

**ANTONIETTE V.C. MONTESCLAROS, MARICEL CARANZO,
JOSEPHINE ATANGAN, RONALD ATANGAN AND CLARIZA DECENA,
AND OTHER YOUTH OF THE LAND SIMILARLY SITUATED,
PETITIONERS, VS. COMMISSION ...**

G.R. No. 152295. July 09, 2002

Ponente: CARPIO, J.

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CARPIO, J.:

Before us is a petition for certiorari, prohibition and mandamus with prayer for a temporary restraining order or preliminary injunction. The petition seeks to prevent the postponement of the Sangguniang Kabataan (“SK” for brevity) elections originally scheduled last May 6, 2002. The petition also seeks to prevent the reduction of the age requirement for membership in the SK.

Petitioners, who are all 20 years old, filed this petition as a taxpayer’s and class suit, on their own behalf and on behalf of other youths similarly situated. Petitioners claim that they are in danger of being disqualified to vote and be voted for in the SK elections should the SK elections on May 6, 2002 be postponed to a later date. Under the Local Government Code of 1991 (R.A. No. 7160), membership in the SK is limited to youths at least 15 but not more than 21 years old.

Petitioners allege that public respondents “connived, confederated and conspired” to postpone the May 6, 2002 SK elections and to lower the membership age in the SK to at least 15 but less than 18 years of age. Petitioners assail the alleged conspiracy because youths at least 18 but not more than 21 years old will be “summarily and unduly dismembered, unfairly discriminated, unnecessarily disenfranchised, unjustly disassociated and obnoxiously disqualified from the SK organization.”[1]

Thus, petitioners pray for the issuance of a temporary restraining order or preliminary injunction -

“a) To prevent, annul or declare unconstitutional any law, decree, Comelec resolution/directive and other respondents’ issuances, orders and actions and the like in postponing the May 6, 2002 SK elections.

b) To command the respondents to continue the May 6, 2002 SK elections set by the present law and in accordance with Comelec Resolutions No. 4713 and 4714 and to expedite the funding of the SK elections.

c) In the alternative, if the SK elections will be postponed for whatever reason, there must be a definite date for said elections, for example, July 15, 2002, and the present SK membership, except those incumbent SK officers who were elected on May 6, 1996, shall be allowed to run for any SK elective position even if they are more than 21 years old.

d) To direct the incumbent SK officers who are presently representing the SK in every sanggunian and the NYC to vacate their post after the barangay elections.”[2]

The Facts

The SK is a youth organization originally established by Presidential Decree No. 684 as the Kabataang Barangay (“KB” for brevity). The KB was composed of all barangay residents who were less than 18 years old, without specifying the minimum age. The KB was organized to provide its members with the opportunity to express their views and opinions on issues of transcendental importance.[3]

The Local Government Code of 1991 renamed the KB to SK and limited SK membership to those youths “at least 15 but not more than 21 years of age.”[4] The SK remains as a youth organization in every barangay tasked to initiate programs “to enhance the social, political, economic, cultural, intellectual, moral, spiritual, and physical development of the youth.”[5] The SK in every barangay is composed of a chairperson and seven members, all elected by the Katipunan ng Kabataan. The Katipunan ng Kabataan in every barangay is composed of all citizens actually residing in the barangay for at least six months and who meet the membership age requirement.

The first SK elections took place on December 4, 1992. RA No. 7808 reset the SK elections to the first Monday of May of 1996 and every three years thereafter. RA No. 7808 mandated the Comelec to supervise the conduct of the SK elections under rules the Comelec shall promulgate. Accordingly, the Comelec on December 4, 2001 issued Resolution Nos. 4713[6] and 4714[7] to govern the SK elections on May 6, 2002.

On February 18, 2002, petitioner Antoniette V.C. Montesclaros (“Montesclaros” for brevity) sent a letter[8] to the Comelec, demanding that the SK elections be held as scheduled on May 6, 2002. Montesclaros also urged the Comelec to respond to her letter within 10 days upon receipt of the letter, otherwise, she will seek judicial relief.

On February 20, 2002, Alfredo L. Benipayo (“Chairman Benipayo” for brevity), then Comelec Chairman, wrote identical letters to the Speaker of the House[9] and the Senate President[10] about the status of pending bills on the SK and Barangay elections. In his letters, the Comelec Chairman intimated that it was “operationally very difficult” to hold both elections simultaneously in May 2002. Instead, the Comelec Chairman expressed support for the bill of Senator Franklin Drilon that proposed to hold the Barangay elections in May 2002 and postpone the SK elections to November 2002.

