

This is Judicial Tyranny, Plain and Simple

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Professor Camilo Sabio, in rather forceful language, criticizes the decision of the Supreme Court (SC) in *Federation of Free Farmers v. Court of Appeals* (107 SCRA 352 (1981)), which reversed the ruling of the Court of Appeals (CA) in the so-called *Victorias* case and completely absolved the Victoria's Milling Corporation (VICMICO) from any liability.

The CA found VICMICO liable for "engineering" from certain *hacenderos* in the Victorias Mill District of Negros Occidental the so-called "1956 General Collective Sugar Milling Contract," which was instrumental in depriving the *sacadas* of their just share in the annual sugar production expressly granted to them by Republic Act No. 809 otherwise known as the Sugar Act of 1952.

The Author admonishes the *ratio decidendi* contained in the SC decision holding Section 11, Article X of the Constitution as not mandatory but merely directory. The provision provides that "the maximum period within which a case or matter shall be decided or resolved from the date of its submission, shall be [18] months for the Supreme Court" and "... when the applicable maximum period shall have lapsed without the rendition of the corresponding decision or resolution because the necessary vote cannot be had, the judgment ... appealed from shall be deemed affirmed."

He reasons out that the *Victorias* case, having been considered by the SC as submitted for decision as early as July 1978, and with the lapse of more than 38 months therefrom, has, by the clear and equivocal mandate of the fundamental law, become final and unalterable.

He negates any attempt to rationalize the SC decision as judicial independence or judicial supremacy. Instead, he boldly refers to the same as judicial tyranny — plain and simple.