

III. CONSTRUCTION AND INTERPRETATION

- A. **Definitions:**
1. **Construction**
 - Drawing of conclusions with respect to subjects that are beyond the direct expression of the text from the elements known and given in the text.
 - Goes beyond and may call in the aid of extrinsic considerations.
 2. **Interpretation**
 - The process of discovering the true meaning of the language used.
 - Limited to exploring the written text.
 3. **Ambiguity**
 - Involved in the controversy
 - Susceptible of two or more interpretations.
 - Exists if reasonable person can find different meanings in a statute.
 - There is doubtfulness, doubleness of meaning.

B. **Distinguish between Construction and Interpretation**

CONSTRUCTION

- Is the process of drawing warranted conclusions not always included in direct expressions, or determining the application of words to facts in litigation.

INTERPRETATION

- is the art of finding the true meaning and sense of any form of words.

C. **Intrinsic and Extrinsic aids**

- **Intrinsic Aids**- internal or within
 - Aids within the statute
 - Resorted only if there is ambiguity in the statute
 - (Resorting the intrinsic) go back to the parts of the statute, the title, preamble, context or body of statute, chapter and section headings, punctuation and interpretation clause.
 - Resorted to determine the intention of legislature
- **Extrinsic Aids**- existing aids from outside resources
 - Outside of the four corners of the statute
 - If after availing all the intrinsic aids and still remain some ambiguity in the statute, then extrinsic aids can be consulted
 - resorted to by the court are; (1) history of the enactment of the statute, (2) opinions and rulings of officials of the government called upon to execute or implement administrative laws, (3) contemporaneous construction by executive officers, (4) actual proceedings of the legislative body, (5) individual statements by members of congress, (6) author of the law, and (7) explanatory note of the bill.
 - other sources can be reports and recommendations of legislative committees; public policy; judicial construction; and construction by the bar.

D. **Strict and Liberal Construction**

- **STRICT CONSTRUCTION**- according to the letter of a statute, which recognizes nothing that is not expressed, takes the language used in its exact meaning, and admits no equitable consideration. The scope of the statute shall not be extended or enlarged by implication, intendment, or equitable consideration beyond the literal meaning of its terms. It is a close and conservative adherence to the literal or textual interpretation. Antithesis of liberal construction.
- **LIBERAL CONSTRUCTION**- such equitable construction as will enlarge the letter of a statute to accomplish its intended purpose, carry out its intent, or promote justice. Which expands the meaning of a statute to meet cases which are clearly within the spirit or reason thereof or within the evil which the statute was designed to remedy, or which gives a statute its generally accepted meaning to the end that the most comprehensive application thereof may be accorded, without being inconsistent with its language or doing violence to any of its terms.* In short, liberal construction means that the words should receive a fair and reasonable interpretation, so as to attain the intent, spirit and purpose of the law.

E. **Where is the power to construe/interpret laws vested?**

- **Judicial Function:** The duty and ultimate power to construe and interpret laws is vested exclusively in the Judicial Department. *-Supreme Court*
- **Independence of Interpretation:** The legislature cannot pass a "declaratory act" that dictates how a previous law should have been interpreted, as this would be usurping a judicial function.
- **Condition Sine Qua Non (Ambiguity):** Construction is only necessary when the law is ambiguous, doubtful, or impossible to apply literally.
 - Plain Meaning Rule (Verba Legis): If the law is clear, plain, and free from ambiguity, it must be given its literal meaning and applied without attempted interpretation.
 - Tests for Ambiguity: A statute is ambiguous when it is capable of multiple reasonable interpretations, when literal application is impossible, or when a literal reading leads to absurd or unreasonable results.

1. Inherent Powers of the State -invested for someone as right

The government of the Philippines exercises its authority through three inherent powers: police power, eminent domain, and taxation. These powers are crucial for the maintenance of public order, the development of the state, and the enforcement of responsibilities among citizens. Below is an analysis of each power:

Police Power

This is the most encompassing among the three inherent powers. It is the authority of the state to enact laws and regulations that promote the public welfare, health, safety, and morals. Police power allows the government to limit certain individual rights when necessary for the common good. A key example of this is the enforcement of zoning laws or health regulations during a public health crisis. The Philippine Constitution, along with laws passed by Congress and local ordinances, provide the legal framework for police power to be exercised.

