

*People v. Pomar* Revisited: Substantive Due Process and the Emergence of the Afford Protection to Labor Clause

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SUBJECT(S): *PEOPLE v. POMAR RULING*

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This Comment examines the Supreme Court's decision in *People v. Pomar* (46 Phil. 440 (1924)), where it was proclaimed that the Maternity Leave Act of 1916 is unconstitutional for being an improper exercise of police power. It also analyzes the basis of the case's doctrine which can be found in American jurisprudence on substantive due process. This discussion is done by touching on the following aspects: (1) development of the substantive due process in the United States; (2) the commerce clause interplay; (3) the substantive due process in the Philippines. The Comment also discusses the role of *Pomar* in the resolve of the 1934 Constitutional Convention of the Philippines to take its doctrine in light of labor regulations, which eventually led to the development of labor protection the country.