

**MANUEL A. CORDERO, TRIAL ATTORNEY OF THE TENANCY UNIT,
MEDIATION DIVISION, AGRICULTURAL TENANCY COMMISSION,
DEPARTMENT OF JUSTICE AND VICENTE SALAZAR, PETITIONERS,
VS. HON. JOSE...**

G. R. No. L-14542. October 31, 1962

Ponente: REGALA, J.

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REGALA, J.:

This is a petition for certiorari and mandamus "to declare null and void the disputed order dated September 22, 1958 and the resolution dated October 1, 1958" of the Court of Agrarian Relations, disqualifying petitioner Manuel A. Cordero, Trial Attorney, Tenancy Counsel Unit, Mediation Division, Agricultural Tenancy Commission, Department of Justice "from appearing as counsel for petitioner tenant in this case, or for any tenant in any other cases before this Court," and "to compel respondent Judge to allow petitioner trial attorney and all trial attorneys of the Mediation Division of the Department of Justice to appear as counsel for indigent tenants in cases pending in his sala."

The record discloses that on July 21, 1958, the Tenancy Counsel Unit of the Agricultural Tenancy Commission of the Department of Justice, thru its Trial Attorney, the herein petitioner tenant Manuel A. Cordero as counsel for indigent petitioner tenant Vicente Salazar, filed with the Second Regional District of the Court of Agrarian Relations, CAR Case No. 1379-NE-58 against respondent landlord Leonardo Sta. Romana and others "for reinstatement and reliquidation of past harvests"; that on September 16, 1958, respondent landlord Leonardo Sta. Romana filed a "Motion to Disqualify Counsel and To Set Hearing at Cabanatuan City," praying among others for the disqualification of petitioner Manuel A. Cordero to act as counsel for tenant Vicente Salazar; that on September 22, 1958, the respondent Judge, acting on the aforesaid motion to disqualify, issued the order in question disqualifying petitioner Manuel A. Cordero and/or any other attorney from the Mediation Division of the Department of Justice from appearing as counsel for petitioner tenant Vicente Salazar or for other tenants represented by the said division in the said court; that on September 29, 1958, an "Urgent Motion for Reconsideration" was filed before the said court, praying for the setting aside of the order of September 22, 1958 but the same was denied on October 1, 1958.

In its order dated September 22, 1958, the Court of Agrarian Relations (Second Regional District) upheld the respondents' claim and held, among others:

- (1) That representation by counsel of tenants who cannot afford to pay should be done by the public defenders of the Department of Labor as provided for in section 54 of Republic Act No. 1199;
- (2) That Circular No. 5, dated June 28, 1957, of the Agricultural Tenancy Commission, as approved by the Secretary of Justice, creating a Tenancy Unit Counsel in the Mediation Division, is ultra vires and has no legal force; and
- (3) That even the Mediation Division of the Agricultural Tenancy Commission, which has been performing

many functions, has been in existence without the sanction of any statute.

As a result of this order, the plaintiff filed the present petition before this Court. As prayed for, this Court on August 21, 1958 issued a writ of preliminary injunction, restraining the respondent judge from enforcing his order complained of until further orders from this Court.

Meanwhile, Congress passed Republic Act No. 2263, amending the Agricultural Tenancy Act of the Philippines (Republic Act No. 1199) providing among others that—

"In all cases wherein a tenant cannot afford to be represented by counsel, it shall be the duty of the trial attorney of the tenancy mediation commission to represent him, upon proper notification by the party concerned, or the court of competent jurisdiction shall assign or appoint counsel de oficio for the indigent tenant." (Section 54, Republic Act No. 1199, as amended by Section 20 of Republic Act No. 2263)

After the enactment of the aforementioned Republic Act No. 2263, on August 11, 1959, petitioner filed a manifestation contending "that the issue in the case at bar is now moot and academic." As required by this Court, respondent judge, thru counsel, filed on October 3, 1959 his COMMENT to the aforementioned manifestation of petitioner, alleging that, before the enactment of Republic Act No. 2263, there was no Tenancy Mediation Division in existence nor was there any law creating the same and defining its functions, and that its only basis for existence, therefore, are sections 19 and 20 of Republic Act No. 2263 which are null and void because the Constitution provides that "no bill which may be enacted into law shall embrace more than one subject which shall be expressed in the title of the bill." He contended further that nowhere in the titles of Republic Act No. 1199 and Republic Act No. 2263 is the creation of the Tenancy Mediation Division ever mentioned, thereby indicating that section 19, Republic Act No. 2263 falls under the first class of prohibited bills.

The decisive issue in this case is the constitutionality of sections 19 and 20 of Republic Act No. 2263, amending sections 53 and 54 of Republic Act No. 1199. The fundamental objection of respondent to the presumed constitutionality of these sections is that section 19 of Republic Act No. 2263, authorizing the Secretary of Justice, acting through a tenancy mediation division, to carry out a national enforcement program including the mediation of tenancy disputes, is not expressed in the title of the bill as required by section 21, paragraph 1, of Article VI of the Philippine Constitution which reads:

"No bill which may be enacted into law shall embrace more than one subject which shall be expressed in the title of the bill."