Eminent Domain

Also known as the power of expropriation, eminent domain allows the state to forcibly acquire private property for public use. While the government can take private land for projects like roads, bridges, or public parks, there is an important limitation: the taking must be for a public purpose, and just compensation must be paid to the owner. The Constitution provides protections for property owners, ensuring that they receive fair market value for their land. This power is typically invoked in infrastructure development.

Taxation

Taxation is the power to levy and collect taxes from individuals and businesses to fund government activities and services. It is a fundamental obligation for citizens to contribute to the state's revenue for the common good. In the Philippines, taxation is guided by constitutional principles of uniformity and equity, ensuring that taxes are fair and proportionate. The government uses the revenue collected to fund essential services such as healthcare, education, and public infrastructure.

2. Separation of Powers

The separation of powers is a governance principle that distributes the power to make, implement, and interpret laws among three distinct branches: the legislature (Parliament), the executive (government), and the judiciary (courts). This division ensures that no single person or group can wield unchecked authority, providing a system of checks and balances that protects individual rights and upholds the rule of law.

- **Legislature (Parliament):** Responsible for debating, making, and amending laws. In Australia, Parliament is composed of elected representatives and, at the federal level, includes both the House of Representatives and the Senate
- **Executive (Government):** Proposes new laws, administers and enforces legislation, and manages government departments and public services. Ministers and the Prime Minister are part of the executive
- **Judiciary (Courts):** Interprets and applies the law, resolving disputes and ensuring laws comply with the Constitution. Courts, including the High Court, act independently to check the other branches.

3. Judicial power (Article VIII, Section 1, 1987 Constitution)

SECTION 1. The judicial power shall be vested in one Supreme Court and in such lower courts as may be established by law. 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.

F. Cases on the power to construe:

1. BANAWA VS. MIRANO

G.R. No. L-24750, May 16, 1980 (97 SCRA 517)

FACTS:

The petitioners, Doroteo Banawa and Juliana Mendoza (later substituted by Casiano Amponin and Gliceria Abrenica), challenged a Court of Appeals decision regarding the ownership of two parcels of land. The respondents, Primitiva Mirano and others, claimed the lands as heirs of Maria Mirano, who appeared as the vendee on the deeds of sale. The petitioners argued that they had provided the money for the purchase and that an implied trust was created, or that the arrangement was a donation *mortis causa*. A key legal point involved whether Maria Mirano, who was reared by the petitioners but not legally adopted, could be treated as an adopted child for the purpose of certain legal provisions regarding the reversion of property.

ISSUES:

WHETHER the Court's power to construe allowed it to include extrajudicial adoption within the contemplation of a rule specifically providing for judicially adopted children.

RULINGS:

NO. The Court ruled that the rule in question specifically provides for the case of the *judicially* adopted child. When the language of the law is clear and unequivocal, the law must be taken to mean exactly what it says. The Court cannot extend the scope of a provision to include situations not expressly stated when the text is unambiguous.

DOCTRINE:

It is an elementary rule of construction that when the language of the law is clear and unequivocal, the law must be taken to mean exactly what it says.

RATIO DECIDENDI:

The law on adoption and property reversion is specific. Because the petitioners failed to legally adopt Maria Mirano through judicial proceedings, they could not invoke rules reserved for legal heirs or judicially adopted children. The Court held that it is bound by the literal text when that text is clear.

WHY INCLUDED:

This case was included to illustrate that the power to construe is limited by the **Plain Meaning Rule**; courts are not permitted to interpret or expand laws that are clear and free from ambiguity.

2. GUEVARA VS. INOCENTES

G.R. No. L-25577, March 15, 1966 (16 SCRA 379)

FACTS:

The petitioner, Onofre Guevara, was extended an *ad interim* appointment as Undersecretary of Labor. After a new administration took office, a circular was issued declaring that all such appointments had lapsed upon the "adjournment" of a special session of Congress. The respondent, Raoul Inocentes, was then appointed to the same position. Guevara filed a petition for *quo warranto*, arguing that the term "adjournment" in the Constitution referred only to the adjournment of regular sessions, and therefore his appointment should have remained valid until the regular session adjourned.

ISSUES:

WHETHER the Court, in exercising its power to construe, can distinguish between regular and special sessions when the Constitution uses the general term "adjournment".

RULINGS:

NO. The Court held that the Constitution makes no reference to any specific session—whether regular or special—regarding the mode of termination for such appointments. Silence on this matter is significant because when the law does not distinguish, the Court should not distinguish.

