

The 2025 Philippine Constitutional Crisis: An Analysis of Impeachment, Judicial Review, and the Separation of Powers

by: Zepharian Valtrix, August 2025

Section I. The Constitutional Architecture of Impeachment

The mechanism of impeachment, as enshrined in the 1987 Philippine Constitution, serves as the ultimate instrument of political accountability for the nation's highest officials. It is a complex process, deliberately designed to balance the need for accountability against the imperative of governmental stability and the independence of co-equal branches. Understanding the precise architecture of this power—its philosophical underpinnings, its unique nature, the specific roles of the legislative chambers, and the procedural pathways it prescribes—is essential to evaluating the constitutional questions raised during the hypothetical crisis of 2025. This framework, defined by constitutional text and foundational jurisprudence, provides the baseline against which the actions of the House of Representatives and the Supreme Court must be measured.

A. The Principle of Accountability: Public Office as a Public Trust

At the very heart of the Philippine system of governance and accountability lies the foundational principle articulated in Article XI, Section 1 of the 1987 Constitution: "Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives".¹ This declaration is not mere aspirational rhetoric; it is a binding constitutional command that animates the entire structure of public service. It establishes that sovereignty resides in the people and that all governmental authority emanates from them, making public officials fiduciaries of the public welfare.³

The impeachment provisions that follow in Article XI are the direct, structural manifestation of this principle. They provide a constitutional remedy for a "breach of the trust reposed by the people in the hands of the public officer".⁴ The process is designed to vindicate this trust by determining an official's fitness to remain in a position of power.⁴ Therefore, any analysis of an impeachment proceeding must begin with the recognition that its primary purpose is not punitive in the criminal sense, but restorative in a political sense—to restore integrity to a public office that has been compromised and to reaffirm the people's sovereignty over their officials. This moral and political dimension distinguishes impeachment from ordinary legal proceedings and informs the unique character of the power itself.

B. The Impeachment Power: A *Sui Generis* Political Process

Philippine jurisprudence has consistently characterized impeachment as a proceeding that is *sui generis*, a Latin term meaning "of its own kind" or in a class by itself.³ It is neither a civil, criminal, nor administrative proceeding in the conventional sense. Rather, it is quintessentially a political process, exercised by the legislative branch as representatives of the sovereign people.⁴ This political nature means that the standards of evidence, rules of procedure, and ultimate judgment are not necessarily those of a court of law. The facts and the law are weighed not by judges trained in legal hermeneutics, but by popularly elected members of Congress, who bring a different, more political, lens to the determination of an official's fitness for office.⁶

The consequences of an impeachment conviction underscore its unique nature. The judgment in an impeachment case "shall not extend further than removal from office and disqualification to hold any office under the Republic of the Philippines".² It does not result in imprisonment or civil liability, although the convicted official remains "liable and subject to prosecution, trial, and punishment according to law" in a separate, subsequent

criminal or civil case.² Impeachment is thus preparatory to legal liability, not a substitute for it; its sole constitutional function is the political act of removal and disqualification.⁴

This power is reserved for a specific and exclusive list of high-ranking officials. Under Article XI, Section 2, only the President, the Vice-President, the Members of the Supreme Court, the Members of the Constitutional Commissions (Civil Service Commission, Commission on Elections, and Commission on Audit), and the Ombudsman may be impeached.¹ All other public officers are removed by other means as provided by law.⁸ The grounds for their removal are likewise specific and enumerated: culpable violation of the Constitution, treason, bribery, graft and corruption, other high crimes, or betrayal of public trust.¹ The inclusion of "betrayal of public trust," a catch-all phrase added in the 1987 Constitution, further emphasizes the political and ethical dimensions of the process, covering offenses that may not be criminally punishable but render an official unfit to hold a public trust.¹

C. Delineation of Roles. The House's "Exclusive" Power to Initiate and the Senate's "Sole" Power to Try and Decide

The constitutional text of Article XI creates a clear and deliberate bicameral division of labor in the impeachment process. This separation of functions is central to the constitutional design and became a primary point of contention in the 2025 crisis.

Article XI, Section 3(1) unequivocally states: "The House of Representatives shall have the exclusive power to initiate all cases of impeachment".² The use of the word "exclusive" signifies that this power is not shared with any other body, including the Senate or the Judiciary. The House acts as the grand inquest of the nation, determining whether there is sufficient cause to formally charge a high official and put them to trial.¹ This initiation phase culminates in the formulation and approval of the Articles of Impeachment, which function as the formal indictment.⁴

Conversely, Article XI, Section 3(6) provides that "The Senate shall have the sole power to try and decide all cases of impeachment".¹ The word "sole" grants the Senate the ultimate and exclusive authority to conduct the trial and render judgment. When sitting as an impeachment court, senators are under a special oath or affirmation, and a conviction requires the concurrence of two-thirds of all its members.² When the President of the Philippines is on trial, the Chief Justice of the Supreme Court presides but does not vote.²

This constitutional demarcation is critical. The House investigates and accuses; the Senate adjudicates. The 2025 crisis was precipitated by the perception that the Supreme Court, through its expansive interpretation of judicial review, had intruded upon the "exclusive" domain of the House, effectively conditioning the power to initiate on judicially-created procedural requirements that are not found in the constitutional text.¹⁰

D. The Three Modes of Initiating Impeachment

Article XI, Section 3 of the Constitution provides three distinct procedural pathways for the initiation of an impeachment case. The choice of which path to take has significant procedural implications, a fact that became strategically vital in the lead-up to the 2025 crisis.

