

Petitioners approve of this Petition for the enactment of the Anti-Dynasty Act via Initiative under Republic Act No. 6735. Section 26, Article II of the 1987 Constitution states, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" Despite these provisions, political dynasties - a root problem of corruption in government – exist in Philippine political arena. Many have called for the Congress to pass an anti-dynasty law, but the needed bill has been passed over by each Congress since 1987.

**REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
MANILA**

**IN THE MATTER OF THE
ENACTMENT OF A NATIONAL LAW
TO PROHIBIT POLITICAL
DYNASTIES THROUGH NATIONAL
INITIATIVE,**

Case No. _____

**NORMAN V. CABRERA AND
[NUMBER OF SIGNATORIES]
REGISTERED VOTERS LISTED IN
ANNEXES "A" – "A-",**

Petitioners.

X-----X

PETITION

PETITIONERS, by counsel, unto this Honorable Commission on Elections, most respectfully state and aver:

The Petitioners

1. Petitioners are the [number of signatories] registered voters who affixed their signatures to the Petition through signature sheets attached to the Petition. The signature sheets were attached to copies of the Petition and were duly signed by the Petitioners, after being shown the Petition containing the proposed national legislation. The proposed national legislation, its rationale, as well as the consequences and effects of the proposed national legislation, were read and understood by the Petitioners and were read and explained in a dialect or language known to them. Copies of the signature sheets are attached and made integral parts hereof as Annexes "A" to "A-___" hereof.

Petitioners approve of this Petition for the enactment of the Anti-Dynasty Act via Initiative under Republic Act No. 6735. Section 26, Article II of the 1987 Constitution states, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" Despite these provisions, political dynasties - a root problem of corruption in government – exist in Philippine political arena. Many have called for the Congress to pass an anti-dynasty law, but the needed bill has been passed over by each Congress since 1987.

2. The Petition is signed by the registered voters supporting the proposed national legislation. By affixing their signatures to the signature sheets, the Petitioners have duly authorized the undersigned counsel and/or Ang Kapatiran Party Secretary-General Norman V. Cabrera to represent them and sign any and all pleadings in their behalf in the proceedings before the Honorable Commission and any other court or tribunal, as well any other necessary documents for the purpose of giving effect to the Petition.

3. Petitioners file the Petition in their own behalf with the assistance of the duly authorized proponents. The Petitioners are Filipino citizens, residents and registered voters of the Philippines, and that they constitute at least ten per centum (10%) of all the registered voters, wherein each legislative district is represented by at least three per centum (3%) of all the registered voters therein.

The Proponent

4. The proponent, Ang Kapatiran Party through its Secretary-General Norman V. Cabrera, has been duly authorized to represent petitioners and that the petitioners may be served with the processes of the Honorable Commission at the undersigned counsel's address and proponent's address at #4 Gen. Capinpin Street, San Antonio Village, Brgy. San Antonio, Pasig City.

5. No public funds have been spent for the Petition.

Petitioners approve of this Petition for the enactment of the Anti-Dynasty Act via Initiative under Republic Act No. 6735. Section 26, Article II of the 1987 Constitution states, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" Despite these provisions, political dynasties - a root problem of corruption in government – exist in Philippine political arena. Many have called for the Congress to pass an anti-dynasty law, but the needed bill has been passed over by each Congress since 1987.

Cause of Action

6. Article VI, Section 32 of the Constitution provides that “Congress shall, as early as possible, provide for a system of initiative and referendum and the exceptions therefrom, whereby the people can directly propose and enact laws or approve or reject any act or law or part thereof passed by the Congress or local legislative body after the registration of a petition therefor signed by at least ten per centum of the total number of registered voters, of which every legislative district must be represented by at least three per centum of the registered voters thereof.”

6.1. This constitutional provision became the foundation for the enactment in 1989 by Congress of Republic Act No. 6735 or the Initiative and Referendum Act.

6.2. The instant Petition is being filed pursuant to and in compliance with the requirements of Republic Act No. 6735, the pertinent Comelec Resolutions implementing the same, and existing jurisprudence.

7. The subject of this Petition is the enactment of a national legislation – the Anti-Dynasty Act which seeks to prohibit political dynasties. The full text of the proposed law is attached and made an integral part hereof as Annex “B”.

Petitioners approve of this Petition for the enactment of the Anti-Dynasty Act via Initiative under Republic Act No. 6735. Section 26, Article II of the 1987 Constitution states, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" Despite these provisions, political dynasties - a root problem of corruption in government – exist in Philippine political arena. Many have called for the Congress to pass an anti-dynasty law, but the needed bill has been passed over by each Congress since 1987.

8. The proposed Anti-Dynasty Act is not covered by any of the exceptions under Republic Act No. 6735.

9. It is the policy of the State, enunciated in Article II, Section 26 of the 1987 Constitution, to “guarantee equal access to opportunities for public service and prohibit political dynasties as may be defined by law.” Further, it is the mandate to Congress, in Article XIII, Section 1 thereof, to “give highest priority to the enactment of measures that protect and enhance the right of all the people to...reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.”

