth Democratic Movement, B. Asuncion Buenafe, Reynaldo T. Fajardo, and Gualberto J. De La Llana filed six consolidated petitions questioning the constitutionality of certain provisions of the 1978 Election Code (Presidential Decree No. 1296), specifically on the voting system and regional representation. These cases were brought to the Supreme Court after administrative processes and decisions by the Commission on Elections (COMELEC).

****I. Voting System in the 1978 Election Code:****

- ****Manner of Preparing the Ballots (Section 140):**** Voters can either vote for individual candidates by writing their names in the ballot or vote for all candidates of a political party by writing the party's name.
- ****Rules for Ballot Appreciation (Section 155):**** Includes specific provisions like:
 - Writing the name of a political party results in a vote for all its official candidates.
 - Votes for individual candidates outside the ticket of the chosen party are considered stray and not counted.

****II. Regional Representation in the Interim Batasang Pambansa:****

- ****Section 11, 12, and 14 of the 1978 Election Code:**** They dictate that members of the interim Batasang Pambansa are elected by regions instead of provinces, cities, or representative districts as traditionally structured under the Constitution.

****III. Political Parties and Candidate Affiliation:****

- ****Section 199 of the 1978 Election Code:**** Provisions for the registration and accreditation of political parties.
- ****Section 10 of Article XII-C of the Constitution:**** Prohibition on changing political party affiliation within specific periods around the election.

****IV. Election and Campaign Periods:****

- ****Section 4 of the 1978 Election Code:**** Fixes a 45-day campaign period, contrary to the

90-day period detailed in the Constitution.

****Procedural Posture:****

The petitioners, after registering their grievances with COMELEC, filed cases directly to the Supreme Court questioning the constitutionality of the aforementioned provisions.

****Issues:****

1. Whether the voting system permitting optional straight party voting (Sections 140 and 155) violates the equal protection clause and the guarantees of fair and free elections.
2. Whether the method of electing members of the interim Batasang Pambansa by regions (Sections 11, 12, and 14) contravenes the constitutional requirement that members be apportioned among provinces, representative districts, and cities.
3. Whether the registration and accreditation of political parties and the rule against changing party affiliation (Section 199 and Section 10 of Article XII-C) are constitutional.
4. Whether the prescribed 45-day campaign period (Section 4) complies with the constitutional mandate of a 90-day election period.

****Court's Decision:****

****I. On Voting System and Optional Straight Party Voting (Sections 140 and 155):****

The Court ruled that the challenged provisions do not violate the constitutional guarantees of freedom and fairness in elections. It maintained that the option to vote for a party or individual candidates provided a fair choice to voters. The Court cited historical precedents and comparative jurisdictions supporting similar voting systems and underscored that these systems have been deemed constitutional.

****II. On Regional Representation (Sections 11, 12, and 14):****

The Court found that these provisions are in line with Amendment No. 1 of the Constitution, which called for the election of interim Batasang Pambansa members by regions. The distinction between traditional representative districts and regional representation was deemed appropriate and within constitutional bounds during the transitory and experimental phase of government.

****III. On Political Party Registration and Party Affiliation Rules (Section 199 and Section 10 of Article XII-C):****

The Court upheld the validity of these provisions, recognizing that political aggrupations like the Kilusang Bagong Lipunan (KBL) and Lakas ng Bayan (LABAN) could be treated as political parties. Furthermore, the Court deferred the issues regarding changing party affiliations until relevant implementation legislation is enacted.

IV. On Campaign Period (Section 4):

The Court ruled that the 45-day campaign period was consistent with the constitutional requirement given the transitory nature of the interim Batasang Pambansa elections. The need for emergency and special electoral regulations under martial law, and the subsequent enactment by the President, justified this distinction.

Doctrine:

1. **Optional Straight Party Voting:** Constitutionally permissible provided it gives electoral choice options and does not compel a single voting method, thus maintaining voter freedom.
2. **Regional Representation:** Valid in the interim period, flexible within the specific constitutional amendments intended for transitional governance.
3. **Political Party Accreditation:** Includes groups aligned by political ideals and not strictly by the traditional definition of political parties - consistent with constitutional intentions of fostering robust political participation.
4. **Election and Campaign Periods:** May be regulated differently in the interim context or during states of emergency, provided they align with broader constitutional goals and temporary provisions.

Class Notes:

- **Equal Protection Clause (Art. IV Sec. 1):** Mandates reasonable classification in regulation.
- **Election Code 1978 (Sections 140 & 155):** Optional voting mechanisms by party or individual candidates.
- **Transitory Provisions (Amendment No. 1):** Regional representation for parliament in lieu of traditional districts.
- **Campaign Duration (Sec. 4):** Adjustments permissible for state-specific scenarios like martial law.

Historical Background:

The case arose during a transition from a presidential to a parliamentary form of government post-martial law in the 1970s Philippines. It involved debates over electoral processes compatible with the then-new Constitution, emphasizing stability and gradual normalization of democratic processes while incorporating unique solutions to perceived political fragmentation and election fraud.