

****Title:**** Isabelo T. Sabello vs. Department of Education, Culture and Sports

****Facts:****

Isabelo T. Sabello, the petitioner, served as the Elementary School Principal of Talisay and also held the position of Assistant Principal at the Talisay Barangay High School in the Division of Gingoog City. The Barangay High School faced a financial deficit due to the inability of students to afford their monthly tuition fees. In a bid to alleviate this, the barrio council, motivated by the allocation of funds by the then President for each barrio, decided to allocate P840.00 of the RICD fund to cover the high school teachers' salaries. Authorized by the barrio council, Sabello withdrew this amount, which was then deposited in the City Treasurer's Office under the name of the Talisay Barrio High School. However, this act led to Sabello and the barrio captain being charged and later convicted under Republic Act 3019, resulting in a year's sentence and disqualification from holding public office. This decision was modified by the Court of Appeals, which removed the subsidiary imprisonment in case of insolvency. Financial difficulties prevented Sabello from further appealing to the Supreme Court.

Subsequently, Sabello was granted an absolute pardon by the President, restoring his full civil and political rights. Leveraging this pardon, Sabello sought reinstatement to his former role but was instead appointed as a classroom teacher. Challenging this decision, he petitioned the Supreme Court to be reinstated to his original position and receive corresponding back salaries and service credits, among other rights and privileges.

The Solicitor General argued that there was no justiciable controversy, attributing the matter of Sabello's reappointment to the discretion of the appointing authority. However, uninfluenced by this argument and acknowledging the petitioner's claim as a valid legal contention desiring concrete resolution, the Supreme Court chose to address the merits of the case directly, bypassing usual procedural prerequisites such as the exhaustion of administrative remedies owing to the petitioner's self-represented status and purported financial incapacity.

****Issues:****

1. Whether an absolute pardon restores an individual to their former position or merely makes them eligible for reappointment.
2. If Sabello should be reinstated to his former position and if he is entitled to back salaries and continuous service credits.

****Court's Decision:****

The Supreme Court ruled in favor of Sabello, marking a nuanced interpretation of justice over legal technicality. It was held that while an absolute pardon does not automatically entitle an individual to reinstatement, it does restore their eligibility to public office. Given that Sabello's separation from service was not out of misconduct but due to a conviction that was later pardoned, it was deemed just and equitable for him to be returned to his original position as Elementary School Principal I.

However, the court declined to grant Sabello's request for back salaries from September 1, 1971, to November 23, 1982, following precedent that reinstatement does not entail back wages unless the separation was illegal or the individual was acquitted. Additionally, the Court stated that while Sabello would not have his service considered continuous, his retirement benefits should reflect his position as Elementary School Principal I.

****Doctrine:****

This case reiterates the principle that an absolute pardon restores an individual's eligibility for public office but does not ensure automatic reinstatement to their former position, necessitating application for reappointment. It further highlighted the Court's discretion to grant relief based on fairness and justice rather than strict adherence to procedure or technical requirements.

****Class Notes:****

- ****Absolute Pardon:**** Restores civil rights and public office eligibility but not automatic job reinstatement.
- ****Reinstatement and Back Salaries:**** Reinstatement to public office post-pardon is discretionary, not automatic, and does not ordinarily include entitlement to back salaries unless there was illegal termination or acquittal.
- ****Equity over Procedure:**** The Supreme Court may bypass procedural technicalities, including the exhaustion of administrative remedies, in the interest of justice, especially when the litigant represents themselves due to purported financial incapacity.

****Historical Background:****

The decision underscores the judiciary's balancing act between adherence to legal protocols and the pursuit of equitable justice. It also reflects the evolving interpretation of the implications of a presidential pardon within the context of public service employment, contributing to the jurisprudence on public administration and the rehabilitation of those previously convicted. This case subtly navigates the Philippine legal landscape's preference

for reconciliation and restoration over punitive permanence, reflecting broader themes in Philippine legal and social culture concerning forgiveness, restoration, and administrative discretion.