9.1. Despite these express Constitutional provisions, political dynasties continue to proliferate in the Philippine political arena. Many political analysts have pointed that such oligarchy is a major cause of all the corruption in government. While the public have clamored for Congress to pass an Anti-Dynasty Law and many bills have been introduced in Congress each year since 1987, none of the bills have been enacted into law.

9.2. The proposed national legislation embodied in the instant Petition seeks to address once and for all the absence of a law implementing the constitutional prohibition on political dynasties to reduce political inequalities by equitably diffusing political power for the common good.

10. As empowered people, petitioners have the duty and right to do what must be done for the common good and, towards this end, it is the purpose and objective of

Petitioners approve of this Petition for the enactment of the Anti-Dynasty Act via Initiative under Republic Act No. 6735. Section 26, Article II of the 1987 Constitution states, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" Despite these provisions, political dynasties - a root problem of corruption in government – exist in Philippine political arena. Many have called for the Congress to pass an anti-dynasty law, but the needed bill has been passed over by each Congress since 1987.

this proposed Anti-Dynasty Act to translate into the practical realities these precepts by prohibiting political dynasties as defined in Section 3 of the proposed Act (Annex "B" hereof). The full statement on the rationale for the proposed national legislation is contained in the Explanatory Note herein attached as Annex "C". .

11. The procedure and process for the distribution and dissemination of the Petition containing the proposed Anti-Dynasty Act and the verification of signatures followed Comelec Resolution No 2300, Section 29 (Signature Stations), which states: "Signature stations may be established by the proponents with the assistance of the Election Registrar in as many places in the municipality as may be warranted", and Section 30 (Verification of Signatures), which states: "The Election Registrar shall verify the signatures on the basis of the registry list of voters, voters' affidavits and voters' identification cards used in the immediately preceding election".

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed that the Honorable Commission on Elections, after due consideration and verification, issue an Order:

1. Finding the Petition to be sufficient pursuant to Sections 2 and 4, Article XVII of the 1987 Constitution and the pertinent provisions of Republic Act No. 6735 and pertinent Comelec Resolutions;

Petitioners approve of this Petition for the enactment of the Anti-Dynasty Act via Initiative under Republic Act No. 6735. Section 26, Article II of the 1987 Constitution states, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" Despite these provisions, political dynasties - a root problem of corruption in government – exist in Philippine political arena. Many have called for the Congress to pass an anti-dynasty law, but the needed bill has been passed over by each Congress since 1987.

2. Directing the publication of the Petition in Filipino and English at least twice in newspapers of general and local circulation, within thirty (30) days from the Certification by this Honorable Commission of the sufficiency of this Petition;; and

3. Calling and supervising the initiative to be held not earlier than forty-five (45) nor later than ninety (90) days after the Certification by this Honorable Commission of the sufficiency of this Petition, to allow the Filipino people to express their sovereign will on the proposed Anti-Dynasty Act.

Petitioners pray for such other reliefs deemed just and equitable in the premises.

San Juan City for Manila, _____

JOSE M. JOSE

Counsel for the Petitioners

60 Rivera Street

San Juan City, Metro Manila

PTR No. 0410733 – 01/02/12 – San Juan City

IBP No. 869789 – 01/02/12 – Pasig (Makati City chapter)

Roll of Attorneys No. 35861

MCLE Compliance No. III-0014917 – 05/12/10

Tel. No. 725 2093

Mobile No. 0919 3426920

Email: jmjose64@yahoo.com

VERIFICATION AND CERTIFICATION

I, Norman V. Cabrera, of legal age, Filipino, after having been duly sworn in accordance with law, hereby depose and state that:

1. I am the Secretary-General of the proponent, Ang Kapatiran Party, a national political party accredited by the Commission on Elections;

Petitioners approve of this Petition for the enactment of the Anti-Dynasty Act via Initiative under Republic Act No. 6735. Section 26, Article II of the 1987 Constitution states, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" Despite these provisions, political dynasties - a root problem of corruption in government – exist in Philippine political arena. Many have called for the Congress to pass an anti-dynasty law, but the needed bill has been passed over by each Congress since 1987.

2. I have been authorized by the proponent, Ang Kapatiran Party, to represent it in the instant Petition by virtue of a Secretary's Certificate attached as Annex "D" hereof;
3. I have been authorized by other Petitioners who affixed their signatures in Annex "A" – "A-" to file the instant Petition and to sign the Verification and Non-Forum Shopping Certification;
4. I have caused the preparation and filing of the foregoing Petition and have read the same;
5. I attest that the factual allegations therein are true and correct of my own personal knowledge or based on authentic documents; and
4. I hereby certify that to the best of my knowledge, aside from the pending bills in Congress though the years proposing to prohibit political dynasties none of which have been enacted into law, there are no pending actions involving the same issues in any court, tribunal or quasi-judicial agency, and if I should thereafter learn that the same or similar action has been filed or is pending, I shall report that fact within five (5) days therefrom to the Honorable Commission.

Norman V. Cabrera
Affiant

SUBSCRIBED AND SWORN to before me this ____ day of _____
2012, affiant exhibiting to me as competent proof of his identity his Philippine Passport
No. _____ issued at _____ on _____.

Doc. No. _____;

Page No. _____;

Book No. _____;

Series of 2012.