It is to be noted that the basic law, Republic Act No. 1199, is called "The Agricultural Tenancy Act of the Philippines."

The constitutional requirement in question is satisfied if all parts of the law are related, and are germane to the subject matter expressed in the title of the bill. The title of Republic Act No. 2263 reads as follows: On Act AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED ONE THOUSAND ONE HUNDRED NINETY-NINE, OTHERWISE KNOWN AS THE AGRICULTURAL TENANCY ACT OF THE PHILIPPINES."

The constitutional requirement is complied with as long as the law, as in the instant case, has a single general subject which is the Agricultural Tenancy Act and the amendatory provisions no matter how diverse they may be, so long as they are not inconsistent with or foreign to the general subject, will be regarded as valid (Since, Philippine Political Law, 11th Ed., p. 225; Cooley, Constitutional Limitations, 6th Ed., p. 172; See also Public Service Commission vs. Rectenwald, 290 Ill. 314, 8 A.L.R. 466).

The provisions of sections 19 and 20 of Republic Act No. 2263 are certainly germane to, and are reasonably

necessary for the accomplishment of the one general subject, agricultural tenancy.

In the case of *Government vs. Hongkong & Shanghai Banking Corporation*, 66 Phil. 483, We laid down the rule that—

"Constitutional provisions relating to the subject matter and titles of statutes should not be so narrowly construed as to cripple or impede power legislation. The requirement that the subject of an act shall be expressed in its title should receive a reasonable and not a technical construction. It is sufficient if the title be comprehensive enough reasonably to include the general object which a statute seeks to effect, without expressing each and every end and means necessary or convenient for the accomplishing of the object. Mere details need not be set forth. The title need not be an abstract or index of the Act." (syllabus)

In the case of *Sumulong vs. Commission on Elections*, 73 Phil. 288, the following doctrine was enunciated:

"The Constitutional requirement that the subject of an act shall be expressed in its title should be reasonably construed so as not to interfere unduly with the enactment of necessary legislation. It should be given a practical rather than technical construction. It should be a sufficient compliance with such requirement if the title expresses the general subject and all the provisions of the statute are germane to that general subject. In the light of the relevant provisions of the Constitution, the challenged provision of section 5 of Commonwealth Act 657 has a necessary and proper connection with the reorganization of the Commission on Election, which is the subject expressed in the title of the Act." * * * (syllabus)

And in the later case of *People vs. Carlos*, 78 Phil. 535, We again said:

"The People's Court was intended to be a full and complete scheme with its own machinery for the indictment, trial and judgment of treason cases. The various provisos mentioned in appellant's brief are allied and germane to the subject matter and purpose of the People's Court Act; they are subordinate to its end. The multitude of matters which the legislation, by its nature, has to embrace would make mention of all of them in the title of the act cumbersome. It is not necessary, and the Congress is not expected, to make the title of an enactment a complete index of its contents. (*Government of the Philippine Islands vs. Municipality of Binalonan*, 32 Phil. 634.) The constitutional rule is satisfied if all parts of a law relate to the subject expressed in its title."

The only amendment brought about by Republic Act No. 2263 is the transfer of the function of representing these indigent tenants to the Department of Justice, apparently to consolidate in the latter Department the functions relative to the enforcement of tenancy laws. In essence, therefore, there is no change in the set-up established by Republic Act No. 1199 and that provided for by Republic Act No. 2263. There is only a transfer of functions from one department of the government to another.

One salient aspect of this case We should not lose sight of is the fact that, shortly after the enactment of Republic Act No. 2263 in 1959, the function of representing these indigents before the Agrarian Court by public defenders of the Department of Labor had been actually transferred to the Tenancy Mediation Division of the Department of Justice by virtue of a Memorandum Circular of the Department of Labor, dated July 15, 1959, addressed to all Regional Labor Administrators, Officers-in-Charge of Local Offices, Legal Advisers and Labor Attorneys of that Department. The concluding paragraph of this circular reads:

"In view hereof, all legal personnel of this department shall henceforth desist from performing legal aid functions in tenancy cases in any manner in their respective jurisdiction, and all such cases which they are handling and still pending adjudication or settlement, as well as those which may be addressed to them in the future, should be referred and turned over to the Commissioner of the Tenancy Mediation Commission, at 758 Padilla St., San Miguel, Manila."

To declare sections 19 and 20 of Republic Act No. 2263 null and void would in effect upset the transfer of the

duty of representing indigent tenants from the public defenders of the Department of Labor to the trial attorneys in the Mediation Division of the Agricultural Tenancy Commission of the Department of Justice. In other words, a declaration of nullity of these provisions of Republic Act No. 2263 would do harm to, and would be nugatory of, the intention of Congress to consolidate the function of enforcing our tenancy laws in the Department of Justice.

For these reasons, We hereby declare sections 19 and 20 of Republic Act No. 2263 valid and constitutional.

Wherefore, the petition is hereby granted and the writ of preliminary injunction heretofore issued, made permanent.

Bengzon, C. J., Bautista Angelo, Labrador, Concepcion, Reyes, J. B. L., Barrera, Paredes, Dizon and Makalintal, JJ., concur.

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