

ANNA DOMINIQUE M.L. COSETENG AND KABABAIHAN PARA SA INANG BAYAN, PETITIONERS, VS. HON. RAMON V. MITRA, JR., AS SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE PH...*G.R. No. 86649. July 12, 1990*

Ponente: GRINO-AQUINO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-86649/>**GRINO-AQUINO, J.:**

The congressional elections of May 11, 1987 resulted in the election to the House of Representatives of the candidates of diverse political parties such as the PDP-Laban, Lakas ng Bansa (LB), Liberal Party (LP), NP-Unido, Kilusan ng Bagong Lipunan (KBL), Panaghiusa, Kababaihan Para sa Inang Bayan (KAIBA), and some independents. Petitioner Anna Dominique M.L. Coseteng was the only candidate elected under the banner of KAIBA.

On August 26, 1987, the House of Representatives, upon nomination by the Majority Floor Leader. Cong. Francisco Sumulong, elected from the Coalesced Majority, eleven (11) out of twelve (12) congressmen to represent the House in the Commission on Appointments. They were:

1. Hon. Miguel Romero (LP) (Liberal Party)
2. Antonio V. Cuenco LB-Panaghiusa
3. Hon. Rogaciano Mercado LB (Lakas ng Bayan)
4. Hon. Raul Daza LP
5. Hon. Alawadin T. Bandon, Jr..... PDP-Laban
6. Hon. Jose Cabochan PDP-Laban
7. Hon. Lorna L. Verano-Yap LP
8. Hon. Carlos R. Imperial IND
9. Hon. Ma. Clara L. Lobregat IND
10. Hon. Natalio M. Beltran, Jr. LB/Unido/NP
11. Hon. Carmelo J. Locsin PDP-Laban/LB

(pp. 115-116, Rollo.)

On September 22, 1987, upon nomination of the Minority Floor Leader, the House elected Honorable Roque Ablan, Jr., KBL, as the twelfth member of the Commission on Appointments, representing the Coalesced Minority in the House.

A year later, on September 16, 1988, the "Laban ng Demokratikong Pilipino" (LDP, for brevity) was organized as a political party. As 158 out of 202 members of the House of Representatives formally affiliated with the LDP, the House committees, including the House representation in the Commission on Appointments, had to be reorganized.

On October 8, 1988, petitioner Coseteng wrote a letter to Speaker Ramon Mitra requesting that as representative of KAIBA, she be appointed as a member of the Commission on Appointments and House Electoral Tribunal (p. 15, Rollo). Her request was endorsed by nine (9) congressmen, namely, Hon. Lally Laurel-Trinidad, Bonifacio Gillego, Luz Reyes Bakunawa, Gerardo Cabochan, Jose D. Aspiras, Oscar Santos, Eduardo N. Joson, Antonio H. Cerilles and Isacio Pelaez.

On December 5, 1988, the House of Representatives, on motion of the Majority Floor Leader and over the objection of Cong. Raul A. Daza, LP, revised the House majority membership in the Commission on Appointments to conform with the new political alignments by replacing Rep. Raul A. Daza, LP, with Rep. Luis C. Singson, LDP, as follows:

1. Hon. Miguel L. Romero LDP
 2. Hon. Antonio V. Cuenco LDP
 3. Hon. Rogaciano M. Mercado LDP
 4. Hon. Alawadin T. Bandon, Jr. LDP
 5. Hon. Jose L. Cabochan LDP
 6. Hon. Carlos R. Imperial LDP
 7. Hon. Maria Clara L. Lobregat LDP
 8. Hon. Natalio M. Beltran, Jr. LDP
 9. Hon. Carmelo J. Locsin LDP
 10. Hon. Luis C. Singson LDP
 11. Hon. Lorna L. Verano-Yap LP
- (p. 122, Rollo.)

Congressman Ablan, KBL, was retained as the 12th member representing the House minority.

On February 1, 1989, Congresswoman Coseteng and her party, the KAIBA, filed this Petition for Extraordinary Legal Writs (which may be considered as a petition for quo warranto and injunction) praying this Court to declare as null and void the election of respondents Ablan, Verano-Yap, Romero, Cuenco, Mercado, Bandon, Cabochan, Imperial, Lobregat, Beltran, Locsin, and Singson, as members of the Commission on Appointments, to enjoin them from acting as such and to enjoin also the other respondents from recognizing them as members of the Commission on Appointments on the theory that their election to that Commission violated the constitutional mandate of proportional representation because:

- 1) the New Majority (158 LDP members out of the 202 members of the House) is entitled to only nine (9) seats out of the twelve to be filled by the House (p. 29, Rollo);
- 2) the members representing the political parties, or coalitions thereof, must be nominated by their respective political parties or coalitions;

3) the nomination and election of respondent Verano-Yap by the respondents as representative of the minority was clearly invalid (p. 31, Rollo); and

4) that similarly invalid was the retention of respondent Ablan as Minority member in the Commission because he was neither nominated nor elected as such by the minority party or parties in the House (p. 31, Rollo).

Petitioner Coseteng further alleged that she is qualified to sit in the Commission on Appointments as a representative of the Minority because she has the support of nine (9) other congressmen and congresswomen of the Minority (p. 31, Rollo).

