

NESTLE PHILIPPINES, INC., PETITIONER, VS. HON. AUGUSTO S. SANCHEZ, MINISTER OF LABOR AND EMPLOYMENT AND THE UNION OF FILIPRO EMPLOYEES, RESPONDENTS.*G.R. No. 75209. September 30, 1987*Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-75209/>**PER CURIAM:**

During the period July 8-10, 1987, respondent in G.R. No. 75029, Union of Filipro Employees, and petitioner in G.R. No. 78791, Kimberly Independent Labor Union for Solidarity, Activism and Nationalism-Olalia, intensified the intermittent pickets they had been conducting since June 17, 1987 in front of the Padre Faura gate of the Supreme Court building. They set up pickets' quarters on the pavement in front of the Supreme Court building, at times obstructing access to and egress from the Court's premises and offices of justices, officials and employees. They constructed provisional shelters along the sidewalks, set up a kitchen and littered the place with food containers and trash in utter disregard of proper hygiene and sanitation. They waved their red streamers and placards with slogans, and took turns haranguing the court all day long with the use of loudspeakers.

These acts were done even after their leaders had been received by Justices Pedro L. Yap and Marcelo B. Fernan as Chairman of the Divisions where their cases are pending, and Atty. Jose C. Espinas, counsel of the Union of Filipro Employees, had been called in order that the pickets might be informed that the demonstration must cease immediately for the same constitutes direct contempt of court and that the Court would not entertain their petitions for as long as the pickets were maintained. Thus, on July 10, 1987, the Court en banc issued a resolution giving the said unions the opportunity to withdraw graciously and requiring Messrs. Tony Avelino, Lito Payabyab, Eugene San Pedro, Dante Escasura, Emil Sayao and Nelson Centeno, union leaders of respondent Union of Filipro Employees in the Nestle case and their counsel of record, Atty. Jose C. Espinas; and Messrs. Ernesto Facundo, Fausto Gapuz, Jr. and Antonio Gonzales, union leaders of petitioner Kimberly Independent Labor Union for Solidarity, Activism and Nationalism-Olalia in the Kimberly case to appear before the Court on July 14, 1987 at 10:30 A.M. and then and there to SHOW CAUSE why they should not be held in contempt of court. Atty. Jose C. Espinas was further required to SHOW CAUSE why he should not be administratively dealt with.

On the appointed date and time, the above-named individuals appeared before the Court, represented by Atty. Jose C. Espinas, in the absence of Atty. Potenciano Flores, counsel of record of petitioner in G.R. No. 78791, who was still recuperating from an operation.

Atty. Espinas, for himself and in behalf of the union leaders concerned, apologized to the Court for the above-described acts, together with an assurance that they will not be repeated. He likewise manifested to the Court that he had explained to the picketers why their actions were wrong and that the cited persons were willing to suffer such penalty as may be warranted under the circumstances.[1] He, however, prayed for the Court's leniency considering that the picket was actually spearheaded by the leaders of the "Pagkakaisa ng Manggagawa sa Timog Katagalogan" (PAMANTI), an unregistered loose alliance of about seventy-five (75) unions in the Southern Tagalog area, and not by either the Union of Filipro Employees or the Kimberly Independent Labor

Union.[2]

Atty. Espinas further stated that he had explained to the picketers that any delay in the resolution of their cases is usually for causes beyond the control of the Court and that the Supreme Court has always remained steadfast in its role as the guardian of the Constitution.

To confirm for the record that the persons cited for contempt fully understood the reason for the citation and that they will abide by their promise that said incident will not be repeated, the Court required the respondents to submit a written manifestation to this effect, which respondents complied with on July 17, 1987.

We accept the apologies offered by the respondents and at this time, forego the imposition of the sanction warranted by the contemptuous acts described earlier. The liberal stance taken by this Court in these cases as well as in the earlier case of *AHS/PHILIPPINES EMPLOYEES UNION vs. NATIONAL LABOR RELATIONS COMMISSION*, et al., G.R. No. 73721, March 30, 1987, should not, however, be considered in any other light than an acknowledgment of the euphoria apparently resulting from the rediscovery of a long-repressed freedom. The Court will not hesitate in future similar situations to apply the full force of the law and punish for contempt those who attempt to pressure the Court into acting one way or the other in any case pending before it. Grievances, if any, must be ventilated through the proper channels, i.e., through appropriate petitions, motions or other pleadings in keeping with the respect due to the Courts as impartial administrators of justice entitled to "proceed to the disposition of its business in an orderly manner, free from outside interference obstructive of its functions and tending to embarrass the administration of justice." [3]

The right of petition is conceded to be an inherent right of the citizen under all free governments. However, such right, natural and inherent though it may be, has never been invoked to shatter the standards of propriety entertained for the conduct of courts. For "it is a traditional conviction of civilized society everywhere that courts and juries, in the decision of issues of fact and law should be immune from every extraneous influence; that facts should be decided upon evidence produced in court; and that the determination of such facts should be uninfluenced by bias, prejudice or sympathies." [4]

Moreover, "parties have a constitutional right to have their causes tried fairly in court by an impartial tribunal, uninfluenced by publication or public clamor. Every citizen has a profound personal interest in the enforcement of the fundamental right to have justice administered by the courts, under the protection and forms of law free from outside coercion or interference." [5] The aforesaid acts of the respondents are therefore not only an affront to the dignity of this Court, but equally a violation of the above-stated right of the adverse parties and the citizenry at large.

We realize that the individuals herein cited who are non-lawyers are not knowledgeable in the intricacies of substantive and adjective laws. They are not aware that even as the rights of free speech and of assembly are protected by the Constitution, any attempt to pressure or influence courts of justice through the exercise of either right amounts to an abuse thereof is no longer within the ambit of constitutional protection, nor did they realize that any such efforts to influence the course of justice constitutes contempt of court. [6] The duty and responsibility of advising them, therefore, rest primarily and heavily upon the shoulders of their counsel of record. Atty. Jose C. Espinas, when his attention was called by this Court, did his best to demonstrate to the pickets the untenability of their acts and posture. Let this incident therefore serve as a reminder to all members of the legal profession that it is their duty as officers of the court to properly apprise their clients on matters of decorum and proper attitude toward courts of justice, and to labor leaders of the importance of a continuing educational program for their members.

WHEREFORE, the contempt charges against herein respondents are **DISMISSED**. Henceforth, no demonstrations

or pickets intended to pressure or influence courts of justice into acting one way or the other on pending cases shall be allowed in the vicinity and/or within the premises of any and all courts.

SO ORDERED.

Teehankee, C.J., Yap, Fernan, Narvasa, Melencio-Herrera, Gutierrez, Jr., Cruz, Paras, Feliciano, Padilla, Bidin, Sarmiento, and Cortes, JJ., concur.
Gancayco, J., on leave.

[1] tsn, July 14, 1987, p. 16

[2] Ibid., p. 17

[3] In re Torres, 55 Phil. 799

[4] In Re Stolen, 216 N.W. 127.

[5] Cooper vs. People, 13 Colo. 373, cited in In Re Kelly, 35 Phil. 944.

[6] In Re Stolen, supra.

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