
1. SANTIAGO v. COMELEC

G.R. No. 127325 — March 19, 1997

Topic: People's Initiative

Provision: Article XVII, Section 2

Ano ang nangyari?

May group na **PIRMA** na gustong gamitin ang **people's initiative** para baguhin ang Constitution, particularly tungkol sa **term limits**.

Nag-file sila ng petition sa **COMELEC**.

Ang basis nila ay **R.A. No. 6735**, ang batas tungkol sa initiative and referendum.

Kinuwestyon ni Miriam Defensor Santiago kung puwedeng ituloy ng COMELEC ang initiative.

Issue

Puwede bang ituloy ng COMELEC ang people's initiative gamit ang R.A. No. 6735?

Ruling

NO.

Sabi ng Supreme Court, **kulang/inadequate ang R.A. No. 6735** para ma-implement ang people's initiative para sa **constitutional amendments**.

Kaya hindi puwedeng ituloy ng COMELEC ang initiative.

Hindi rin puwedeng ang COMELEC mismo ang gumawa ng mga importanteng bagay na dapat sana ay nasa batas.

Simple meaning

Ganito lang tandaan:

Constitution → **kailangan ng sufficient law** → **COMELEC implements the law**.

Hindi puwedeng:

“Kulang ang batas, kami na lang sa COMELEC ang gagawa ng missing requirements.”

Important provision

Article XVII, Sec. 2

People's initiative can propose **amendments** if the petition has:

- at least **12% of all registered voters**
- every legislative district must have at least **3% of its registered voters**

AMENDMENT vs REVISION

Amendment

→ maliit o specific na pagbabago sa Constitution.

Revision

→ malaking pagbabago na maaaring baguhin ang basic structure/framework ng Constitution.

Follow-up: Puwede bang people's initiative para sa revision?

NO.

Under Article XVII, Section 2, people's initiative is for **amendments**, not revision.

Bakit hindi na lang gumawa ng sariling rules ang COMELEC?

Because COMELEC's rule-making power is subordinate to the law.

Simple:

Hindi puwedeng palitan ng COMELEC ang kulang na batas.

MEMORY

SANTIAGO = PEOPLE'S INITIATIVE + INADEQUATE LAW

Or:

“Kulang ang law → hindi makapag-proceed ang COMELEC.”

2. NICOLAS v. ROMULO

G.R. Nos. 175888, 176051 & 176222

February 11, 2009

Topic: VFA / Treaties / International Agreements

Provision: Article XVIII, Section 25

Ano ang nangyari?

Ang case ay tungkol sa **RP-US Visiting Forces Agreement (VFA)**.

Kasama rin dito ang detention ni **Lance Corporal Daniel Smith**, isang U.S. serviceman na na-convict sa Pilipinas.

Kinuwestyon ng petitioners ang constitutionality ng **VFA**.

Issue

Constitutional ba ang VFA?

Ruling

YES.

Constitutional ang VFA.

Pero may importanteng distinction:

VFA = constitutional

while

Romulo-Kenney Agreements = inconsistent with the VFA

So hindi ibig sabihin na lahat ng arrangements tungkol kay Smith ay valid.

Bakit valid ang VFA?

The Court considered the VFA as an agreement connected to the **RP-US Mutual Defense Treaty (MDT)**.

Ang MDT ay properly ratified at may Senate concurrence.

Kaya nakita ng Court na ang VFA ay **allowed under the MDT** for purposes of Article XVIII, Section 25.

Article XVIII, Section 25

Foreign military bases, troops, or facilities are not allowed in the Philippines **unless** covered by the constitutional requirements involving a treaty duly concurred in by the Senate and other requirements stated in the provision.

? **Ano ang VFA?**

Simple:

Agreement ito tungkol sa status at treatment ng U.S. military personnel na bumibisita sa Pilipinas.

? **Constitutional ba ang VFA?**

YES.

? **What about Romulo-Kenney Agreements?**

Hindi sila in accordance with the VFA.