DOCTRINE:

Ubi lex non distinguit nec nos distinguere debemus — When the law does not distinguish, we should not distinguish.

RATIO DECIDENDI:

The framers of the Constitution employed merely the word "adjournment." It is a well-known maxim in statutory construction that courts have no right to look for or impose another meaning when the language is plain and conveys a definite meaning. Therefore, "adjournment" encompasses both regular and special sessions.

WHY INCLUDED:

This case highlights that the power to construe does not include the authority to **create distinctions** or exceptions that are not present in the text of the law.

3. RESINS, INC. VS. AUDITOR GENERAL

G.R. No. L-17888, October 29, 1968 (25 SCRA 754)

FACTS:

Petitioner Resins, Inc. sought a refund of margin fees from the respondent Central Bank, claiming an exemption under Republic Act No. 2609 for the importation of "urea formaldehyde." While the petitioner imported urea and formaldehyde as separate units to manufacture glue, the literal text of the law granted the exemption to "urea formaldehyde" (the finished product). The respondent Auditor General denied the refund, adhering to the literal text of the statute.

ISSUES:

WHETHER the Court's power to construe may be used to interpret a specific finished product mentioned in a statute as including its separate raw components to fulfill a perceived legislative intent.

RULINGS:

NO. The Court ruled that its first and fundamental duty is to apply the law as it finds it, not as it would like it to be. Fidelity to this task precludes construction unless application is impossible or inadequate without it.

DOCTRINE:

Where the law speaks in clear and categorical language, there is no room for interpretation, vacillation, or equivocation; there is room only for application.

RATIO DECIDENDI:

The enrolled bill—which used the term "urea formaldehyde"—is conclusive upon the courts. The Court cannot speculate on whether there was a mistake in the printing of the bill or if floor deliberations suggested a different intent, as doing so would jeopardize the principle of separation of powers. Furthermore, tax exemptions must be construed *strictissimi juris* against the taxpayer.

WHY INCLUDED:

It serves as a reminder that the power to construe is a **last resort**; courts must apply the law literally if the language is clear, even if the result seems harsh or unintended.

4. CRISOLO VS. MACADAEG

G.R. No. L-7071, April 29, 1954 (94 Phil 862)

FACTS:

The petitioner, Pedro Crisolo, sought to annul an order by the respondent judge, Hon. Higinio Macadaeg, which required him to pay support *pendente lite* to a minor child alleged to be his natural daughter. Crisolo denied paternity. The mother had filed for support but had not legally established recognition of the child. The judge issued the order before a hearing and without a legal finding of recognized natural child status.

ISSUES:

WHETHER the power to construe allows a court to grant a remedy (support) when the mandatory legal prerequisite (recognition) defined by the Civil Code has not been met.

RULINGS:

NO. The Court ruled that under the Civil Code, a natural daughter has no right to maintenance unless she has been recognized. The complaint merely averred she was a "natural" daughter, not a "recognized" one.

DOCTRINE:

Courts cannot supply missing legal foundations or "explore" angles to justify a remedy when the statutory requirements for that remedy are clearly absent.

RATIO DECIDENDI:

Support *pendente lite* requires a *prima facie* established relationship. Because recognition is the source of the right to support for a natural child, and no recognition was asked for or proven, the judge acted in excess of jurisdiction. The Court refused to construe the complaint in a way that would bypass these clear substantive requirements of the law.

WHY INCLUDED:

This case demonstrates that the power to construe is not a power to **fill in substantial gaps** in a party's legal position or a statute's requirements to reach an equitable-seeming result.

5. MORALES VS. SUBIDO

G.R. No. L-29658, November 29, 1968 (26 SCRA 150)

FACTS:

The petitioner, Enrique Morales, was a long-time police officer who sought appointment as Chief of Police of Manila. The respondent, Commissioner of Civil Service Abelardo Subido, refused to certify him because Morales lacked a bachelor's degree, which was a requirement under the Police Act of 1966. Morales argued that his three years of service as a police captain should qualify him as a substitute for the degree based on his interpretation of the statute's phrasing.

ISSUES:

WHETHER the Court's power to construe allows it to substitute the legislature's formulated policy with its own view of what is fair or practical.

RULINGS:

NO. The Court held that while interpretation involves some choice, that choice is narrow. The Court's role is to carry out the policy formulated by the legislature, not to initiate its own.