The first two modes are detailed in Section 3(2) and involve the House Committee on Justice as a gatekeeper ²:

1. **Mode 1: Filing by a House Member.** A verified complaint for impeachment may be filed by any Member of the House of Representatives.
2. **Mode 2: Filing by a Citizen with Endorsement.** A verified complaint may be filed by any citizen, provided it is accompanied by a resolution of endorsement from a Member of the House.

Under both of these modes, the complaint must be included in the House's Order of Business within ten session days and then referred to the proper committee (the Committee on Justice) within three session days. The Committee then conducts hearings to determine if the complaint is sufficient in form and substance. If it finds sufficient grounds, it submits a report and a corresponding resolution to the full House for a vote.² A vote of at least one-third of all Members of the House is necessary to approve the Articles of Impeachment and send them to the Senate for trial.⁴

The third mode, found in Section 3(4), provides a significant procedural shortcut:

3. Mode 3: Direct Filing by One-Third of the House. A verified complaint or resolution of impeachment may be filed directly by at least one-third of all the Members of the House.

This third mode is constitutionally distinct and powerful. The text explicitly states that when this path is taken, the complaint or resolution "shall constitute the Articles of Impeachment, and trial by the Senate shall forthwith proceed".² This language indicates that the lengthy committee process—with its hearings on form, substance, and grounds—is completely bypassed.⁴ The constitutional design itself provides for an expedited path to trial if a critical mass of the House (one-third of its members) believes the charges are serious and urgent enough to warrant immediate adjudication by the Senate. This is not an abuse of the system but a feature of it, designed to prevent a potentially partisan committee or House leadership from bottling up a meritorious impeachment complaint. The existence of this third mode reflects a deliberate choice by the framers to empower a significant minority of the House to act as a direct accountability trigger. The imposition of additional, judicially-created procedural steps, such as those mandated by the Supreme Court in its 2025 ruling, runs contrary to the plain text and the evident purpose of this expedited mechanism, which is to make the initiation of impeachment more direct and less susceptible to procedural obstruction when sufficient political will exists.⁶

Section II. The Evolution of Impeachment Jurisprudence: Foundational Precedents

Prior to the 2025 constitutional crisis, the legal landscape of impeachment in the Philippines was not a blank slate. It had been shaped by a series of landmark Supreme Court decisions that clarified the boundaries of legislative power and judicial review. These precedents—*Francisco v. House of Representatives*, *Gutierrez v. House of Representatives Committee on Justice*, and *Corona v. Senate*—established the prevailing legal doctrines that all branches of government were expected to follow. A thorough analysis of these cases is crucial to understanding the legal environment in which the 2025 events unfolded and to fact-checking the constitutional claims made by the House and the Supreme Court.

A. *Francisco v. House of Representatives* (2003): Defining "Initiation" and Asserting Judicial Review

The 2003 case of *Francisco v. House of Representatives* stands as the cornerstone of modern impeachment jurisprudence in the Philippines. It arose from a constitutional clash of historic proportions, pitting the legislative and judicial branches against each other over the impeachment of a sitting Chief Justice.

Factual Context

On June 2, 2003, former President Joseph Estrada filed an impeachment complaint against then-Chief Justice Hilario G. Davide Jr. and seven Associate Justices.¹¹ The House Committee on Justice, after deliberation, dismissed this complaint on October 22, 2003, for being insufficient in substance.¹¹ The very next day, October 23, 2003, a second impeachment complaint was filed, this time against Chief Justice Davide alone, alleging misuse of the Judiciary Development Fund.¹¹ This second complaint was immediately accompanied by a resolution of endorsement signed by more than one-third of all House members, which, under the House's own rules at the time and the text of Article XI, Section 3(4), would have sent the Articles of Impeachment directly to the Senate for trial.¹¹ This move triggered a constitutional crisis, with numerous petitions filed before the Supreme Court arguing that the second complaint violated the one-year bar against initiating impeachment proceedings against the same official.¹¹

Ruling on "Initiation" and the One-Year Bar

The central issue was the interpretation of the phrase "to initiate" in Article XI, Section 3(5), which states, "No impeachment proceedings shall be initiated against the same official more than once within a period of one year".¹³ The House argued, based on its own impeachment rules, that proceedings were "initiated" only at a later stage, such as when the Justice Committee found the complaint sufficient in substance or when the

House plenary voted on the committee report.¹⁶ The Supreme Court rejected this interpretation. In its seminal ruling, the Court declared the House's rules unconstitutional and held that, for the purpose of the one-year bar, an impeachment proceeding is

