

Title: Brocka, et al. vs. Enrile, et al.

Facts:

The case originated from the arrest of Lino Brocka and others (Brocka, et al.) on January 28, 1985, during a demonstration in support of a jeepney strike in the Philippines. They were initially charged with Illegal Assembly and, except for a few who were deemed leaders, were released on bail. However, Brocka and some others remained detained under a Preventive Detention Action (PDA) which was allegedly issued the day of their arrest but was only invoked upon their ordered release, raising questions about its validity.

Subsequently, while still detained, Brocka, et al. were charged with Inciting to Sedition without prior notice to their counsel. The rapid filing of this second charge, based on the same act as the Illegal Assembly charge, led to their continued detention. Brocka, et al. argued that this constituted bad faith and harassment. A supplemental petition was filed to enjoin the prosecution of the sedition charges. Despite these charges, they were provisionally released on orders from then President Ferdinand E. Marcos.

Issues:

1. Whether or not criminal prosecution for inciting to sedition, based on the same act as an earlier charge, may lawfully be enjoined.
2. Whether the use of a Preventive Detention Action (PDA) under questionable circumstances violated the petitioners' rights.
3. Whether the rapid filing of charges without due process constitutes bad faith and harassment against the accused.

Court's Decision:

The Supreme Court granted the petition, permanently enjoining the trial court from proceeding with the cases subject to the petition. The Court held that while generally criminal prosecution cannot be restrained or stayed by injunction, exceptions exist including when prosecution is conducted in bad faith, constitutes persecution, or stems from charges clearly undertaken in oppressive circumstances. The Court found that the conditions surrounding the charges against Brocka, et al. displayed manifest bad faith, notably the dubious invocation of a PDA and the sham and rushed nature of the subsequent preliminary investigations for sedition.

Doctrine:

The case reaffirmed exceptions to the rule against enjoining criminal prosecution, notably

when the proceedings showcase manifest bad faith, involve persecution rather than prosecution, or violate constitutional rights such as due process. It underscored the principle that constitutional rights must be upheld even against perceived national interests.

Class Notes:

- **Preventive Detention Action (PDA):** Raised questions about its validity when not promptly invoked.
- **Inciting to Sedition:** Charges based on the same acts leading to a previous charge can be seen as bad faith or harassment.
- **Enjoining Criminal Prosecution:** Exceptions to this rule include instances of bad faith, persecution, or the violation of constitutional rights.
- **Double Jeopardy:** Filing multiple charges from a single act may raise concerns about placing the accused in jeopardy twice for the same offense.
- **Due Process:** Rapid filing of charges without proper notice or preliminary investigation can constitute a violation of due process rights.

Historical Background:

The case occurred during a period of political unrest in the Philippines under the Marcos regime, highlighting tensions between state power and individual rights. The use of PDAs and the quick filing of charges against activists and critics were tactics that raised significant legal and human rights concerns, prompting judicial scrutiny and intervention to protect constitutional rights.