DOCTRINE:

Interpreting law is inescapably making law, but courts are limited to carrying out a formulated policy rather than initiating a break with the past.

RATIO DECIDENDI:

The legislature set clear standards for police leadership. The Court concluded that, under the present state of the law, Morales did not meet the requirements. It is not the province of the Court to adjust these standards through construction to suit a particular individual, as that would amount to unauthorized policy-making.

WHY INCLUDED:

It clarifies the **boundary between interpretation and legislation**, emphasizing that the power to construe must be used to effectuate the legislature's intent, not the Court's.

6. VERA VS. AVELINO

G.R. No. L-543, August 31, 1946 (77 Phil 192)

FACTS:

The petitioners (three proclaimed senators) filed for prohibition to nullify a Senate resolution (the Pendatun Resolution) that prevented them from taking their seats. The resolution was based on a Commission on Elections report alleging terrorism and violence in their provinces. The respondents (the Senate President and other senators) argued that the Court had no jurisdiction to interfere with the internal affairs of a coordinate branch of government.

ISSUES:

WHETHER the Court's power to construe and interpret the law extends to directing or restraining the internal legislative functions of the Senate.

RULINGS:

NO. The Court held that mandamus or prohibition will not lie against a legislative body to compel or restrain the performance of duties that are purely legislative in character.

DOCTRINE:

The Supreme Court does not possess the power of coercion to make the Senate take any particular action regarding its internal deliberations and the seating of its members.

RATIO DECIDENDI:

Based on the principle of **separation of powers**, each department is supreme within its own sphere. To order one branch of the legislature to reinstate a member would establish judicial predominance and upset the system of checks and balances. The Senate has the inherent power of self-preservation and the authority to adopt its own rules of proceedings.

WHY INCLUDED:

This is a landmark case on the **limitations of judicial power**; it establishes that the power to construe laws does not grant the judiciary authority to infringe upon the exclusive constitutional province of the legislature.

7. BAKING VS. DIRECTOR OF PRISONS

G.R. No. L-30364, July 28, 1969 (28 SCRA 850)

FACTS:

The petitioners, Angel Baking and Simeon Rodriguez, filed for *habeas corpus*, claiming they were entitled to release from prison. They argued that under a proper interpretation of Article 94 of the Revised Penal Code, their sentences had already been served. The respondent, the Director of Prisons, maintained their detention based on the computation of penalties for multiple offenses.

ISSUES:

WHETHER the Court can use its power to construe to change the law or "improve" it to provide relief for a petitioner.

RULINGS:

NO. The Court held that "the law is the law." It cannot change the law under the guise of interpretation.

DOCTRINE:

Courts may not tread on forbidden grounds; they cannot rewrite the law, as this is the exclusive function of Congress.

RATIO DECIDENDI:

A code must be construed as a whole and its provisions harmonized. While the petitioners sought a more favorable reading, the Court found that the statutory language, when read as a comprehensive whole, did not support their release. The judiciary's role is to declare what the law is, not what it should be.

WHY INCLUDED:

It reinforces the principle that the power to construe is **not a license to legislate**; courts must remain within the "metes and bounds" of the statute as written by Congress.

8. PALANCA VS. CITY OF MANILA

G.R. No. L-15819, October 27, 1920 (41 Phil 125)

FACTS:

Carlos Palanca (plaintiff) held a distiller's license and operated a separate store to sell his products. The City of Manila (defendant) demanded that he also pay for a wholesale liquor dealer's license for that separate store. Palanca sued for a refund, arguing that his distiller's license already authorized the sale of his products without further taxation.

ISSUES:

WHETHER the Court should resort to construction and interpretation when the facts are agreed upon and the law is plain and specific.

RULINGS:

NO. The Court held that there was merely a need to apply the law to the facts. Statutes that are plain and specific should be applied without attempted construction.

DOCTRINE:

Statutes that are plain and specific should be applied without attempted construction and interpretation.

RATIO DECIDENDI:

The law governing the license was certain and clear. Since the wording of the statute left no doubt that the distiller's license covered the acts performed by Palanca, there was no ambiguity to resolve. Interpretation only becomes necessary when the law is obscure or inadequate.

WHY INCLUDED:

This case establishes the **condition precedent for construction**: the power to construe is only triggered by ambiguity. If the law is clear, the court's only power is to apply it.

OVERBREADTH DOCTRINE- prohibits not only unprotected or unlawful conduct, but also constitutionally protected conduct.