

### Title: Sabio vs. Senate Committees

### Facts:

#### Step-by-Step Series of Events:

1. **Genesis of the Issue**: On February 28, 1986, President Corazon C. Aquino issued Executive Order No. 1 (E.O. No. 1) creating the Presidential Commission on Good Government (PCGG) to recover ill-gotten wealth by Ferdinand Marcos and associates. E.O. No. 1 included Section 4(b) which exempts PCGG members from testifying in proceedings about matters within its cognizance.
2. **Senate Inquiry Initiation**: On February 20, 2006, Senator Miriam Defensor Santiago introduced Senate Resolution No. 455, directing an inquiry into the operations of the Philippine Overseas Telecommunications Corporation (POTC), Philippine Communications Satellite Corporation (PHILCOMSAT), and PHILCOMSAT Holdings Corporation (PHC).
3. **Invitations to PCGG**: The Senate invited PCGG chairman Camilo L. Sabio and Commissioners to participate in the inquiry. Sabio declined, citing prior commitments and Section 4(b) of E.O. No. 1.
4. **Subpoenas Issued**: Despite Sabio's refusal, Senate Committee on Government Corporations issued subpoenas to Sabio and other officers to appear at the hearings. Sabio reiterated his refusal, citing Section 4(b) of E.O. No. 1.
5. **Arrest and Detention**: Following continued refusal, Senate Sergeant-At-Arms arrested Sabio and detained him at the Senate premises.
6. **Court Proceedings**: Sabio sought habeas corpus relief before the Supreme Court. Separate petitions for certiorari and prohibition were filed by Sabio, other PCGG commissioners, and directors/officers of Philcomsat Holdings Corporation, challenging the Senate's actions and asserting Section 4(b) of E.O. No. 1 as defense.

#### Procedural Posture:

- The case moved from the Senate inquiry phase, marked by the issuance of subpoenas and contempt orders, to the judicial review phase when petitions were lodged before the Philippine Supreme Court.

### Issues:

1. Whether Section 4(b) of E.O. No. 1, exempts PCGG members from testimony in legislative

inquiries, is repealed by the 1987 Constitution.

2. Whether the Senate Committees have exceeded their authority in conducting inquiries and issuing subpoenas.
3. Whether the Senate inquiry infringes upon the rights to privacy and against self-incrimination of the respondents.

### ### Court's Decision:

- **\*\*Section 4(b) Repeal\*\***: The Court found Section 4(b) of E.O. No. 1 to be repealed by the 1987 Constitution. The Constitution granted broad powers of inquiry to legislative bodies, not allowing for exemptions as stated in Section 4(b).
- **\*\*Senate Authority Upheld\*\***: The Supreme Court upheld the Senate's authority to conduct inquiries in aid of legislation and to issue subpoenas. It stated that legislative investigations are subject to constitutional rights.
- **\*\*Rights to Privacy and Against Self-Incrimination\*\***: The Court ruled that the right to privacy and the right against self-incrimination could only be invoked specifically and were not violated by Senate inquiries fulfilling legislative purposes.

### ### Doctrine:

- The power of legislative inquiry is broad and encompasses matters within the scope of potential legislation. No law, including E.O. No. 1, can exempt individuals from testifying in such inquiries unless explicitly provided for in the Constitution.

### ### Class Notes:

- **\*\*Essential Principles\*\***:
  - The Constitution trumps statutory provisions like E.O. No. 1.
  - Legislative inquiries must respect constitutional rights but are essential for informed law-making.
  - Rights to privacy and against self-incrimination are not absolute; they can be outweighed by compelling state interests in the context of legislative inquiries.
- **\*\*Relevant Legal Statutes\*\***:
  - Article VI, Section 21 of the 1987 Constitution: Empowers legislative bodies to conduct inquiries in aid of legislation.
  - Section 4(b) of E.O. No. 1: (Declared repealed) Exempted PCGG members from testifying in proceedings about matters within its cognizance.

### ### Historical Background:

- The case arises in the context of post-Marcos Philippines, during the efforts to recover ill-

gotten wealth. The PCGG was a key institution in these efforts, and its activities, including the legal protections afforded to it, were of significant public and historical importance. The legislative inquiry aimed at addressing alleged anomalies in corporations linked to government equity led to a crucial legal battle on the extent of legislative investigative powers versus executive-created bodies' rights and privileges.