

****Title:****

Ma. Merceditas N. Gutierrez v. House of Representatives Committee on Justice, et al. (G.R. No. 196231)

****Facts:****

Ma. Merceditas N. Gutierrez, then Ombudsman of the Philippines, faced impeachment proceedings initiated by two separate complaints filed with the House of Representatives. The first complaint was filed by former Akbayan Representative Risa Hontiveros-Baraquel and others, while the second complaint was lodged by Danilo Lim and others. Both complaints were referred to the House Committee on Justice at different times; the first referral was made on July 22, 2010, and the second on August 3, 2010.

Gutierrez filed a petition with the Supreme Court to stop the impeachment proceedings, arguing that the simultaneous referral of two complaints violated the constitutional one-year bar, which prohibits more than one impeachment proceeding against the same official within a year. The Supreme Court issued a status quo ante order on September 14, 2010, halting the proceedings. However, the Committee on Justice proceeded to entertain the complaints after the Supreme Court lifted the order in its decision dated February 15, 2011.

Gutierrez filed a Motion for Reconsideration arguing various points, including a misinterpretation of the term “initiation” of impeachment proceedings and the necessity of publishing the House’s rules on impeachment to make them effective.

****Issues:****

1. Whether the Supreme Court erred in its interpretation of the term “initiation” in relation to the one-year bar rule in the Constitution.
2. Whether the House of Representatives’ rules on impeachment needed to be published for them to be effective.
3. Whether Rep. Neil Tupas, the Chairperson of the House Committee on Justice, should have been inhibited from participating due to allegations of bias.
4. Whether the proceedings violated petitioner’s right to due process.

****Court’s Decision:****

1. ****Interpretation of “Initiation”:****

The Supreme Court affirmed its previous decision that the impeachment proceedings are considered initiated not at the filing of the complaint but upon the House’s referral to the Committee on Justice. The Court rejected Gutierrez’s argument that the simultaneous

referral violated the one-year bar rule, citing the Francisco, Jr. v. House of Representatives case. It stated that the filing and referral of the complaints were separate actions, thus not violating the constitutional provision.

2. **Publication of House Rules:**

The Court reiterated that the term “promulgate,” as used in the Constitution concerning the House’s impeachment rules, did not necessarily mean “publish” in the Official Gazette or a newspaper. It meant making known the rules. Therefore, the failure to publish the impeachment rules did not render them ineffective.

3. **Allegations of Bias against Rep. Neil Tupas:**

The Court noted that the impeachment process is a political rather than a judicial exercise. It concluded that the alleged bias and vendetta of Rep. Tupas against Gutierrez were unsubstantiated and did not necessitate his inhibition.

4. **Due Process Concerns:**

The Supreme Court found that the required constitutional procedures and safeguards during the impeachment process were followed, thus ensuring Gutierrez’s right to due process was upheld.

Doctrine:

1. **Interpretation of “Initiation”:** The initiation of impeachment proceedings involves the referral of the complaint to the proper House committee and not merely the filing of the complaint.
2. **Promulgation of Rules:** The constitutional requirement for promulgation of rules does not necessarily require publication in the Official Gazette or newspaper but making them known.

Class Notes:

- **Impeachment Initiation:** Reference to Francisco case, the term “initiation” encompasses the referral to the appropriate committee.
- **Promulgation vs. Publication:** Distinction between internal House procedures “promulgation” and legislative requirement “publication.”
- **Political Nature of Impeachment:** Impeachment being a political exercise, claims of bias are not straightforward as in judicial proceedings.
- **Due Process in Impeachment:** Compliance with the Constitution’s procedural safeguards ensures the legitimacy of impeachment actions.

****Historical Background:****

This case arose in a politically charged context where Ombudsman Gutierrez faced significant public scrutiny for her handling of various high-profile cases. The impeachment process was part of a broader movement for greater accountability and transparency in public office.