

****Title: Fernando Lopez v. Gerardo Roxas & Presidential Electoral Tribunal****

****Facts:****

1. ****General Election Held:**** On November 9, 1965, general elections were conducted in the Philippines to elect the President and Vice-President.
2. ****Congressional Proclamation:**** On December 17, 1965, Congress, acting as the official canvassing body, proclaimed Fernando Lopez as the Vice President of the Philippines with 3,531,550 votes, winning over Gerardo Roxas, who garnered 3,504,826 votes, reflecting a lead of 26,724 votes.
3. ****Election Protest Filed:**** On January 5, 1966, Gerardo Roxas filed Election Protest No. 2 with the Presidential Electoral Tribunal, contesting the election of Fernando Lopez as Vice President, claiming he actually received the highest number of votes.
4. ****Petition in Supreme Court:**** On February 22, 1966, Fernando Lopez filed an original action for prohibition with preliminary injunction in the Supreme Court against Gerardo Roxas to prevent the Tribunal from entertaining the election contest. He argued that Republic Act No. 1793, which established the Tribunal, was unconstitutional.
5. ****Arguments of Lopez:**** Fernando Lopez contended that the Constitution does not authorize Congress to legislatively provide for an election contest for the offices of President and Vice President and that the Tribunal's actions nullify Congress's proclamation. Moreover, he argued that the Tribunal, comprised of Supreme Court justices, impinges upon the separation of powers embodied in the Constitution.
6. ****Clarification Motion:**** After the Supreme Court upheld the constitutionality of Republic Act No. 1793 on July 8, 1966, Lopez filed a motion on July 13, 1966, to clarify the status of the election contest proceedings, questioning the interplay between the Supreme Court and the Presidential Electoral Tribunal.

****Issues:****

1. ****Constitutionality of Republic Act No. 1793:**** Does Republic Act No. 1793, creating an independent Presidential Electoral Tribunal, violate the Philippine Constitution by addressing election contests for President and Vice-President in the absence of explicit constitutional provisions?

2. ****Separation of Powers:**** Does the membership composition of the Presidential Electoral Tribunal, comprising justices of the Supreme Court, infringe upon the principle of separation of powers by blending judicial and legislative functions?
3. ****Legislative Authority:**** Can Congress impose additional judicial functions on the Supreme Court without violating the constitutional separation of powers, and is there legislative authority to establish such a tribunal when the Constitution is silent on election contests for the President and Vice-President?
4. ****Supreme Court vs. Tribunal Operations:**** Is there a procedural distinction or conflict between the functioning of the Supreme Court and the Presidential Electoral Tribunal, and what are the implications for pending election contests?

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

1. ****Constitutionality Affirmed:**** The Court ruled that Republic Act No. 1793 does not violate the Philippine Constitution. It concluded that the Act lawfully vests additional original jurisdiction of an exclusive character on the Supreme Court, consistent with its mandate to exercise judicial powers.
2. ****No Violation of Separation of Powers:**** The Court found that the Act neither infringes upon the separation of powers nor asserts any congressional power over judicial appointments. The Tribunal functions as an extended obligation of the Supreme Court, not a separate entity.
3. ****Legislative Authority Upheld:**** Congress has the authority to legislate on election contests for President and Vice-President. Recognizing the judicial nature of resolving electoral disputes, Congress appropriately established the Tribunal under existing constitutional provisions empowering judicial review.
4. ****Tribunal as an Extension of the Supreme Court:**** The court clarified that the Presidential Electoral Tribunal is not distinct from the Supreme Court but an extension of its judicial functions. Therefore, no need exists to separately docket contest cases in the Supreme Court as they fall within the Tribunal's jurisdiction.

****Doctrine:****

1. ****Conferment of Additional Jurisdiction:**** Legislative action that extends the jurisdiction of the Supreme Court to encompass new juridical duties is valid, provided it aligns with the

court's constitutional mandate without creating a new or independent tribunal.

2. **Judicial Nature of Election Contests:** Election contests are inherently judicial matters, and legislative provisions establishing jurisdiction for such contests are permissible if constitutionally compliant.

Class Notes:

- **Judicial Power Defined:** Right to settle justiciable disputes requiring enforcement or protection of rights. Legislative provisions may define scope and loci of these settlements.
- **Separation of Powers Doctrine:** Balance between legislative, executive, and judicial responsibilities is imperative, with the judiciary holding exclusive authority to settle legal controversies.
- **Role of Congress in Electoral Disputes:** Congress can define electoral dispute mechanisms unless explicitly restricted by constitutional provisions.

Historical Background:

- The creation of the Presidential Electoral Tribunal via Republic Act No. 1793 reflects a significant development in electoral jurisprudence, rooted in addressing the absence of constitutional provisions for presidential and vice-presidential election contests. Contextually, it mirrors ongoing development in establishing clear avenues for contesting national electoral outcomes, drawing analogies to practice in other jurisdictions such as the United States.