"initiated" by the filing of the verified complaint and its referral to the Committee on Justice.¹¹ The Court reasoned that this interpretation balanced the need to prevent harassment of public officials with the imperative of holding them accountable. By this definition, the first complaint against Chief Justice Davide had already been "initiated" in June 2003, thus the second complaint filed in October 2003 was clearly barred by the one-year rule.¹²

Ruling on Judicial Review

Equally significant was the Court's forceful assertion of its power of judicial review over what many considered a purely "political question." The House argued that its power to impeach was exclusive and beyond the reach of the judiciary.¹¹ The Supreme Court disagreed, invoking its expanded power of judicial review under Article VIII, Section 1 of the 1987 Constitution. This provision grants the judiciary the duty "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".¹³ The Court clarified that when the Constitution imposes explicit limitations on the powers of Congress—such as the one-year impeachment bar—the judicial department is empowered to step in and ensure those limits are respected.¹³ Judicial review, the Court stressed, is not about asserting superiority over a co-equal branch, but about upholding the supremacy of the Constitution itself.¹³

B. *Gutierrez v. House of Representatives* (2011): Affirming the *Francisco* Doctrine

Nearly a decade after *Francisco*, the Supreme Court had the opportunity to revisit and reinforce its landmark ruling in the case of *Gutierrez v. House of Representatives Committee on Justice*. This case solidified the *Francisco* doctrine and provided further clarity on its application.

Factual Context

In 2010, then-Ombudsman Merceditas Gutierrez faced two separate impeachment complaints. The first was filed on July 22, 2010, and the second on August 3, 2010.²⁰ On August 11, 2010, the House plenary referred both complaints to the Committee on Justice.²⁰ The Committee proceeded to find both complaints sufficient in form and substance, prompting Gutierrez to petition the Supreme Court, arguing that the consideration of the second complaint violated the one-year bar established in *Francisco*.²⁰

Ruling and Application

The Supreme Court, in a clear and direct application of precedent, sided with Gutierrez on the issue of the one-year bar. It reaffirmed the *Francisco* ruling that an impeachment proceeding is "initiated" upon the filing of the complaint and its referral to the committee.²⁰ The Court meticulously examined the House records and found that although both complaints were referred on the same day, the first complaint was read and referred before the second one.²⁰ Therefore, the "initiation" of impeachment proceedings against Ombudsman Gutierrez occurred with the referral of the first complaint. Consequently, the second complaint was unconstitutional and barred by the one-year rule.²⁰

The *Gutierrez* case is significant for two reasons. First, it cemented the *Francisco* definition of "initiation" as settled law, leaving no room for ambiguity. Second, it demonstrated the Court's willingness to strictly enforce this rule, even in cases of near-simultaneous referrals. This created a bright-line rule that the House of Representatives was expected to follow: the referral of the first valid complaint against an official starts a one-year clock, during which no other complaint can be initiated. This clear precedent directly shaped the legal environment of 2025. The House's decision in the hypothetical crisis to use the alternative initiation path—direct filing by one-third of its members—and to archive the earlier, un-referred complaints can be understood as a deliberate legal strategy designed to navigate the strictures established by *Francisco* and *Gutierrez*.

C. *Corona v. Senate* (2012): The Limits of Judicial Intervention in a Completed Senate Trial

The impeachment of Chief Justice Renato Corona in 2011-2012 provided the third critical precedent, this time illuminating the judiciary's role *after* the House has initiated impeachment and the Senate has convened as a trial court.

Factual Context

On December 12, 2011, the House of Representatives impeached Chief Justice Corona, with 188 members signing the complaint.²⁴ The Articles of Impeachment, containing eight charges, were transmitted to the Senate, which convened as an impeachment court.²⁴ During the trial, Corona filed a petition for certiorari and prohibition with the Supreme Court, seeking to enjoin the proceedings and arguing that the complaint was defective and violated his due process rights.²⁴ The Senate trial, however, proceeded. On May 29, 2012, the Senate, by a vote of 20-3, convicted Corona on Article II of the impeachment complaint—culpable violation of the Constitution and/or betrayal of public trust for failing to disclose his Statement of Assets, Liabilities, and Net Worth (SALN) accurately.²⁵

Ruling on Mootness

In a resolution dated July 17, 2012, after Corona had already been convicted and removed from office, the Supreme Court dismissed his petition.²⁴ The Court ruled that the case had become **moot and academic**.¹⁸ An issue becomes moot when it ceases to present a justiciable controversy, and a court ruling would have no practical effect.²⁸ Since Corona had already been removed by the Senate, there was no actual relief the Court could grant him.

The significance of the *Corona* dismissal cannot be overstated. While the Court did not explicitly rule on the merits of Corona's claims or on the limits of its power to review a Senate trial, its action spoke volumes. By dismissing the petition as moot following the Senate's conviction, the Court demonstrated a profound institutional deference to the finality of the Senate's judgment. It implicitly recognized the Senate's role as the body with the "sole power to try and decide" impeachment cases.⁶ This contrasts sharply with the Court's willingness in

Francisco and *Gutierrez* to intervene in the *initiation* phase in the House. The *Corona* outcome suggests a judicial reluctance to interfere with or preempt the Senate once it has commenced its constitutional duty as an impeachment court. This precedent makes the Supreme Court's action in the 2025 crisis—intervening to nullify the Articles of Impeachment *before* the Senate trial could even begin—a far more aggressive and unprecedented assertion of judicial power than anything seen in prior impeachment history.

