THE MANDATE FOR ACCOUNTABILITY AND THE RULE OF LAW: A THEOLOGICAL-ETHICAL ANALYSIS OF THE HOUSE OF REPRESENTATIVES' ROLE AFTER *DUTERTE V. HOUSE OF REPRESENTATIVES*

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Introduction: A *Kairos* of Institutional Vocation

This article presents a theological-ethical framework for analyzing the landmark Supreme Court decision in Duterte v. House of Representatives.[1] It posits that the tension between the House of Representatives' exercise of its impeachment power and the Supreme Court's judicial review constitutes a significant *kairos*—a moment of public revelation that clarifies the distinct vocations of the nation's coequal branches.

Political developments of transcendental importance are often moments of profound public revelation. In theological terms, revelation is not confined to the historical or written deposit of faith; the Divine continues to disclose its will in the "signs of the times."[2] A national moment wherein the Supreme Court renders its decision in an impeachment process

1. GR Nos. 278353 and 278359.

2. Second Vatican Council, *Pastoral Constitution on the Church in the Modern World*, *Gaudium et Spes* (1965), 4. The full passage urges the Church to *"scrutinize the signs of the times and of interpreting them in the light of the Gospel."* This principle, foundational to post-conciliar theology, validates the use of contemporary events as loci for theological reflection.

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initiated by the House of Representatives is precisely such a sign. It represents a *kairos*,[3] an opportune and decisive moment distinct from mere chronological time (*chronos*), where the moral fabric of a society, its understanding of power, and the authentic vocations of its institutions are laid bare.

The *Duterte v. House of Representatives* has transformed the political landscape by declaring the Articles of Impeachment against the Vice President "barred," "unconstitutional," and "null and void *ab initio*."[4] What began as a legislative process precipitated by public grievances has evolved into a moment of material, institutional, and procedural delineation. The House of Representatives, as the organ of government closest to the sovereign will of the people, is vested with the solemn and "exclusive power to initiate all cases of impeachment."[5] This is not merely a political function but a sacred duty; a constitutional trust to act as the "grand inquest of the nation,"[6] giving voice to the people's demand for integrity and cry for accountability. The impeachment drive was an exercise of

3. German-American Paul Tillich defines *kairos* as "the right time" for a decisive action that creates a new possibility. It is a qualitative, opportune moment, not merely a point in time. In this context, the Supreme Court's decision is a *kairos* because it forces a critical reflection on the nature of power and accountability in the Republic.

4. *Duterte v. House of Representatives*, July 25, 2025, p. 95

5. 1987 PHIL. CONST. art. XI, § 3, cl. 1. The late Fr. Joaquin G. Bernas, S.J., a framer of the Constitution, noted that this exclusivity pertains to the initiation, meaning no other body can initiate impeachment. See Joaquin G. Bernas, S.J., *The 1987 Constitution of the Republic of the Philippines: A Commentary* (Quezon City: Rex Bookstore, 2009).

6. This term, originating from British parliamentary history, describes the House of Commons' role in investigating and demanding accountability from officials of the Crown. Its adoption into Philippine constitutional parlance emphasizes the inquisitorial and accountability-focused nature of the House's exclusive impeachment power.

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this duty, a response to a perceived crisis of public trust—*fides publica*[7]—that threatened the common good.

However, it is crucial to acknowledge that such a process is never divorced from the political realities and divisions within the nation. The impeachment was a contentious issue, and to presume the House's action represented the unified will of the entire Filipino people would be to ignore the voices of the many citizens who did not support the move.

The Supreme Court's intervention, in exercising its own sacred duty to determine "whether or not there has been a grave abuse of discretion,"[8] established definitive legal boundaries that redirected the House's pursuit of accountability. This article confronts this reality from a standpoint that recognizes the Court's authority while simultaneously affirming the distinct institutional vocation of the House. By analyzing this moment through a theological-ethical lens, this article will explore the moral and civic responsibilities that arise when the legislative imperative for accountability meets the judicial enforcement of constitutional procedure.

The Constitutional Stakes: A Tension of Co-Equal Mandates

The impeachment power is the House's most formidable tool for exacting public accountability. It flows directly from the principle of popular sovereignty. When the House initiated proceedings against the Vice President, it acted on this

7. *Fides Publica*, or public trust, is the foundational belief of citizens in the integrity, reliability, and fairness of their governing institutions and officials. Political philosopher Onora O'Neill argues that *trust is not blind faith but is based on evidence of trustworthiness*. A perceived betrayal of this trust, therefore, is not merely a political problem but a profound moral and social crisis.

8. 1987 PHIL. CONST. art. VIII, § 1.

mandate. However, this power is always exercised within a complex political environment, where constitutional duties can intersect with partisan motivations and underlying political agendas.

