

Legal and Political Aspects of Constitutional Amendment

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One of the usual points of contention in proposals to amend the Philippine Constitution is the compliance with the procedures set out in the Constitution itself. The Judiciary is the only constitutional organ which may be called upon to determine the proper allocation of powers between the Executive and the Legislative departments and the limitations to the exercise of such powers.

A series of Supreme Court decisions, beginning with *Mabanag v. Lopez Vito*, which was reversed by *Gonzales v. Commission on Elections*, have discussed the aspects of constitutional amendment, with particular attention to the importance of procedural matters. However, it is also important to consider the wisdom of such proposals, as compliance with procedures would only serve to discharge the short-term legal obligation, while it may install a system of government that would not be suitable to the Philippine social and legal environment.

In the end, constitutional requirements are still of paramount importance in preventing attempts to concentrate power in a single person. Thus, it becomes the obligation of the Filipino citizenry to be vigilant in resisting any attempt at restoring authoritarian rule.