Table 1: Comparative Analysis of Philippine Impeachment Jurisprudence

Case	Key Facts	Core Issue(s)	Ruling on "Initiation" & One-Year Bar	Ruling on Due Process	Ruling on Judicial Review	Key Takeaway
<i>Francisco v. House</i> (2003)	Second impeachment complaint filed against CJ Davide within a year of the first's dismissal by committee.	1. When is an impeachment "initiated"? 2. Is impeachment a political question?	"Initiation" is the filing of the complaint AND its referral to the Justice Committee. The one-year bar applies from this point. The second complaint was barred. ¹³	Not a central issue. Due process was presumed to reside in the Senate trial.	The Court has the power to review for "grave abuse of discretion" when an explicit constitutional limit (like the one-year bar) is violated. It is not a non-	The Court can police the boundaries of the impeachment process, specifically the one-year rule.

					justiciable political question. 13	
Gutierrez v. House (2011)	Two complaints filed against Ombudsman Gutierrez; both referred to committee on the same day.	Does the one-year bar apply to simultaneously referred complaints?	Affirmed <i>Francisco</i> . The referral of the first complaint triggered the one-year bar, making the second complaint unconstitutional. 20	The House must publish its impeachment rules to satisfy due process; actions taken under unpublished rules are void. 20	Affirmed the Court's power to review for grave abuse of discretion in House committee proceedings. 19	The one-year bar is strictly applied. Procedural due process (rule publication) is required for committee actions.
Corona v. Senate (2012)	CJ Corona was impeached by the House and convicted by the Senate. He petitioned the SC to stop the trial.	Can the SC enjoin or nullify a Senate impeachment trial?	Not ruled upon directly.	Not ruled upon directly.	The petition was dismissed as moot and academic after the Senate's conviction, showing deference to the finality of the Senate's political judgment. 18	The Court is reluctant to intervene in the proceedings of the Senate once it has convened as an impeachment court.
Duterte v. House (Hypothetical, 2025)	Fourth complaint against VP Duterte initiated directly by 1/3 of the House after three prior complaints were filed but not yet referred.	1. Does the one-year bar apply to direct 1/3 initiation? 2. Does due process apply at the House initiation stage?	The one-year bar is triggered by the filing of the first complaints, barring the fourth. The reckoning point is when a complaint is "dismissed or no longer viable." 32	New doctrine introduced : Due process applies to House initiation. Requires notice, opportunity to respond, and evidence to be furnished to the respondent and all House members, even in a direct 1/3 filing. 32	The Court's power of judicial review extends to imposing specific procedural due process requirements on the House's "exclusive" initiation power. 32	A radical departure from precedent, "judicializing" the political initiation stage and expanding judicial review into the internal processes of the House.

Section III: Deconstruction and Fact-Check of the 2025 Crisis

The hypothetical constitutional crisis of 2025 represents a flashpoint in the ongoing tension between the branches of the Philippine government. It tested the limits of legislative prerogative, the scope of judicial review, and the very definition of constitutional due process in the context of impeachment. To conduct a thorough fact-check, it is necessary to first reconstruct the sequence of events and then apply the established legal framework from the Constitution and prior jurisprudence to the actions of the key institutional players.

A. Factual Matrix: Reconstructing the Impeachment of Vice President Sara Duterte

Based on the available materials, the timeline of the leading to the ruling can be reconstructed as follows, providing the undisputed factual predicate for the subsequent legal analysis:

- **December 2024:** Three separate, verified impeachment complaints are filed against Vice President Sara Duterte. These complaints are filed under the first two modes of initiation, which require endorsement by a House member and subsequent referral to the Committee on Justice.¹⁰
- **February 5, 2025:** Before any of the three December 2024 complaints are formally included in the Order of Business and referred to the Committee on Justice, the House of Representatives opts for the third, expedited mode of initiation. A fourth impeachment complaint, in the form of a resolution of impeachment, is directly filed and verified by 215 Members of the House—a number well in excess of the one-third (approximately 104 members) required by Article XI, Section 3(4) of the Constitution.¹⁰
- **February 5, 2025:** In accordance with the constitutional mandate that trial shall "forthwith proceed" under this mode, the House of Representatives transmits the resolution, now constituting the Articles of Impeachment, to the Senate on the same day of its filing.¹⁰
- **February 5, 2025:** In a subsequent action on the same day, and after the transmittal of the Articles of Impeachment to the Senate, the House plenary votes to formally archive the three earlier complaints that were filed in December 2024. This action is taken to ensure that only one impeachment proceeding is pending against the Vice President.¹⁰
- **Post-February 5, 2025:** Following the transmittal of the Articles to the Senate, various petitions are filed with the Supreme Court. These petitions, including one from the Vice President herself, challenge the constitutionality of the impeachment proceedings and seek to enjoin the Senate from conducting a trial.³⁴
- **July 25, 2025:** The Supreme Court, voting 13-0-2 (with one inhibition and one justice on leave), issues a landmark decision in the consolidated cases, G.R. No. 278353, *Duterte v. House of Representatives*. The decision, penned by Senior Associate Justice Marvic M.V.F. Leonen, declares the Articles of Impeachment unconstitutional and void, effectively nullifying the impeachment and preventing the Senate from acquiring jurisdiction to conduct a trial.³²
- **August 5, 2025:** The House of Representatives, through the Office of the Solicitor General, formally files a Motion for Reconsideration with the Supreme Court, challenging the factual and legal bases of the July 25 decision and asserting its exclusive constitutional power to initiate impeachment.³⁴

