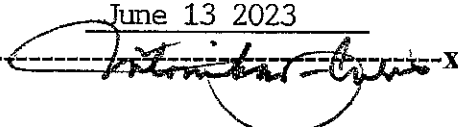


EN BANC

G.R. No. 257427 – FLORIDA P. ROBES, Petitioner, v. COMMISSION ON ELECTIONS, Respondent.

Promulgated:

June 13 2023

X----------X

SEPARATE CONCURRING OPINION

LEONEN, J.:

I concur.

The *ponencia* deftly resolved the issue of whether the City of San Jose del Monte, as a lone legislative district of Bulacan province, was entitled to its own representatives in the Sangguniang Panlalawigan by tracing Republic Act No. 11546’s legislative history.

As laid down in the *ponencia*, the City of San Jose del Monte was a municipality of the Province of Bulacan until the enactment of Republic Act No. 8797 in 2000. While the City of San Jose del Monte was converted into a component city of the Province of Bulacan, Section 58 of the law held that “[u]ntil otherwise provided by law, the City of San Jose del Monte shall continue to be a part of the Fourth Congressional District of Bulacan Province.”¹

Three years later, Section 58 of Republic Act No. 8797 was amended by Republic Act No. 9230 to read that “[t]he City of San Jose del Monte shall have its own representative district to commence in the next national election after the effectivity of this Act.”²

In 2021, Republic Act No. 11546 was enacted to reapportion the Province of Bulacan into six legislative districts, with an enumeration of the territories that comprise each district.³

¹ *Ponencia*, p. 2.

² *Id.*

³ *Id.* at 3.



Notably, the law was bereft of any mention of the City of San Jose del Monte as either its own legislative district or a component of the six legislative districts. To resolve this issue, the *ponencia* held that:

This glaring incongruity calls to fore the application of the cardinal rule in statutory construction that where a statute is susceptible of several interpretations or where there is ambiguity in its language, there is no better means of ascertaining the will and intention of the legislature than that which is afforded by the history of the statute. By looking at and investigating the legislative history of the statute, the court will be able to arrive at its correct interpretation. For this purpose, the Court may take judicial notice of the origin and history of the statute which it is called upon to construe and apply, and of the facts which affect its derivation, validity, and operation.⁴

Thus, the *ponencia* examined the legislative background of Republic Act No. 11546, which includes earlier legislation on the topic, its antecedent bills, and the Committee on Local Government's transcribed deliberations, and concluded that the lawmakers' original intention was to include the lone legislative district of City of San Jose del Monte as one of the legislative districts of the Province of Bulacan.⁵ Thus, the City of San Jose Del Monte had a right to have its own Sangguniang Panlalawigan representatives.⁶

I agree with the *ponencia*'s use of legislative history to determine the proper way to interpret a given law. As I stated in *David v. Senate Electoral Tribunal*:⁷

Interpretation grounded on textual primacy likewise looks into how the text has evolved. Unless completely novel, legal provisions are the result of the re-adoption — often with accompanying re-calibration — of previously existing rules. Even when seemingly novel, provisions are often introduced as a means of addressing the inadequacies and excesses of previously existing rules.

One may trace the historical development of text: by comparing its current iteration with prior counterpart provisions, keenly taking note of changes in syntax, along with accounting for more conspicuous substantive changes such as the addition and deletion of provisos or items in enumerations, shifting terminologies, the use of more emphatic or more moderate qualifiers, and the imposition of heavier penalties. The tension between consistency and change galvanizes meaning.⁸

Laws are not formed in a vacuum—they can never be isolated from the landscape in which they were enacted or from their predecessors whose provisions they amend or even repeal.

⁴ *Id.* at 8.

⁵ *Id.* at 5–12.

⁶ *Id.* at 12–13.

⁷ 795 Phil. 529 (2016) [Per J. Leonen, *En Banc*].

⁸ *Id.* at 572–573.

ACCORDINGLY, I vote to **GRANT** the Petition.



MARVIC M.V.F. LEONEN
Senior Associate Justice