Ten days lapsed without the Comelec responding to the letter of Montesclaros. Subsequently, petitioners received a copy of Comelec En Banc Resolution No. 4763[11] dated February 5, 2002 recommending to Congress the postponement of the SK elections to November 2002 but holding the Barangay elections in May 2002 as scheduled.[12]

On March 6, 2002, the Senate and the House of Representatives passed their respective bills postponing the SK elections. On March 11, 2002, the Bicameral Conference Committee (“Bicameral Committee” for brevity) of the Senate and the House came out with a Report[13] recommending approval of the reconciled bill consolidating Senate Bill No. 2050[14] and House Bill No. 4456.[15] The Bicameral Committee’s consolidated bill reset the SK and Barangay elections to July 15, 2002 and lowered the membership age in the SK to at least 15 but not more than 18 years of age.

On March 11, 2002, petitioners filed the instant petition.

On March 11, 2002, the Senate approved the Bicameral Committee’s consolidated bill and on March 13, 2002, the House of Representatives approved the same. The President signed the approved bill into law on March 19, 2002.

The Issues

Petitioners[16] raise the following grounds in support of their petition:

“I.

RESPONDENTS ACTED WHIMSICALLY, ILLEGALLY AND UNCONSTITUTIONALLY THUS CONSTITUTED (SIC) WITH GRAVE ABUSE OF DISCRETION, AMOUNTING TO LACK OR EXCESS OF JURISDICTION WHEN THEY INTENDED TO POSTPONE THE SK ELECTIONS.

II.

RESPONDENTS ACTED WHIMSICALLY, ILLEGALLY AND UNCONSTITUTIONALLY THUS CONSTITUTED (SIC) WITH GRAVE ABUSE OF DISCRETION, AMOUNTING TO LACK OR EXCESS OF JURISDICTION WHEN THEY INTENDED TO DISCRIMINATE, DISENFRANCHISE, SINGLE OUT AND DISMEMBER THE SK MEMBERS WHO ARE 18 BUT NOT LESS^[17] (SIC) THAN 21 YEARS OLD COMPOSED OF ABOUT 7 MILLION YOUTH.

III.

RESPONDENTS ACTED WHIMSICALLY, ILLEGALLY AND UNCONSTITUTIONALLY THUS CONSTITUTED (SIC) WITH GRAVE ABUSE OF DISCRETION, AMOUNTING TO LACK OR EXCESS OF JURISDICTION WHEN THEY WILLFULLY FAILED TO FUND THE SK ELECTION PURPORTEDLY TO POSTPONE THE SAME IN ORDER TO IMPLEMENT THEIR ILLEGAL SCHEME AND MACHINATION IN SPITE OF THE FACT THAT THERE ARE AVAILABLE FUNDS FOR THE PURPOSE.

IV.

THE INCUMBENT SK OFFICERS WANTED TO PERPETUALLY SIT ON THEIR RESPECTIVE OFFICES CONTRARY TO THE ENVISION (SIC) OF THE CREATION OF THE SK ORGANIZATION, HENCE, IN VIOLATION OF LAW AND CONSTITUTION.”^[18]

The Court’s Ruling

The petition is bereft of merit.

At the outset, the Court takes judicial notice of the following events that have transpired since petitioners filed this petition:

1. The May 6, 2002 SK elections and May 13, 2002 Barangay elections were not held as scheduled.
2. Congress enacted RA No. 9164^[19] which provides that voters and candidates for the SK elections must be “at least 15 but less than 18 years of age on the day of the election.”^[20] RA No. 9164 also provides that there shall be a synchronized SK and Barangay elections on July 15, 2002.
3. The Comelec promulgated Resolution No. 4846, the rules and regulations for the conduct of the July 15, 2002 synchronized SK and Barangay elections.

