

**## Title:**

Miranda vs. Abaya (G.R. No. 370 Phil. 642)

**## Facts:**

On March 24, 1998, Jose “Pempe” Miranda, the incumbent mayor of Santiago City, Isabela, filed his certificate of candidacy for re-election in the upcoming May 11, 1998 elections. Three days later, Antonio M. Abaya filed a Petition to Deny Due Course to and/or Cancel Certificate of Candidacy against Jose “Pempe” Miranda, asserting that he had already served the maximum allowable three consecutive terms. On May 5, 1998, the COMELEC (First Division) granted Abaya’s petition, disqualifying Jose “Pempe” Miranda.

On May 6, 1998, beyond the deadline for filing a certificate of candidacy, Joel G. Miranda submitted his certificate of candidacy as a substitute for his father, Jose “Pempe” Miranda.

Antonio M. Abaya then filed a Petition to Declare Null and Void Substitution against Joel G. Miranda on May 13, 1998, arguing that Joel’s candidacy was void as the candidate he was replacing was not qualified. Despite this, Joel garnered more votes than Abaya in the May 11, 1998 elections and was subsequently proclaimed the winner.

The COMELEC’s First Division dismissed Abaya’s petition on May 16, 1998, leading to his motion for reconsideration, which resolved on December 8, 1998, canceling Joel G. Miranda’s substitution and annulling his election.

Joel G. Miranda then filed a Petition for Certiorari to the Supreme Court seeking to overturn the COMELEC’s En Banc resolution, claiming grave abuse of discretion and lack of jurisdiction.

**## Issues:**

1. Whether the COMELEC acted without jurisdiction or with grave abuse of discretion in annulling Joel G. Miranda’s substitution and subsequent proclamation.
2. Whether the directive to proclaim Antonio M. Abaya as the winning candidate was issued with grave abuse of discretion.

**## Court’s Decision:**

**### Jurisdiction and Grave Abuse of Discretion:**

- **\*\*Jurisdiction\*\***: The Supreme Court held that the COMELEC had jurisdiction over the case, in line with its mandate to resolve electoral disputes.
- **\*\*Grave Abuse of Discretion\*\***: The Court found that the COMELEC did not commit grave

abuse of discretion. The substitution rules under Section 77 of the Omnibus Election Code do not allow substitution when the original candidate's certificate was canceled. A canceled certificate of candidacy means the candidate was never officially recognized, and thus, substitution is not permitted.

### Directive to Proclaim Antonio M. Abaya:

- The Court ruled that the COMELEC committed a mistake by directing the proclamation of Abaya. The second highest vote-getter cannot be automatically declared the winner due to the disqualification or cancellation of the highest vote-getter's candidacy. Instead, the law on succession should apply, meaning the Vice Mayor should assume the mayoralty post.

## Doctrine:

- **Substitution Principles**: Substitution under Section 77 of the Omnibus Election Code is only permitted in cases of death, withdrawal, or disqualification (with a valid certificate of candidacy). Disqualification without a valid certificate precludes substitution.

- **Jurisdiction and Error, Not Grave Abuse**: Errors in judgment by the COMELEC do not equate to a lack of jurisdiction or grave abuse of discretion unless performed capriciously or whimsically.

## Class Notes:

### Key Points:

- **Section 77 of the Omnibus Election Code**: Substitution allowed for death, withdrawal, or disqualification with a valid certificate of candidacy.

- **Section 78 of the Omnibus Election Code**: Grounds for denying due course or canceling a certificate based on material misrepresentation.

- **Section 73**: A valid certificate of candidacy is mandatory for eligibility for office.

- **Case Law**: Only candidates with valid certificates can be substituted. Votes for invalid candidates are considered stray.

## Historical Background:

This case highlights the stringent rules surrounding electoral candidacy in the Philippines. It arose from the broader context of ensuring the integrity of the electoral process, particularly concerning the abuse of substitution provisions which could perpetuate political dynasties—a major constitutional concern in the Philippines. The 1987 Constitution aimed to dismantle such dynasties, promoting meritocracy and equal access to public office.

This decision is a critical enforcement of election rules and exemplifies judicial vigilance

against attempts to circumvent candidacy regulations through procedural manipulation.