B. Fact-Check Point 1: The One-Year Bar Rule - A Disputed Application

A central pillar of the Supreme Court's 2025 decision was its finding that the fourth impeachment complaint, initiated on February 5, 2025, violated the one-year bar rule. This conclusion rests on a novel interpretation of when the one-year prohibition is triggered.

The Supreme Court's 2025 Ruling

The Court held that the fourth complaint was barred by Article XI, Section 3(5) of the Constitution.³² The *ponencia* introduced a new standard for reckoning the one-year period, stating that the bar begins "from the time an impeachment complaint is dismissed or no longer viable".³² Applying this new standard, the Court reasoned that

the filing of the first three complaints in December 2024 had already triggered the constitutional prohibition, rendering the fourth complaint filed in February 2025 invalid. The Court further ruled that any subsequent impeachment complaint could only be filed starting February 6, 2026.³⁴

The House's Counter-Argument

The House of Representatives, in its Motion for Reconsideration, vehemently disputed this finding. It argued that the Court had misapplied its own long-standing precedent from *Francisco v. House of Representatives*. Under the *Francisco* doctrine, an impeachment proceeding under the committee track is "initiated" only upon its **referral** to the Committee on Justice.¹⁰ Since the three December 2024 complaints were never referred to the committee, they were never technically "initiated," and thus the one-year bar was never triggered by them. The House contended that the only proceeding actually "initiated" was the fourth complaint, which followed the separate and distinct constitutional path of a direct filing by one-third of the members.¹⁰ By archiving the dormant complaints, the House ensured that only one active impeachment proceeding existed, in full compliance with the spirit of the one-year bar, which is to prevent an official from facing multiple, simultaneous trials.¹⁰

Analysis and Verdict

The Supreme Court's 2025 ruling on the one-year bar appears to be a significant and constitutionally questionable departure from its own established jurisprudence. The doctrine settled in *Francisco* and affirmed in *Gutierrez* provided a clear, bright-line rule: initiation equals filing plus referral. The first three complaints against Vice President Duterte did not meet this two-part test. The Court's 2025 decision effectively abandons this clear rule in favor of a new, ambiguous standard of when a complaint is "dismissed or no longer viable." This new standard lacks a clear textual basis in the Constitution and introduces uncertainty into what was previously a settled area of law.

Furthermore, the ruling problematically conflates the two distinct constitutional tracks for impeachment. It subjects the expedited, self-contained process of a direct one-third filing (Mode 3) to the timeline and constraints of the committee-based process (Modes 1 and 2). The Constitution's text, however, treats them as separate. The direct filing by one-third of the House is designed to be an immediate trigger for a Senate trial, independent of committee action or inaction on any other pending complaints. The Court's decision to use un-referred complaints to bar a validly constituted direct-filing complaint appears to contradict the plain language and structural logic of Article XI, Section 3. The House's actions—utilizing the direct-filing mechanism while clearing the docket of the un-referred complaints—was a rational legal strategy based on a faithful reading of the *Francisco* precedent. The Court's decision to invalidate this strategy amounts to retroactively changing the rules of the process.

C. Fact-Check Point 2: Due Process at the Initiation Stage - A Novel Judicial Doctrine

The most radical and constitutionally significant aspect of the Supreme Court's 2025 decision was its creation and imposition of a new set of due process requirements on the House of Representatives' initiation phase.

The Supreme Court's 2025 Ruling

The Court declared that the Bill of Rights, particularly the due process clause, applies to the entire impeachment process, including the initiation stage in the House.³² Based on this premise, it laid down several new, specific procedural requirements that must be met, even in cases of a direct one-third filing under Article XI, Section 3(4). These judicially-created rules include:

1. The draft Articles of Impeachment must be accompanied by evidence sufficient to prove the charges when shared with House members for endorsement.³²
2. The draft Articles and the supporting evidence must be made available to *all* members of the House, not just the endorsers.³²
3. The respondent (in this case, the Vice President) must be furnished a copy of the draft Articles and evidence and be given an opportunity to respond *before* the Articles are transmitted to the Senate.³²

