

**\*\*Title:\*\*** Osmeña vs. Pendatun, et al., G.R. No. L-17144, 14th July 1960

**\*\*Facts:\*\***

1. On June 23, 1960, Congressman Sergio Osmeña Jr. of Cebu's 2nd District delivered a privilege speech in the House of Representatives, alleging corruption, including bribery for pardons, within President Garcia's administration.
2. These allegations prompted the House to adopt Resolution No. 59 on July 8, 1960, creating a Special Committee to investigate Osmeña's charges and to require him to substantiate his claims or face possible censure.
3. Osmeña, asserting parliamentary immunity, refused to provide the Committee evidence supporting his allegations.
4. Based on the Committee's findings, the House adopted Resolution No. 175 on July 18, 1960, suspending Osmeña for fifteen months for "serious disorderly behavior."
5. On July 19, 1960, Osmeña petitioned the Supreme Court for declaratory relief, certiorari, and prohibition, asserting that the Resolutions infringed on his parliamentary immunity and that the House had violated its own rules.

**\*\*Issues:\*\***

1. Whether Osmeña's privilege speech is protected under parliamentary immunity.
2. Whether the House has the authority to censure or suspend a member for words spoken during a speech delivered in the House.
3. Whether House Resolution No. 59 violated the House's rules, considering that other business occurred before the House acted on the resolution.
4. Whether the House has the constitutional power to suspend a member.

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

1. **\*\*Parliamentary Immunity:\*\*** The Supreme Court held that the parliamentary immunity granted by the Constitution protects members of Congress from prosecution or civil actions for words spoken in Congress; however, parliamentary immunity does not prevent the House from questioning and disciplining its members for disorderly behavior. The Constitution intended to protect members from outside pressures but did not restrict the House's internal disciplinary authority.
2. **\*\*House Authority to Discipline:\*\*** The Court determined that the House is the ultimate judge of what constitutes disorderly behavior. Osmeña's conduct was evaluated within the House's jurisdiction, which is constitutionally empowered to maintain discipline and order among its members.

3. **House Rules Violation:** Although Rules of the House stated that if other business intervenes after the utterance of offensive words, the member cannot be held accountable, the Court noted that legislative bodies have the power to modify or waive their own procedural rules. The subsequent unanimous approval of Resolution No. 59 implicitly suspended the Rules.

4. **Suspension Power:** The Supreme Court ruled that the power to discipline members, including suspension, is inherent in legislative prerogatives. This sovereignty extends from the plenary powers vested in Congress, which were not restricted under the Constitution. The Court distinguished the current full legislative authority from the limitations under the Jones Law during the Alejandrino case.

The Supreme Court therefore dismissed the petition for lack of jurisdiction and failure to state a justiciable cause, leaving Congress's disciplinary actions intact.

**Doctrine:**

1. **Parliamentary Immunity:** Members of Congress are immune from external legal actions for their speeches but not from disciplinary actions by their respective legislative bodies.
2. **Legislative Discipline:** Legislative bodies possess inherent authority to discipline their members, including suspension, provided this authority is derived from their sovereign legislative powers.
3. **Procedural Rules Flexibility:** Parliamentary procedural rules can be modified or waived by the legislative body when necessary.

**Class Notes:**

- **Parliamentary Immunity (§ Art. VI, Sec. 15 of the Constitution):** Protects legislative speech and debate from external judicial or administrative action but not from legislative body action.
- **Legislative Authority:** Includes the power to discipline members, including suspension, especially for maintaining order and decorum.
- **Procedural Compliance:** Legislative rules are procedural and can be overridden by the legislative body as seen fit for maintaining internal control.
- **Historical Precedents:** Cites the power of Congress based on historical and international legislative practices.

**Historical Background:**

This decision underscored the legislative sovereignty and internal self-regulation, reflecting democratic principles inherited from the practices of the U.S. Congress and the British Parliament. The ruling was a touchstone affirmation for legislative independence in the nascent stages of the Philippines' post-war republic era, emphasizing the balance of powers among government branches and rooting parliamentary privilege within a national context.