The Supreme Court, in its decision, powerfully reaffirmed its role as the final arbiter of the Constitution. The *ponencia*, SAJ Marvic Leonen declared that impeachment, while having political characteristics, "is primarily a legal and constitutional procedure" and not "a purely political process isolated from the requirements of the Constitution as a whole."[9] On this basis, the Court asserted its jurisdiction and rendered a dispositive ruling on two primary grounds: the one-year bar rule and the violation of due process.

First, the Court held that the archiving of the first three impeachment complaints following the termination of the 19th Congress constituted an "effective dismissal." Consequently, the fourth impeachment complaint, initiated under the separate mode of Article XI, Section 3(4), was "already barred by Article XI, Section 3(5)."[10]

Second, and more profoundly, the Court declared the Articles of Impeachment "constitutionally infirm" for violating the fundamental right to due process. It laid out a comprehensive set of due process requirements for the one-third (1/3) signature method, including that the respondent must be given an "opportunity to be heard on the draft Articles of Impeachment and the supporting evidence" *prior* to transmittal to the Senate, and that the draft, evidence, and the respondent's comment must be made available to *all* members of the House for deliberation.[11]

9. *Duterte v. House of Representatives*, July 25, 2025, p. 3.

10. *Duterte v. House of Representatives*, July 25, 2025, p. 4.

11. *Ibid*., 4-5.

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For the House, this decision resulted in an institutional dilemma. Its "exclusive power to initiate" was now subject to explicit judicial standards. The House found its path constrained by the equally legitimate mandate of another coequal branch. This tension between the House's role as the agent of popular accountability and the Court's role as the interpreter of the law is the central constitutional and ethical problem at hand.

Foundations for a Theological-Ethical Analysis: *Centesimus Annus* on Democracy and the Rule of Law

A robust theological-ethical analysis of this dilemma requires grounding in principles that speak directly to the structure of a just and democratic society. John Paul II's encyclical, *Centesimus Annus*, marking the centenary of Rerum Novarum, offers a rich tradition for the same.

A. The Principle of Participation and Accountability

The Church values the democratic system precisely because it institutionalizes the moral duty of civic participation. Pope John Paul II, in the encyclical *Centesimus Annus*[12], states that the Church "values the democratic system inasmuch as it ensures the participation of citizens in making political choices, guarantees to the governed the possibility both of electing and holding accountable those who govern them, and of

12. The encyclical *Centesimus Annus* was written in 1991 by Pope John Paul II on the 100th anniversary of *Rerum Novarum*. In it John Paul II seeks to conduct a "re-reading" of Pope Leo's landmark encyclical to re-discover the richness of the fundamental principles in which *Rerum Novarum* dealt with the condition of workers and the economy as a whole. He reemphasizes the main focus of *Rerum Novarum* – the dignity of the worker, and therefore the dignity of work. He also mentions the right to private property (referring to land ownership) and the right to establish professional associations.

replacing them through peaceful means when appropriate[13]." (CA, #46) The House of Representatives is a primary vehicle for this participation. From this perspective, impeachment is an extraordinary constitutional tool intended to facilitate the people's right, through their representatives, to hold their leaders accountable and safeguard the moral integrity of the State.

B. The Primacy of a State Ruled by Law

While affirming participation, CA is unequivocal that authentic democracy depends on a steadfast commitment to the rule of law. A government of the people cannot be allowed to devolve into a government of mob rule or political expediency. The same encyclical clarifies that "authentic democracy is possible only in a State ruled by law, and on the basis of a correct conception of the human person." (CA, #46) This principle provides a theological-ethical affirmation of the Supreme Court's vocation. The Court's role is not to thwart the people's will, but to ensure that the will of the people is exercised in a manner consistent with the constitutional order that protects the rights of all, including the accused. Its insistence on due process is a defense of this foundational principle.

C. Public Trust *(Fides Publica)* and the Common Good

The common good, or *bonum commune*, is threatened when *fides publica*—the foundational trust of citizens in their institutions—erodes. CA warns that "with time, such distortions of political conduct create distrust and apathy, with a subsequent decline in the political participation and civic spirit of the general population, which feels abused and disillusioned" (46). The House's actions were animated by a perception that

13. Cf. ibid., 29; Pius XII, Christmas Radio Message on December 24, 1944: AAS 37 (1945), 10-20.

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the allegations against the official constituted a public scandal that was damaging this trust. The historical experience of the Filipino people, particularly the EDSA narrative, provides a context where the direct expression of the people's will against perceived abuses of power is valorized. However, a mature democracy seeks to channel this moral energy into constitutional processes rather than extra-constitutional ones. The challenge, therefore, is to restore public trust not by circumventing the rule of law, but by making its processes work for accountability.