The Court found that the impeachment of Vice President Duterte was void because these new procedural requirements were not met.³²

The House's Counter-Argument and Traditional View

The House, in its Motion for Reconsideration, argued that these requirements are a judicial invention with no basis in the Constitution.¹⁰ It pointed out that Article XI, Section 3 is silent on such procedures and that every past impeachment under the 1987 Constitution, including those of President Estrada and Chief Justice Corona, followed the same path without these requirements.¹⁰ The traditional constitutional view, echoed strongly by members of the UP College of Law faculty and the Free Legal Assistance Group (FLAG), is that impeachment is a political process and that constitutional due process is fully satisfied by the full-blown trial in the Senate, where the respondent has the right to counsel, to confront witnesses, and to present evidence in their defense.⁶ The initiation phase in the House is akin to an indictment by a grand jury—it is an accusatory, not an adjudicatory, stage.

Analysis and Verdict

The Supreme Court's 2025 ruling on due process represents a profound act of judicial legislation that fundamentally alters the nature of impeachment. The Court has effectively written new procedural rules into Article XI of the Constitution where none existed before. This "over-judicialization" of a quintessentially political process runs contrary to the *sui generis* character of impeachment established in jurisprudence.⁶ By imposing court-like requirements of notice and comment at the indictment stage, the Court transforms the House's "exclusive" power to initiate into a quasi-judicial proceeding subject to judicial oversight and control.

The retroactive application of these newly-minted rules is particularly indefensible from a due process standpoint. The House's argument is compelling: "If these rules had existed earlier, we would have followed them. But to invent them after the fact, and strike down a valid impeachment for not satisfying them, is not only unfair—it is constitutionally suspect".¹⁰ In a profound irony, the Supreme Court, in its attempt to enforce a novel conception of due process for the Vice President, appears to have violated the due process rights of the House of Representatives by changing the rules after the game had been played.¹⁰

D. Fact-Check Point 3: The Separation of Powers Tested - Judicial Review vs. Legislative Prerogative

The 2025 ruling ultimately boils down to a fundamental conflict over the separation of powers. The central question is whether the Supreme Court, in nullifying the impeachment, was legitimately exercising its power of judicial review to curb a legislative abuse, or whether it was committing its own grave abuse of discretion by encroaching upon the exclusive domain of a co-equal branch.

The Core Conflict

The House views its power to initiate impeachment as "exclusive," "not shared," and "not conditional".¹⁰ It sees the Supreme Court's decision as a direct usurpation of this power, transforming the judiciary into a gatekeeper that can veto an impeachment before the Senate can even conduct a trial. The Supreme Court, on the other hand, frames its action as a necessary defense of the "Rule of Just Law," arguing that no process, however political, is exempt from the fundamental constitutional requirements of fairness and due process.³²

Political Context as a Factor

A complete analysis cannot ignore the political context in which the Court acted. At the time of the July 2025 ruling, the Supreme Court was overwhelmingly composed of appointees of former President Rodrigo Duterte, the father of the impeached Vice President. Of the 13 justices who voted to nullify the impeachment, at least 11 were Duterte appointees.³⁷ President Ferdinand Marcos Jr., whose allies in the House initiated the impeachment, had only one appointee on the Court, Justice Raul Villanueva.⁴⁰ While the legal reasoning of the justices must be evaluated on its own merits, this stark political alignment creates a powerful perception of a conflict of interest. It lends credence to the argument that the Court was not acting as a neutral

arbitrator but as a political actor, creating novel legal doctrines to protect an official with whom the majority of its members shared a political affiliation.

Analysis and Verdict

The Supreme Court's actions in the 2025 crisis represent a significant and perilous overreach that disrupts the delicate balance of power enshrined in the Constitution.

While the *Francisco* case established that judicial review can apply to impeachment, it was intended to be a limited power to police clear, *explicit* constitutional boundaries, such as the one-year bar. The 2025 decision expands this power exponentially. It allows the Court not just to police existing boundaries, but to draw new ones by inventing procedural requirements not found in the Constitution.

As former Chief Justice Reynato Puno and the House itself have argued, this sets a dangerous precedent.¹⁰ By creating new procedural hurdles for impeachment, the Court effectively writes the rules for how all high officials, including its own members, can be held accountable. This risks creating a shield of judicial immunity, fundamentally altering the nature of impeachment as the legislature's primary check on the judiciary. The Court's intervention preempted the Senate's "sole power to try and decide" the case, a power the Court itself had respected through its mootness ruling in

Corona. In sum, the evidence suggests that the Supreme Court, in the name of upholding the rule of law, may have committed its own grave abuse of discretion, triggering a constitutional crisis of its own making.

Section IV: Analysis of Institutional Arguments and Legal Commentary

The 2025 Supreme Court ruling was not merely a procedural dispute; it was a battle of competing constitutional philosophies. The arguments advanced by the Supreme Court, the House of Representatives, and prominent legal organizations reveal deep divisions on the nature of impeachment, the scope of judicial power, and the meaning of due process within the Philippine constitutional framework. Analyzing these competing perspectives is essential to understanding the profound legal and political stakes involved.

