

Title: Lucena v. Elago, et al. (2022)

Facts:

Relissa and Francis Lucena filed a petition seeking writs of amparo and habeas corpus for their daughter, Alicia Jasper S. Lucena (AJ), who joined the youth organization Anakbayan while at Far Eastern University. AJ informed her parents of her involvement in Anakbayan on February 2, 2019. She intermittently left home for extended periods, first returning after three days, then more than two months. She eventually left permanently in July 2019 and ceased her studies at the university. During this time, the Lucenas believed she was under the influence and control of Anakbayan and its leaders.

A Senate Committee held hearings on allegations that Anakbayan was recruiting minors, where Relissa Lucena testified. However, AJ appeared at a press conference declaring she had joined Anakbayan willingly.

The Lucenas then filed a petition for writs of amparo and habeas corpus against Anakbayan representatives and counsel, arguing AJ's radicalization during minority impeded her free will. AJ, although over 18, was said to lack informed consent due to the organization's influence.

The Supreme Court mandated the respondents to justify why the writs should not be issued. Respondents filed timely compliance, leading to the Court's deliberation.

Issues:

1. Whether the writ of amparo is applicable given AJ's circumstances.
2. Whether the writ of habeas corpus can be issued considering AJ's age and alleged confinement.

Court's Decision:

1. Writ of Amparo: The Philippine Supreme Court ruled that the writ of amparo is confined to addressing extralegal killings and enforced disappearances or threats of the same. Since AJ was neither missing nor threatfully harmed, with her membership and activities within Anakbayan made voluntarily and publicly affirmed, the claim for the writ of amparo was unfounded.

2. Writ of Habeas Corpus: The Supreme Court emphasized the writ of habeas corpus addresses illegal confinement. AJ, being of legal age, was not under any involuntary detention by Anakbayan. Her decision to leave her parents' home did not equate to unlawful

detention. Moreover, the Lucenas no longer held custodial rights over AJ since she was legally emancipated, affirming her right to make independent choices regarding her residence and associations.

Doctrine:

1. The writ of amparo in Philippine law applies solely to cases of actual or threatened extralegal killings and enforced disappearances.
2. The writ of habeas corpus serves to address illegal confinement and is inapplicable when the person in question is of majority age and has not faced illegal detention.

Class Notes:

- Writ of Amparo: Limited scope to extralegal killings and enforced disappearances as illuminated by *Agcaoili v. Fariñas*; extralegal killings lack legal processes, enforced disappearances involve state or political entity's refusal to disclose a person's status or location.
- Writ of Habeas Corpus: Confinement or detention must be unlawful, and petitioners must be entitled to custody. The critical citation is Rule 102, Section 1 of the Rules of Court, which constrains habeas corpus applicability to illegal detention scenarios.

Historical Background:

This case appealed to constitutional and legal remedies (writs of amparo and habeas corpus) established to curb extrajudicial abuses predominant in earlier periods of national unrest and anti-government resistance. It reflects tensions on youth radicalization claims against activist groups during post-martial law Philippines, spotlighting the balance between parental authority and constitutional liberties. The Supreme Court's decision juxtaposes emerging organizational affiliations of youth against traditional familial structures in a democratic society.