

Title: Antero J. Pobre vs. Sen. Miriam Defensor-Santiago

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Facts:

On December 22, 2006, Antero J. Pobre filed a sworn letter-complaint against Senator Miriam Defensor-Santiago, alleging that statements made by Santiago during a privilege speech on the Senate floor were disrespectful towards Chief Justice Artemio Panganiban and other members of the Supreme Court. The specific statements cited include Santiago saying she was “irate,” “homicidal,” and “suicidal,” and expressing disdain for the “Supreme Court of idiots,” where she “spits on the face of Chief Justice Artemio Panganiban and his cohorts.”

In her defense, Senator Santiago asserted parliamentary immunity under Article VI, Section 11 of the Constitution, which shields members of Congress from being held liable in any other place for any speech or debate in Congress. Santiago argued that her speech was part of her legislative duties intended to highlight anomalies in governance related to the Judicial and Bar Council (JBC).

The case proceeded with Pobre requesting the disbarment or disciplinary action against Santiago for her remarks. Santiago did not deny making the statements but emphasized her parliamentary immunity.

Issues:

1. **Whether the statements made by Senator Santiago are protected by parliamentary immunity under the Philippine Constitution.**
2. **Whether the privilege speech delivered by Senator Santiago can be subjected to disciplinary proceedings under the Rules of Court despite the constitutionally granted immunity.**
3. **Whether Senator Santiago’s statements constituted a violation of the Code of Professional Responsibility applicable to lawyers.**

Court’s Decision:

1. Parliamentary Immunity:

The Court ruled that Senator Santiago’s statements made during a privilege speech are indeed protected by parliamentary immunity as enshrined in Article VI, Section 11 of the

Philippine Constitution. The Court reiterated that parliamentary immunity is intended to protect legislators from prosecution based on their statements in the discharge of legislative functions, as it encourages the uninhibited performance of legislative duties.

****2. Disciplinary Proceedings versus Parliamentary Immunity:****

Despite agreeing that the statements were covered by parliamentary immunity, the Court acknowledged the inappropriate and unprofessional nature of Santiago's remarks. Nonetheless, in line with constitutional provisions, the Court held that the privilege speech is not actionable in a criminal or disciplinary proceeding. Therefore, the plea for dismissal of the complaint was affirmed.

****3. Violation of the Code of Professional Responsibility:****

The Court recognized Santiago's violation of Canon 8, Rule 8.01 and Canon 11 of the Code of Professional Responsibility, which require lawyers to refrain from using offensive language and to maintain respect for the courts. However, due to the immunity conferred by the Constitution, the Court did not impose disciplinary actions but expressed deep concern regarding the disrespectful content of Santiago's speech.

**Doctrine:**

- ****Parliamentary Immunity:**** Article VI, Section 11 of the Philippine Constitution provides that no member of Congress shall be questioned nor be held liable in any other place for any speech or debate in Congress or any committee thereof.
- ****Duty of Respect:**** The Code of Professional Responsibility mandates lawyers to maintain decorum and respect toward the courts, as highlighted in Canon 8 and Canon 11.

**Class Notes:**

- ****Parliamentary Immunity:**** Protects legislators from being prosecuted for their speeches and debates in Congress to ensure freedom in discourse.
- ****Code of Professional Responsibility:****
- ****Canon 8, Rule 8.01:**** Prohibits lawyers from using abusive or offensive language.
- ****Canon 11:**** Mandates lawyers to uphold respect for the courts.
- ****Relevant Statutes/Provisions:****
- ****Article VI, Section 11 (Constitutional Parliamentary Immunity)****
- ****Canon 8 and Canon 11 (Code of Professional Responsibility)****

The Supreme Court emphasized that while parliamentary immunity protects legislative

speech, it should not be misused as a cover for disparaging behavior.

****Historical Background:****

The case arose in the context of a heated discussion regarding the Judicial and Bar Council's (JBC) nomination procedures for the position of Chief Justice. Senator Miriam Defensor-Santiago, a member of the bar with an exemplary legal career, made inflammatory remarks expressing frustration over perceived injustices in the JBC's processes, highlighting ongoing tensions between branches of government. The invocation of parliamentary immunity almost always reminds of the balance between legislative freedom and accountability in public discourse.