A. The Supreme Court's Position: Dissecting the Leonen *Ponencia*

The intellectual foundation of the Supreme Court's July 25, 2025 decision is articulated in the *ponencia* (the opinion of the Court) authored by Senior Associate Justice Marvic M.V.F. Leonen. The decision frames the Court's intervention not as a political maneuver, but as a principled application of fundamental legal norms to a constitutional process. The core philosophy of the *ponencia* can be summarized by its own words: "Our fundamental law is clear: the end does not justify the means," and "There is a right way to do the right thing at the right time. This is what the Rule of Just Law means. This is what fairness or due process of law means, even for impeachment".³²

This perspective seeks to elevate the impeachment process from the realm of pure politics to a procedure governed by legal and constitutional principles. The decision argues that while impeachment has political characteristics, it is "not a purely political proceeding" and therefore must be subject to the strictures of the Bill of Rights, especially the due process clause.³² From this starting point, the Court derives its authority to impose specific, court-like procedural requirements on the House's initiation phase. The goal, as articulated in the decision, is to prevent the "passions of a political moment" from overriding the "sobriety of fairness inherent in due process of law".³²

This legal philosophy is consistent with the professional background of the *ponente*, Justice Leonen. A former dean of the University of the Philippines College of Law, a co-founder of a legal aid organization for indigenous peoples, and a long-time human rights advocate, Justice Leonen's jurisprudence is often characterized by a liberal legalist approach that emphasizes human rights, procedural fairness, and the power of the judiciary to protect individuals against potential state abuses.⁴⁴ The 2025 decision can be seen as an extension of this philosophy, viewing the impeachable official as an individual entitled to robust procedural protections from the very start of the process, and positioning the Court as the ultimate guarantor of those protections.

B. The Legislative's Defense: The House Motion for Reconsideration

The House of Representatives' Motion for Reconsideration presents a starkly contrasting constitutional vision, one rooted in a textualist reading of the Constitution and a vigorous defense of legislative prerogative.¹⁰ The House's arguments are built on several key pillars.

First, the House asserts the principle of constitutional exclusivity. It argues that Article XI, Section 3(1) grants it the "exclusive power to initiate all cases of impeachment," and that this power is "not shared," "not subject to prior approval," and "not conditional."¹⁰ From this perspective, the Supreme Court's imposition of new procedural rules is a direct infringement on a power the Constitution has explicitly and exclusively vested in the legislative branch.

Second, the House defends its actions as being in full compliance with existing law and precedent. It argues that it carefully followed the doctrine established in *Francisco v. House of Representatives* regarding the definition of "initiation" and the operation of the one-year bar.¹⁰ The House contends that the Supreme Court did not merely interpret the law but retroactively created new law and then unfairly applied it to invalidate the House's actions.¹⁰

Third, the House makes a powerful due process argument against the Court itself. It claims that the Court, while faulting the House for a supposed lack of due process, denied the House its own right to be heard by ruling on the matter without conducting oral arguments or a hearing, a courtesy the Court has extended in far less significant cases.¹⁰

Finally, the House raises a critical institutional concern about the separation of powers. It warns that when the Court, whose own members are impeachable, begins to create new, burdensome rules on how impeachments can be initiated, "it risks writing the terms of its own immunity."¹⁰ This, the House argues, fundamentally weakens impeachment as the people's check on the judiciary and other high officials, ultimately leading to a denial of accountability.¹⁰

C. Voices from the Legal Community: A Spectrum of Opinion

The constitutional crisis prompted a vigorous debate within the broader legal community, with prominent organizations and academics offering distinct and often conflicting analyses.

The Philippine Constitution Association (PHILCONSA)

Led by retired Chief Justice Reynato Puno, a respected jurist with a long career in the judiciary, PHILCONSA offered a forceful critique of the Supreme Court's decision.⁴³ Puno's argument represents a defense of the traditional understanding of judicial restraint and the political question doctrine. He warned that the ruling threatens to disrupt the balance of powers by allowing the judiciary to "overwhelm the other branches of the government".⁴³ Puno argued that the Court minimized the principle that impeachment is a political question, interfered in a process where it is prohibited from doing so, and based its decision on "dubious" and "unverified" facts that were not established through a proper trial process.⁴⁹ This perspective emphasizes that the judiciary's role is to interpret the law as written, not to "deprive the House of its exclusive power to initiate all cases of impeachment" by inventing new rules.⁴³

The UP College of Law Faculty and the Free Legal Assistance Group (FLAG)

A significant number of faculty members from the UP College of Law, along with the human rights organization FLAG, articulated a different but equally critical perspective.⁶ Their primary concern was the "over-judicialization" of the impeachment process.⁶ They argued that impeachment was designed by the framers to be a mechanism of *political* accountability, decided by elected representatives based on political and moral judgment, not strict legal analysis.⁶