Petitioners, who all claim to be 20 years old, argue that the postponement of the May 6, 2002 SK elections disenfranchises them, preventing them from voting and being voted for in the SK elections. Petitioners’ theory is that if the SK elections were postponed to a date later than May 6, 2002, the postponement would disqualify from SK membership youths who will turn 21 years old between May 6, 2002 and the date of the new SK elections. Petitioners claim that a reduction in the SK membership age to 15 but less than 18 years of age from the then membership age of 15 but not more than 21 years of age would disqualify about seven million youths. The public respondents’ failure to hold the elections on May 6, 2002 would prejudice petitioners and other youths similarly

situated.

Thus, petitioners instituted this petition to: (1) compel public respondents to hold the SK elections on May 6, 2002 and should it be postponed, the SK elections should be held not later than July 15, 2002; (2) prevent public respondents from passing laws and issuing resolutions and orders that would lower the membership age in the SK; and (3) compel public respondents to allow petitioners and those who have turned more than 21 years old on May 6, 2002 to participate in any re-scheduled SK elections.

The Court's power of judicial review may be exercised in constitutional cases only if all the following requisites are complied with, namely: (1) the existence of an actual and appropriate case or controversy; (2) a personal and substantial interest of the party raising the constitutional question; (3) the exercise of judicial review is pleaded at the earliest opportunity; and (4) the constitutional question is the *lis mota* of the case.[21]

In the instant case, there is no actual controversy requiring the exercise of the power of judicial review. While seeking to prevent a postponement of the May 6, 2002 SK elections, petitioners are nevertheless amenable to a resetting of the SK elections to any date not later than July 15, 2002. RA No. 9164 has reset the SK elections to July 15, 2002, a date acceptable to petitioners. With respect to the date of the SK elections, there is therefore no actual controversy requiring judicial intervention.

Petitioners' prayer to prevent Congress from enacting into law a proposed bill lowering the membership age in the SK does not present an actual justiciable controversy. A proposed bill is not subject to judicial review because it is not a law. A proposed bill creates no right and imposes no duty legally enforceable by the Court. A proposed bill, having no legal effect, violates no constitutional right or duty. The Court has no power to declare a proposed bill constitutional or unconstitutional because that would be in the nature of rendering an advisory opinion on a proposed act of Congress. The power of judicial review cannot be exercised in *vacuo*. [22] The second paragraph of Section 1, Article VIII of the Constitution states –

“Judicial power includes the duty of the courts of justice to settle actual controversies involving rights which are legally demandable and enforceable, and to determine whether or not there has been a grave abuse of discretion amounting to lack or excess of jurisdiction on the part of any branch or instrumentality of the Government.” (Emphasis supplied)

Thus, there can be no justiciable controversy involving the constitutionality of a proposed bill. The Court can exercise its power of judicial review only after a law is enacted, not before.

Under the separation of powers, the Court cannot restrain Congress from passing any law, or from setting into motion the legislative mill according to its internal rules. Thus, the following acts of Congress in the exercise of its legislative powers are not subject to judicial restraint: the filing of bills by members of Congress, the approval of bills by each chamber of Congress, the reconciliation by the Bicameral Committee of approved bills, and the eventual approval into law of the reconciled bills by each chamber of Congress. Absent a clear violation of specific constitutional limitations or of constitutional rights of private parties, the Court cannot exercise its power of judicial review over the internal processes or procedures of Congress.[23]

The Court has also no power to dictate to Congress the object or subject of bills that Congress should enact into law. The judicial power to review the constitutionality of laws does not include the power to prescribe to Congress what laws to enact. The Court has no power to compel Congress by *mandamus* to enact a law allowing petitioners, regardless of their age, to vote and be voted for in the July 15, 2002 SK elections. To do so would destroy the delicate system of checks and balances finely crafted by the Constitution for the three co-equal, coordinate and independent branches of government.

Under RA No. 9164, Congress merely restored the age requirement in PD No. 684, the original charter of the SK, which fixed the maximum age for membership in the SK to youths less than 18 years old. Petitioners do not have a vested right to the permanence of the age requirement under Section 424 of the Local Government Code of 1991. Every law passed by Congress is always subject to amendment or repeal by Congress. The Court cannot restrain Congress from amending or repealing laws, for the power to make laws includes the power to change the laws.[24]

The Court cannot also direct the Comelec to allow over-aged voters to vote or be voted for in an election that is limited under RA No. 9164 to youths at least 15 but less than 18 years old. A law is needed to allow all those who have turned more than 21 years old on or after May 6, 2002 to participate in the July 15, 2002 SK elections. Youths from 18 to 21 years old as of May 6, 2002 are also no longer SK members, and cannot participate in the July 15, 2002 SK elections. Congress will have to decide whether to enact an amendatory law. Petitioners' remedy is legislation, not judicial intervention.

