

**A CONTENT ANALYSIS OF SUPREME COURT RULINGS INVOKING THE
AGUINALDO DOCTRINE: ITS IMPLICATIONS TO
PUBLIC TRUST AND ACCOUNTABILITY**

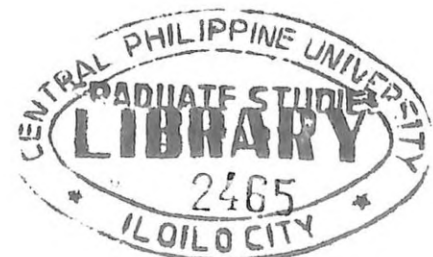
A Thesis

**Presented to
the Faculty of the College of Law
Central Philippine University**

**In Partial Fulfillment
of the Requirements for the Degree
JURIS DOCTOR (J.D.)**

**By:
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April 2016



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ABSTRACT

The purpose of this study was to look into the cases wherein the Doctrine of Aguinaldo was first revived during the 1987 Constitution and the rationale for its revival. The study also looked into the various Supreme Court decisions wherein the doctrine was continuously upheld, as well as the modifications, limitations, and expansions the doctrine has been given as rationalized by the Supreme Court. This study also examined Supreme Court decisions on cases wherein the doctrine was invoked by the public officer involved in the case.

Using information from legal sources, official publications, and related studies, the data gathered were analyzed in order to determine the public officer who may properly invoke the doctrine, the nature of the case wherein the doctrine is applicable, and the rationale as to why the doctrine was given application or rejected.

The study found out that only elective officials or officials who are vested public office by popular election, re-elected in the same position may invoke the doctrine. In the event that the public officer is re-elected into office, such re-election operates as a

condonation to all misconduct committed during the previous term of office. The doctrine is only applicable to administrative cases and not criminal cases. The rationale is that re-election has the effect of voters forgiving the public official's faults or misconduct, thus, re-election extinguishes the administrative liability of the public officer.

The doctrine, however, was refused in application and was abandoned by the Supreme Court in the case of *Carpio-Morales vs CA and Binay, Jr.* since it has no legal basis in the Constitution.