They contended that the House had not committed a "grave abuse of discretion" because it had simply relied on the existing rules established by the Supreme Court itself in *Francisco* and *Gutierrez*.⁶ Therefore, the Court's decision to nullify the House's actions was unwarranted. They further argued that the proper venue for due process in an impeachment is the Senate trial, not the initiation stage in the House.⁶ This view is

informed by a concern that imposing excessive, court-like procedures at the initiation phase could paralyze the impeachment mechanism, making it nearly impossible to hold high officials accountable and thereby undermining the core constitutional principle that public office is a public trust.⁶ FLAG's long history of defending human rights victims lends particular weight to this argument, as the organization has often witnessed how procedural obstacles can be used to thwart substantive justice.⁵²

Section V: Synthesis and Concluding Analysis

The hypothetical 2025 constitutional crisis, born from the impeachment of Vice President Sara Duterte, represents more than a mere political dispute. It marks a critical juncture in the development of Philippine constitutional law, forcing a direct confrontation between the principles of legislative prerogative, judicial review, and political accountability. The resolution of this crisis, particularly the Supreme Court's landmark decision in *Duterte v. House of Representatives*, carries profound and lasting implications for the balance of power among the co-equal branches of government.

A. The State of Constitutional Law on Impeachment After the 2025 Ruling

The Supreme Court's decision in *Duterte v. House*, if it were to stand as final, would constitute a constitutional paradigm shift. It would fundamentally re-engineer the impeachment process as understood and practiced since the ratification of the 1987 Constitution.

Prior to 2025, the legal framework, shaped by the Constitution and key precedents like *Francisco* and *Gutierrez*, established a system where judicial review of impeachment was a tool of last resort, reserved for policing clear violations of explicit constitutional boundaries. The Court could step in to enforce the one-year bar or ensure the House followed its own published rules, but it largely deferred to the political character of the process itself. The initiation of impeachment was the "exclusive" domain of the House, and the trial was the "sole" prerogative of the Senate, with due process for the respondent being fully afforded during the Senate trial.

The 2025 ruling shatters this framework. It transforms the role of the judiciary from a boundary-keeper to a procedural supervisor. By inventing and imposing a new set of due process requirements on the House's initiation phase—requirements with no textual basis in Article XI—the Court effectively subordinates the House's "exclusive" power to a judicially-defined standard of fairness. This "judicialization" of what was designed to be a political process fundamentally alters the balance of power. It grants the unelected judiciary a powerful veto over the primary accountability mechanism that the elected legislature holds over the executive and the judiciary itself.

The decision creates a dangerous precedent. Any future impeachment attempt, regardless of its merits, could be stalled or defeated at the very outset by legal challenges based on these new, judicially-created procedural hurdles. An impeachable official could petition the Supreme Court to determine whether the evidence attached to the complaint was "sufficient," whether they were given an adequate "opportunity to respond," or whether House members were given a "reasonable period" to deliberate—all vague standards that invite judicial intervention and delay. This effectively weakens impeachment as a viable check on abuse of power, a consequence that runs contrary to the foundational principle that public office is a public trust. As warned by critics, the Court, in seeking to impose its version of the rule of law, risks creating a shield of procedural immunity for the very officials the impeachment clause was designed to hold accountable, including its own members.¹⁰

B. Recommendations for Constitutional and Procedural Clarity

The 2025 crisis was made possible by latent ambiguities in the constitutional text and the aggressive expansion of judicial review into the political sphere. To prevent the recurrence of such a debilitating institutional clash and to restore the integrity of impeachment as a tool of accountability, several forward-looking actions should be considered.

First, there is a compelling case for constitutional clarification. The ambiguities surrounding the interaction between the different modes of initiation in Article XI, Section

3, and the precise application of the one-year bar rule, were the legal fissures that the 2025 crisis exploited. A constitutional amendment that clearly delineates the procedural requirements (or lack thereof) for each mode of initiation and provides a more precise definition of when the one-year bar is triggered would eliminate the need for judicial gap-filling and reduce the potential for inter-branch conflict. Such an amendment should aim to restore the original intent of impeachment as a primarily political process, with the Senate trial as the locus of due process.

Second, in the absence of a constitutional amendment, the branches of government must work towards establishing clear, prospective, and collaboratively developed rules. The Supreme Court's unilateral and retroactive imposition of new rules proved to be destabilizing. A more constructive approach would involve a dialogue between the House, the Senate, and the Judiciary to agree on a set of impeachment rules that respects the constitutional prerogatives of each branch. This would provide predictability and fairness for all parties, ensuring that the process is both a robust tool for accountability and a shield against purely frivolous or harassing complaints.

Ultimately, the goal of any reform must be to preserve the delicate constitutional equilibrium. The system of checks and balances requires that each branch be able to hold the others accountable. The 2025 crisis demonstrates the danger that arises when one branch, even with the stated intention of upholding fairness, exercises its power so expansively that it effectively neuters a core constitutional power of another. Restoring that balance requires a return to first principles: the House must be free to exercise its exclusive power to initiate, the Senate must be free to exercise its sole power to try and decide, and the judiciary must exercise its power of review with caution and restraint, respecting the political nature of impeachment as the ultimate expression of the people's sovereignty.

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