VERY IMPORTANT

Huwag mong sabihin:

“Lahat ng arrangement kay Smith ay constitutional.”

Instead:

“The VFA was upheld as constitutional, but the Romulo-Kenney Agreements were held inconsistent with the VFA.”

MEMORY

NICOLAS = VFA

Full memory:

VFA = constitutional

Romulo-Kenney = inconsistent

3. MAGALLONA v. ERMITA

G.R. No. 187160 — August 16, 2011

Topic: National Territory / Baselines / UNCLOS

Provision: Article I, Section 1

Ano ang nangyari?

Nagpasa ang Congress ng **R.A. No. 9522**.

Ang purpose nito ay i-amend ang Philippine baselines law.

Kinuwestyon ito ng petitioners.

Sabi nila, parang **binabawasan o sinusuko ng Pilipinas ang territory nito**.

Issue

Unconstitutional ba ang R.A. No. 9522 dahil binabawasan nito ang Philippine territory?

Ruling

NO.

Constitutional ang **R.A. No. 9522**.

Hindi nito isinuko ang Philippine territory.

Ang pangunahing purpose nito ay mag-establish ng **baselines** na gagamitin para sukatin ang maritime zones, consistent with **UNCLOS**.

Ano ang BASELINE?

Pinakasimple:

Baseline = starting line sa pagsukat ng maritime zones.

Parang ruler:

Baseline → starting point → measure outward → territorial sea / other maritime zones

VERY IMPORTANT

Baselines ≠ Territory

Ang pagbabago ng baseline ay **hindi automatic na ibig sabihin na nagsurrender ang Pilipinas ng territory**.

? Did R.A. 9522 abandon Philippine territory?

NO.

Recitation answer:

“No, Atty. R.A. 9522 did not abandon Philippine territory. It established baselines for measuring maritime zones in accordance with UNCLOS.”

Ano ang Archipelagic Doctrine?

Ang Pilipinas ay isang **archipelagic State**.

Meaning, tinitingnan ang buong archipelago bilang isang unit sa pag-determine ng maritime areas, subject to constitutional and international law requirements.

? Bakit kasama ang UNCLOS?

Because R.A. 9522 was partly enacted to make the Philippine baselines law consistent with **UNCLOS**.

Important:

UNCLOS does not determine what Philippine territory is.

It provides rules concerning **maritime zones and how they are measured/governed**.

MEMORY

MAGALLONA = BASELINES + UNCLOS + NATIONAL TERRITORY

3 CASES — PINAKASIMPLE

CASE	TOPIC	RULING	MEMORY
Santiago v. COMELEC	People's Initiative	 Cannot proceed because law was inadequate	Initiative
Nicolas v. Romulo	VFA	 VFA constitutional	VFA

RECITATION VERSION

Atty: “What is Santiago v. COMELEC about?”

“It is about people's initiative to amend the Constitution. The Supreme Court held that R.A. 6735 was inadequate to implement constitutional initiative, so COMELEC could not proceed.”

Keyword:

👉 Inadequate enabling law

Atty: “What is Nicolas v. Romulo about?”

“It is about the constitutionality of the RP-US VFA under Article XVIII, Section 25. The Supreme Court upheld the VFA as constitutional, but found the Romulo-Kenney Agreements inconsistent with the VFA.”

Keyword:

👉 VFA = constitutional

Atty: “What is Magallona v. Ermita about?”

“It is about national territory and baselines. The Supreme Court upheld R.A. 9522 because it established baselines for measuring maritime zones consistent with UNCLOS and did not abandon Philippine territory.”

Keyword:

👉 Baselines ≠ territory

ONE-LINE MEMORY

SANTIAGO → Initiative

NICOLAS → VFA

MAGALLONA → Baselines

If Atty. asks “WHY?”

Santiago:

👉 *Because the enabling law was inadequate.*

Nicolas:

👉 *Because the VFA was allowed under the framework of the duly ratified MDT.*

Magallona:

👉 *Because baselines are measurement lines and changing them did not mean abandoning Philippine territory.*