Petitioners have no personal and substantial interest in maintaining this suit. A party must show that he has been, or is about to be denied some personal right or privilege to which he is lawfully entitled.[25] A party must also show that he has a real interest in the suit. By "real interest" is meant a present substantial interest, as distinguished from a mere expectancy or future, contingent, subordinate, or inconsequential interest.[26]

In the instant case, petitioners seek to enforce a right originally conferred by law on those who were at least 15 but not more than 21 years old. Now, with the passage of RA No. 9164, this right is limited to those who on the date of the SK elections are at least 15 but less than 18 years old. The new law restricts membership in the SK to this specific age group. Not falling within this classification, petitioners have ceased to be members of the SK and are no longer qualified to participate in the July 15, 2002 SK elections. Plainly, petitioners no longer have a personal and substantial interest in the SK elections.

This petition does not raise any constitutional issue. At the time petitioners filed this petition, RA No. 9164, which reset the SK elections and reduced the age requirement for SK membership, was not yet enacted into law. After the passage of RA No. 9164, petitioners failed to assail any provision in RA No. 9164 that could be unconstitutional. To grant petitioners' prayer to be allowed to vote and be voted for in the July 15, 2002 SK elections necessitates assailing the constitutionality of RA No. 9164. This, petitioners have not done. The Court will not strike down a law unless its constitutionality is properly raised in an appropriate action and adequately argued.[27]

The only semblance of a constitutional issue, albeit erroneous, that petitioners raise is their claim that SK membership is a "property right within the meaning of the Constitution." [28] Since certain public offices are "reserved" for SK officers, petitioners also claim a constitutionally protected "opportunity" to occupy these public offices. In petitioners' own words, they and others similarly situated stand to "lose their opportunity to work in the government positions reserved for SK members or officers." [29] Under the Local Government Code of 1991, the president of the federation of SK organizations in a municipality, city or province is an ex-officio member of the municipal council, city council or provincial board, respectively. [30] The chairperson of the SK in the barangay is an ex-officio member of the Sangguniang Barangay. [31] The president of the national federation of SK organizations is an ex-officio member of the National Youth Commission, with rank of a Department Assistant Secretary. [32]

Congress exercises the power to prescribe the qualifications for SK membership. One who is no longer qualified because of an amendment in the law cannot complain of being deprived of a proprietary right to SK membership. Only those who qualify as SK members can contest, based on a statutory right, any act disqualifying them from

SK membership or from voting in the SK elections. SK membership is not a property right protected by the Constitution because it is a mere statutory right conferred by law. Congress may amend at any time the law to change or even withdraw the statutory right.

A public office is not a property right. As the Constitution expressly states, a “[P]ublic office is a public trust.”[33] No one has a vested right to any public office, much less a vested right to an expectancy of holding a public office. In *Cornejo v. Gabriel*,[34] decided in 1920, the Court already ruled:

”Again, for this petition to come under the due process of law prohibition, it would be necessary to consider an office a “property.” It is, however, well settled x x x that a public office is not property within the sense of the constitutional guaranties of due process of law, but is a public trust or agency. x x x The basic idea of the government x x x is that of a popular representative government, the officers being mere agents and not rulers of the people, one where no one man or set of men has a proprietary or contractual right to an office, but where every officer accepts office pursuant to the provisions of the law and holds the office as a trust for the people he represents.” (Emphasis supplied)

Petitioners, who apparently desire to hold public office, should realize from the very start that no one has a proprietary right to public office. While the law makes an SK officer an ex-officio member of a local government legislative council, the law does not confer on petitioners a proprietary right or even a proprietary expectancy to sit in local legislative councils. The constitutional principle of a public office as a public trust precludes any proprietary claim to public office. Even the State policy directing “equal access to opportunities for public service”[35] cannot bestow on petitioners a proprietary right to SK membership or a proprietary expectancy to ex-officio public offices.

Moreover, while the State policy is to encourage the youth’s involvement in public affairs,[36] this policy refers to those who belong to the class of people defined as the youth. Congress has the power to define who are the youth qualified to join the SK, which itself is a creation of Congress. Those who do not qualify because they are past the age group defined as the youth cannot insist on being part of the youth. In government service, once an employee reaches mandatory retirement age, he cannot invoke any property right to cling to his office. In the same manner, since petitioners are now past the maximum age for membership in the SK, they cannot invoke any property right to cling to their SK membership.

