

A Purely Local Affair

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The Article discusses the controversy surrounding the presidential power of removing and suspending local officials, starting on whether such power is original and concurrent with the provisional board or merely appellate. The author recognizes the lack of certain stability on this issue, resulting from the indefiniteness in the law, which is scattered over different sources, as well as from the indefiniteness of judicial decisions.

The Author resolves the issue by examining a series of conflicting judicial decisions ending with *Hebron v. Reyes*, which enunciates the current doctrine that adheres to the appellate character of the presidential suspension over municipal officers. Without the power to suspend directly, the president can now merely conduct investigations and insure the performance of the their duties. However, the rule is different as regards provincial or city officers where the jurisdiction of the president is original. It must be noted that as of the time the Article was written, no case involving the said provision has reached the Supreme Court yet and hence, no ruling is available. Nevertheless, both rules affirm that the power to suspend is part of the president's exercise of his power of general supervision over local governments. The same principle applies in cases of removal. In any case, removal or suspension may only be made for cause provided by law, except for officials who are subject to removal at the pleasure of the president whose separation took place before Republic Act No. 2259.