In their collective Comment, the respondents House of Representatives, the Speaker, the Majority Floor Leader, the members of the Commission on Appointments including Congressman Roque R. Ablan, but excluding Congresswoman Lorna Verano-Yap (who filed a separate Comment), alleged: (1) that the legality of the reorganization of the Commission on Appointments is a political question, hence, outside the jurisdiction of this Court to decide, and, (2) that in any case, the reorganization was "strictly in consonance with Section 18, Article VI of the 1987 Constitution" i.e., on the basis of proportional representation of the political parties, considering the majority coalition "as a form of a political party" (pp. 115, 118, Rollo). They further alleged that as of March 3, 1989, 160 members of the House (including 26 former Liberals) had expressly renounced in writing their respective political party affiliations and formally affiliated with the LDP leaving only 15 Liberals in the House (p. 119, Rollo). After its petition for registration as a political party was granted on August 28, 1989 by the First Division of the COMELEC and affirmed on November 23, 1989 by the COMELEC en banc, the LDP become the new Majority in the House. They finally argued that as KAIBA is part of the Coalesced Majority which supports the administration of President Corazon C. Aquino, not of the minority, petitioner is bound by the choice of the Coalesced Majority of the members who would sit in the Commission on Appointments.

Representative Lorna Verano-Yap, in her comment alleged that the petitioner has no better right than those already selected, to be chosen as a member of the Commission on Appointments because: (1) the Constitution was not violated in electing Yap and eleven (11) other House members to the Commission on Appointments; (2) respondent Yap is a rightful incumbent; and (3) petitioner's claim to a seat on the Commission on Appointments is without legal and factual basis (pp. 217-218, Rollo).

The Commission on Appointments took a neutral stand on the petition as the issues involved may touch on the validity of its organization and the legality of the entitlement of the LDP or the LP to representation, which are raised in the case of *Daza vs. Singson*, G.R. No. 86344, then pending before this Court (pp. 195-198, Rollo).

The issue here is whether the members of the House in the Commission on Appointments were chosen on the basis of proportional representation from the political parties therein as provided in Section 18, Article VI of the 1987 Constitution which reads:

"Sec. 18. There shall be a Commission on Appointments consisting of the President of the Senate, as ex officio Chairman, twelve Senators, and twelve Members of the House of Representatives elected by each House on the basis of proportional representation from the political parties and parties or organizations registered under the party-list system represented therein. The chairman of the Commission shall not vote, except in case of a tie. The Commission shall act on all appointments submitted to it within thirty session days of the Congress from their submission. The Commission shall rule by a majority vote of all the Members. (Art. VI, 1987 Constitution.)

After deliberating on the petition and the comments of the respondents, we hold that the petition should be dismissed, not because it raises a political question, which it does not, but because the revision of the House representation in the Commission on Appointments is based on proportional representation of the political parties

therein as provided in Section 18, Article VI of the 1987 Constitution.

The "political question" issue was settled in *Daza vs. Singson*, G.R. No. 86344, December 21, 1989, where this Court ruled that "the legality, and not the wisdom, of the manner of filling the Commission on Appointments as prescribed by the Constitution" is justiciable, and, "even if the question were political in nature, it would still come within our powers of review under the expanded jurisdiction conferred upon us by Article VIII, Section 1, of the Constitution, which includes the authority to determine whether grave abuse of discretion amounting to excess or lack of jurisdiction has been committed by any branch or instrumentality of the government."

The composition of the House membership in the Commission on Appointments was based on proportional representation of the political parties in the House. There are 160 members of the LDP in the House. They represent 79% of the House membership (which may be rounded out to 80%). Eighty percent (80%) of 12 members in the Commission on Appointments would equal 9.6 members, which may be rounded out to ten (10) members from the LDP. The remaining two seats were apportioned to the LP (respondent Lorna Verano-Yap) as the next largest party in the Coalesced Majority and the KBL (respondent Roque Ablan) as the principal opposition party in the House. There is no doubt that this apportionment of the House membership in the Commission on Appointments was done "on the basis of proportional representation of the political parties therein."

The other political parties or groups in the House, such as petitioner's KAIBA (which is presumably a member also of the Coalesced Majority), are bound by the majority's choices. Even if KAIBA were to be considered as an opposition party, its lone member (petitioner Coseteng) represents only .4% or less than 1% of the House membership, hence, she is not entitled to one of the 12 House seats in the Commission on Appointments. To be able to claim proportional membership in the Commission on Appointments, a political party should represent at least 8.4% of the House membership, i.e., it should have been able to elect at least 17 congressmen or congresswomen.

The indorsements of the nine (9) congressmen and congresswomen in favor of the petitioner's election to the Commission are inconsequential because they are not members of her party and they signed identical indorsements in favor of her rival, respondent Congresswoman Verano-Yap.

There is no merit in the petitioner's contention that the House members in the Commission on Appointments should have been nominated and elected by their respective political parties. The petition itself shows that they were nominated by their respective floor leaders in the House. They were elected by the House (not by their party) as provided in Section 18, Article VI of the Constitution. The validity of their election to the Commission on Appointments - eleven (11) from the Coalesced Majority and one from the minority – is unassailable.

WHEREFORE, the petition is dismissed for lack of merit. Costs against the petitioner.

SO ORDERED.

Fernan, C.J., Narvasa, Melencio-Herrera, Gutierrez, Jr., Cruz, Paras, Feliciano, Gancayco, Padilla, Bidin, Cortes, Medialdea, and Regalado, JJ., concur.

Sarmiento, J., no part.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.