The petition must also fail because no grave abuse of discretion attended the postponement of the SK elections. RA No. 9164 is now the law that prescribes the qualifications of candidates and voters for the SK elections. This law also fixes the date of the SK elections. Petitioners are not even assailing the constitutionality of RA No. 9164. RA No. 9164 enjoys the presumption of constitutionality and will apply to the July 15, 2002 SK elections.

Petitioners have not shown that the Comelec acted illegally or with grave abuse of discretion in recommending to Congress the postponement of the SK elections. The very evidence relied upon by petitioners contradict their allegation of illegality. The evidence consist of the following: (1) Comelec en banc Resolution No. 4763 dated February 5, 2002 that recommended the postponement of the SK elections to 2003; (2) the letter of then Comelec Chairman Benipayo addressed to the Speaker of the House of Representatives and the President of the Senate; and (3) the Conference Committee Report consolidating Senate Bill No. 2050 and House Bill No. 4456.

The Comelec exercised its power and duty to “enforce and administer all laws and regulations relative to the conduct of an election, plebiscite, initiative, referendum and recall”[37] and to “recommend to Congress effective measures to minimize election spending.”[38] The Comelec’s acts enjoy the presumption of regularity in the performance of official duties.[39] These acts cannot constitute proof, as claimed by petitioners, that there “exists a connivance and conspiracy (among) respondents in contravention of the present law.” As the Court held in

Pangkat Laguna v. Comelec,[40] the “Comelec, as the government agency tasked with the enforcement and administration of elections laws, is entitled to the presumption of regularity of official acts with respect to the elections.”

The 1987 Constitution imposes upon the Comelec the duty of enforcing and administering all laws and regulations relative to the conduct of elections. Petitioners failed to prove that the Comelec committed grave abuse of discretion in recommending to Congress the postponement of the May 6, 2002 SK elections. The evidence cited by petitioners even establish that the Comelec has demonstrated an earnest effort to address the practical problems in holding the SK elections on May 6, 2002. The presumption remains that the decision of the Comelec to recommend to Congress the postponement of the elections was made in good faith in the regular course of its official duties.

Grave abuse of discretion is such capricious and whimsical exercise of judgment that is patent and gross as to amount to an evasion of a positive duty or a virtual refusal to perform a duty enjoined by law.[41] Public respondents having acted strictly pursuant to their constitutional powers and duties, we find no grave abuse of discretion in their assailed acts.

Petitioners contend that the postponement of the SK elections would allow the incumbent SK officers to perpetuate themselves in power, depriving other youths of the opportunity to serve in elective SK positions. This argument deserves scant consideration. While RA No. 9164 contains a hold-over provision, incumbent SK officials can remain in office only until their successors have been elected or qualified. On July 15, 2002, when the SK elections are held, the hold-over period expires and all incumbent SK officials automatically cease to hold their SK offices and their ex-officio public offices.

In sum, petitioners have no personal and substantial interest in maintaining this suit. This petition presents no actual justiciable controversy. Petitioners do not cite any provision of law that is alleged to be unconstitutional. Lastly, we find no grave abuse of discretion on the part of public respondents.

WHEREFORE, the petition is DISMISSED for utter lack of merit.

SO ORDERED.

Davide, Jr., C.J., Bellosillo, Puno, Vitug, Kapunan, Mendoza, Panganiban, Quisumbing, Ynares-Santiago, Sandoval-Gutierrez, Austria-Martinez, and Corona, JJ., concur.

[1] Rollo, pp. 4-5.

[2] Ibid., pp. 14-15.

[3] Second Whereas Clause of PD No. 684; See also Mercado vs. Board of Election Supervisors of Ibaan, Batangas, 243 SCRA 422 (1995).

[4] This was the same membership qualification in Section 116 of the Local Government Code of 1983. Earlier, PD No. 1102, issued on February 28, 1977, had increased the age requirement to “twenty-one years of age or less.”

