

Title: Arsenio Pascual, Jr. vs. Board of Medical Examiners

Facts: In February 1965, Dr. Arsenio Pascual, Jr., a medical practitioner, initiated a legal challenge against the Board of Medical Examiners by filing an action for prohibition with a request for a preliminary injunction in the Court of First Instance of Manila. The case arose from an administrative charge of alleged immorality against Dr. Pascual, during which the complainants' counsel expressed intention to present Dr. Pascual as their first witness. Dr. Pascual objected, invoking his constitutional right against self-incrimination. The Board of Medical Examiners, however, indicated that Dr. Pascual would be compelled to testify at the next hearing unless he secured a restraining order. Asserting that the Board's decision constituted a grave abuse of discretion, Dr. Pascual sought to prohibit the Board from compelling him to testify. A writ of preliminary injunction was issued, halting the administrative case pending judicial resolution. The Board's response argued that Dr. Pascual could be required to take the stand but could object to incriminating questions when asked. Salvador Gatbonton and Enriqueta Gatbonton, the complainants in the malpractice case, were allowed to intervene, supporting the Board's stance but also contending that the right against self-incrimination does not apply to administrative hearings.

Issues: The primary issue was whether the Board of Medical Examiners could compel Dr. Pascual to testify in an administrative hearing against himself, specifically in relation to his constitutional right against self-incrimination.

Court's Decision: The Supreme Court affirmed the lower court's decision, ruling in favor of Dr. Pascual. It reiterated the broad applicability of the self-incrimination clause, emphasizing that an individual subjected to any proceeding which could lead to criminal-like penalties, such as professional disbarment, has the right not to be compelled to testify against oneself. The decision stressed that the constitutional right against self-incrimination encompasses the right to silence and should be broadly interpreted to protect the individual's dignity and personal integrity.

Doctrine: The case establishes or reinforces the doctrine that the self-incrimination clause of the Constitution protects individuals not just in criminal cases but also in administrative proceedings that could potentially lead to penalties of a criminal or penal nature, such as the revocation of a professional license. It stresses the fundamental principle that the right to silence is an integral part of the right against self-incrimination.

Class Notes:

- The right against self-incrimination is not limited to criminal proceedings but extends to administrative hearings potentially resulting in punitive measures.
- The principle of respecting human dignity and the integrity of the individual underlies the constitutional protection against self-incrimination, emphasizing the right to silence.
- Key legal statutes referenced include Section 1, Clause 18, Article III of the Philippine Constitution, which embeds the right against self-incrimination.

Historical Background: This case reflects the evolving understanding and application of constitutional rights in the Philippines, particularly the right against self-incrimination, beyond the confines of criminal law into administrative law realms. It underscores the judiciary's role in interpreting constitutional protections in a manner that respects individual rights and freedoms, especially when faced with the potential for state actions that could infringe upon these rights.