Navigating the Tension: Institutional Virtue and the Rule of Law

The constitutional dilemma at hand reveals a deeper ethical tension between the raw energy of popular discontent and the structured demands of legal order. To navigate this, institutions must be guided by specific virtues that temper passion with principle.

A. Political Prudence over Moral Impatience[14]

While moral outrage over perceived injustice can be a powerful catalyst for action, the governing virtue for a legislative

14. The argument draws on the classic understanding of Prudence (*Prudentia*) as a cardinal virtue. In Catholic moral theology, St. Thomas Aquinas refers to prudence as auriga virtutum or "the charioteer of the virtues." It is the form of practical wisdom that enables one to discern the true good in every circumstance and to choose the right means of achieving it. It is defined as "right reason in action" (*recta ratio agibilium*). This virtue directly counters the vice of "moral impatience" or rashness, which can lead one to adopt procedurally flawed or intrinsically unjust means for a seemingly good end. Prudence demands deliberation and respect for established order, ensuring that the pursuit of justice is itself just. See, for example, the *Catechism of the Catholic Church*, §§ 1806, 1788.

body must be prudence.[15] In the political sphere, prudence is the capacity to discern the appropriate course of action that serves the common good while respecting the intricate web of laws and relationships that constitute the state. It resists the temptation to believe that a morally urgent end can justify procedurally flawed means. The House's rapid endorsement of the Articles of Impeachment, while perhaps seen as a sign of moral urgency, was rendered by the Court to have bypassed the prudent requirements of due process.

B. The Rule of Law as a Moral Good[16]

It is essential to frame the rule of law not as a cold, legalistic barrier to justice, but as a profound moral good in itself. The

15. See *Francisco, Jr. v. House of Representatives, G.R. No. 160261 (10 November 2003).* In this case, the Supreme Court exercised its power of judicial review to resolve the political question surrounding the second impeachment complaint filed against then-Chief Justice Hilario Davide Jr., which was initiated only a few months after the first. The Court's intervention, which affirmed the one-year ban on impeachment proceedings against the same official under Article XI, Section 3(5) of the 1987 Constitution, serves as a canonical example of the judiciary reining in legislative action that, while possibly driven by a sense of political or moral urgency, failed to adhere to the explicit procedural requirements laid down by the Constitution. The ruling underscores the principle that the vast powers of a legislative body are not limitless and must be exercised with the prudence of constitutional fidelity.

16. This aligns with the principles of Christian Realism, a theological framework most famously articulated by Reinhold Niebuhr. Niebuhr argued that political structures must be built on a realistic understanding of human nature, which is capable of great justice but also inclined toward sin and self-interest. His well-known aphorism, "Man's capacity for justice makes democracy possible; but man's inclination to injustice makes democracy necessary," encapsulates this view. From this perspective, the rule of law, due process, and checks and balances are not cynical mechanisms but are profound moral and theological necessities, designed to restrain the inevitable human temptation to overreach and to preserve justice from the arbitrary wills of the powerful. See Reinhold Niebuhr, *The Children of Light and the Children of Darkness* (1944).

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system of checks and balances, and the due process[17] it guarantees, is a theological good because it serves as a structural safeguard against the human tendency toward overreach. It ensures that justice is not arbitrary, preventing a descent into a "mob rule" where public opinion, however intense, can override fundamental rights. The Supreme Court's decision, therefore, is not merely a procedural correction but a moral affirmation that the pursuit of accountability must occur within the very legal framework guaranteed under the Constitution.

C. Redefining "Prophetic Witness" in a Democracy

A legislative body can indeed exercise a "prophetic" function by speaking truth to power and demanding accountability on behalf of the people. However, in a constitutional democracy, this witness is expressed differently than in ancient Israel. The authentic prophetic role of Congress is not to act as an extra-systemic force that sets aside rules in the name of a higher justice. Rather, its prophetic witness lies in its diligent and often unglamorous work within the system: conducting rigorous investigations, holding officials to account in budget hearings, and crafting laws that institutionalize transparency and integrity. This is the difficult, patient work of being

17. A foundational expression of this principle in Philippine jurisprudence is *Ang Tibay v. Court of Industrial Relations, G.R. No. L-46496 (27 February 1940)*. In this landmark decision, Justice Jose P. Laurel did not treat due process as an abstract concept but laid down seven "cardinal primary rights" that must be observed in administrative proceedings. By meticulously defining the essential elements of a fair hearing—such as the right to present evidence, the need for the decision to be supported by evidence, and the independence of the tribunal—the Court affirmed that the rule of law is not a barrier to justice but its essential channel. The ruling frames procedural safeguards as the very substance of justice, preventing arbitrary exercises of power and ensuring that state actions are reasonable and predictable, thereby serving as a profound moral good.