[5] Section 426 of the Local Government Code enumerates the powers and functions of the Sangguniang Kabataan as follows: “Section 426. Powers and Functions of the Sangguniang Kabataan. The Sangguniang Kabataan shall: (a) Promulgate resolutions necessary to carry out the objectives of the youth in the barangay in accordance with the applicable provisions of this Code; (b) Initiate programs designed to enhance the social, political, economic,

cultural, intellectual, moral, spiritual, and physical development of the members; (c) Hold fund-raising activities, the proceeds of which shall be tax-exempt and shall accrue to the general fund of the sangguniang kabataan: Provided, however, That in the appropriation thereof, the specific purpose for which such activity has been held shall be first satisfied; (d) Create such bodies or committees as it may deem necessary to effectively carry out its programs and activities; (e) Submit annual and end-of-term reports to the sangguniang barangay on their projects and activities for the survival and development of the youth in the barangay; (f) Consult and coordinate with all youth organizations in the barangay for policy formulation and program implementation; (g) Coordinate with the appropriate national agency for the implementation of youth development projects and programs at the national level; (h) Exercise such other powers and perform such other duties and functions as the sangguniang barangay may determine or delegate; and (i) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.”

[6] Rollo, pp. 47-55. Resolution No. 4713 is entitled “Rules and Regulation on the Registration of Members of the Katipunan ng Kabataan in Connection with the May 6, 2002 Election of Members of the Sangguniang Kabataan.”

[7] Ibid., pp. 56-61. Resolution No. 4714 is entitled “Calendar of Activities and Periods of Certain Prohibited Acts in Connection with the May 6, 2002 Election of Members of the Sangguniang Kabataan.”

[8] Ibid., pp. 62-63.

[9] Ibid., p. 64.

[10] Ibid., p. 65.

[11] Entitled “In Re: Position of the Commission on Elections on the Postponement or Synchronization of the Barangay and Sangguniang Kabataan (SK) Elections within the year 2002.”

[12] Ibid., pp. 66-68.

[13] Ibid., pp. 69-71.

[14] “An Act amending Republic Act No. 7160, otherwise known as the ‘Local Government Code of 1991’, as amended, resetting the elections of the Sangguniang Kabataan officials to the first Monday of November, 2002, and for other purposes.”

[15] “An Act providing for a synchronized Barangay and Sangguniang Kabataan elections on the second Monday of November 2002, repealing Republic Act No. 8524, and for other purposes.”

[16] Represented by Atty. Abraham A. Mantilla.

[17] This should read “more.”

[18] Rollo, pp. 25-26.

[19] “An Act Providing for Synchronized Barangay and Sangguniang Kabataan Elections, Amending Republic Act No. 7160, As Amended, Otherwise Known As ‘The Local Government Code of 1991’, And For Other Purposes.”

[20] Sections 6 and 7 of RA No. 9164.

[21] Integrated Bar of the Philippines vs. Zamora, 338 SCRA 81 (2000).

[22] Allied Broadcasting Center, Inc. v. Republic, 190 SCRA 782 (1990).

[23] Santiago v. Guingona, 298 SCRA 756 (1998); See also Arroyo v. De Venecia, 277 SCRA 268 (1997);

Tolentino v. Secretary of Finance, 249 SCRA 628 (1995).

[24] Isagani A. Cruz, Philippine Political Law, 1998 Ed., p. 152.

[25] Bayan (Bagong Alyansang Makabayan) v. Zamora, 342 SCRA 449 (2000).

[26] Caruncho III v. Commission on Elections, 315 SCRA 693 (1999).

[27] See Reyes v. Court of Appeals, 320 SCRA 486 (1999).

[28] Petition dated March 11, 2002, p. 3; Rollo, p. 8.

[29] Ibid.

[30] Section 438, Local Government Code of 1991.

[31] Section 390, Local Government Code of 1991.

[32] Section 5, RA No. 8044.

[33] Section 1, Article XI of the 1987 Constitution.

[34] 41 Phil. 188 (1920).

[35] Section 26, Article II of the 1987 Constitution.

[36] Section 13, Article II of the 1987 Constitution.

[37] Section 2, paragraph (1), Article IX-C of the 1987 Constitution.

[38] Section 2, paragraph (7), Article IX-C of the 1987 Constitution.

[39] Salcedo vs. Comelec, 312 SCRA 447 (1999).

[40] G.R. No. 148075, February 4, 2002.

[41] Integrated Bar of the Philippines v. Zamora, see note 21.

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