



THE COURTS UNDER THE CONSTITUTION

The Constitution of the Philippines contains rules which make courts or judges independent. For instance, a judge may not be discharged from his office as long as his behavior is good. He has the right to continue in office until he reaches the age of 70 years or until he has become incapacitated. Thus he may not be threatened with expulsion from office if he decides a case against any government official, even if such official is the President of the Philippines himself:

Another way by which the Constitution protects the independence of a judge is by prohibiting the lowering of his salary at any time while he is in office. No officer may, therefore, cut the salary of a judge who refuses to give him favors.

The protection given to judges by the constitution is made stronger still by the rule which says that he may not be transferred from one district to another without the approval of the Supreme Court. The governor of a province may dislike a judge for deciding a case against him. He may want the judge removed from his province to another. But if the Supreme Court does not approve the transfer, the governor or any other official has no way of getting rid of a judge.

The highest court of the Philippines under the constitution is the Supreme Court. It is composed of eleven members. One of them is called the chief justice and the other ten are associate justices.

The Supreme Court has two important duties to perform. One is to decide cases of great importance coming from the lower courts. Another duty is to declare whether a law passed by the National Assembly or an order issued by the Presi-

dent of the Philippines is not contrary to the rules found in the Constitution. If the Supreme Court finds that a law or an order of the President is contrary to any rule of the Constitution, it may declare the law or order invalid. An invalid law of the National Assembly or order of the President has no force. It need not be obeyed by the people. It cannot give any person any right. No one may be punished for violating its provisions.

The Constitution requires that before a law may be declared invalid, at least two-thirds of all the members of the Supreme Court agree to its invalidity. If less than two-thirds of the justices are of the opinion that the law is invalid, the law will remain valid. In other words there must be at least eight justices who should vote that the law is invalid.

The Supreme Court is given another duty by the Constitution. This duty is to make rules which shall be followed by any person and their lawyers in the trial of cases. These rules are called rules of procedure and practice. They must be followed by a person who has a case to be presented in the courts. These rules declare how a person should take his case to a court, how a lawyer should appear in court, and how he should present the case of his client. The National Assembly, however, has the power to make changes in these rules of procedure made by the Supreme Court.

Another duty or power given by the constitution to the Supreme Court is the power to allow or permit persons to act as lawyers. A young man wants to be a lawyer. He studied in a law school. He

graduated with the degree of Bachelor of Laws. It does not mean that when he has this law degree he can act as a lawyer for any person. He must first pass an examination. This examination is given by the Supreme Court. These rules may also be changed by the National Assembly.

The Constitution fixes the salary of the chief justice of the Supreme Court at ₱16,000 a year. Each associate justice is given a salary of ₱15,000 a year. The National Assembly, however, may change this amount. But once changed the salary may not be decreased any more during the term of office of the justices concerned.

No person who is not a lawyer may be appointed to any judicial position. Thus even a justice of the peace, who occupies the lowest place in our judiciary, has to be a lawyer.

A justice of the Supreme Court must have been five years a citizen of the Philippines. He must be at least forty years old and must have been for at least ten years a judge of a court of record or must have been engaged in the practice of law in the Philippines for at least the same length of time.

POISONOUS AND . . .

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In other lands, such as Cuba and Mauritius, where this fish is also found, they are not allowed to be sold in the market because they do harm to human beings. According to one physician in the island of Mauritius, the "papakol" or "pugot" causes a bad effect on the stomach of the person who eats it. The muscles of his stomach contract, and afterwards the same effect will be felt throughout his entire body. The person then feels a sickening pain. His breathing becomes hard and difficult; and then, if he is not treated at once, he dies. In case this kind of poisoning happens to you, you should take some medicine that will make you vomit, so this doctor advises us.

Even those kinds which are not exactly poisonous, we find that they do not taste well. They are a wholesome food.