"contemplatives in action" —channeling the passion for justice into the structures that can make that justice lasting and real.

Theological-Ethical Synthesis: The Vocation of the House of the People

A. The Moral Imperative for Accountability

The Constitution vests in the House the "exclusive power to initiate" impeachment. This is not merely a legal authority but a moral vocation for the House to be the nation's conscience. The swiftness with which over one-third of its members endorsed the Articles of Impeachment reflected a collective judgment that the alleged offenses constituted a grave danger to the public trust. This imperative for accountability is a profound moral good. However, the legitimacy of this moral end is inextricably linked to the legitimacy of the means used to achieve it.

B. The End Does Not Justify the Means

The Supreme Court's decision brings to the fore a classic ethical principle that the end does not justify the means. Even if the House's motivations[18] were rooted in an urgent and sincere desire for justice, the pursuit of that end cannot justify violating objective constitutional rules designed to preserve fairness, order, and due process. The judicial vocation is to maintain this order and the integrity of established procedures. It would be a cause for public scandal if rules were violated to satisfy a righteous desire for justice, as this would encourage a disregard for the law whenever intense public

18. It may be inferred that the House's role as the agent of public accountability, by its nature, is often disruptive. It seeks to break through complacency and legalistic quietism to address a perceived moral crisis.

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opinion holds sway. This would not only undermine the checks and balances of power but could open the door to mob rule.

C. Balancing Substantive and Procedural Justice

The House's impeachment drive was animated by a cry for substantive justice—a demand to address the "what" of the allegations..[19] The Supreme Court's ruling is a masterpiece of procedural justice, ensuring that the "how" of accountability is fair. A mature ethical perspective understands that these are not opposing values. Procedural justice is not a barrier to, but the necessary and legitimate pathway forward, to achieving substantive justice. When procedure is ignored, any outcome, even if it is substantively correct, is tainted by injustice. The Court's decision, while not absolving the respondent from any of the charges[20], ultimately upholds the principle that true justice cannot be built on a foundation of unjust processes.

D. The Common Good: An Integration of Trust and Law

The two institutions operated not with contradictory views of the common good but with a focus on two essential components of it. The House sought to restore the common good by renewing the people's faith in their leaders, while the Court[21] sought to preserve it by ensuring the stability that flows from the Rule of Law. An integral understanding of *bonum commune*

19. The distinction between procedural and substantive justice is a key theme in legal philosophy. Procedural justice concerns the fairness of the processes used to make decisions, while substantive justice concerns the fairness of the outcomes themselves. While modern legal systems prioritize procedure, a purely procedural approach can sometimes fail to address the underlying substantive injustice, leading to what is often termed a "moral remainder."

20. *Duterte v. House of Representatives*, July 25, 2025, p. 5.

21. It may be viewed that the Court defined the common good as the stability that flows from the "Rule of Just Law," a society where procedures are fair and predictable.

requires both: a government that is trustworthy and a constitutional system that is true to its own laws.

Conclusion: A Discerning Path Forward for the House of the People

The Supreme Court has spoken, and its decision stands as the law of the land. For the House of Representatives, an institution built upon the Constitution to initiate all acts that will hold public officials accountable, acknowledges the decision as an expression of fidelity to the rule of law. This experience should not be seen as a defeat, but as a profound moment of institutional discernment.

The call now is for the House to embrace its vocation with a renewed wisdom, channeling its passion for justice into pathways that are both potent and procedurally sound. This path forward invites every Member to reflect on how the House can exercise its other formidable powers. To be "contemplatives in action[22]" in a legislative context means moving beyond the immediate political firestorm to engage in the patient and diligent work of governance.

This requires leveraging the full spectrum of its oversight powers: from rigorous, evidence-based legislative inquiries that expose wrongdoing in the light of day, to the meticulous scrutiny of the national budget to hold agencies accountable implicated in corruption, and the crafting of landmark legislation that strengthens anti-graft mechanisms and enhances transparency for the future.

22. "Contemplatives in action" is a classic Jesuit maxim, attributed to St. Ignatius of Loyola's vision for the Society of Jesus. It describes a spirituality where prayer and reflection are not separate from, but are integrated into, a life of active work and service in the world. For a legislative body, it suggests a mode of operating where passionate action is always guided by deep, principled reflection.

The House of Representatives remains the body closest to the Filipino people; the primary vessel of their sovereign will. Its fundamental mandate to demand accountability from the highest officials of the land remains undiminished. The *kairos* of *Duterte v. House of Representatives* has not extinguished this vocation but has refined it, calling for a form of accountability that is zealous in its pursuit of justice and, at the same time, unwavering in its respect for the rule of law.