

Title:

Ramiscal v. Hernandez, G.R. No. 171137, June 5, 2009

Facts:

- **Background of Events:** Retired Brigadier General Jose S. Ramiscal, Jr., was once president of the AFP-RSBS and involved in deeds of sale signed for land acquisitions for the AFP. Allegations arose that the landowners executed deeds with understated values to evade taxes. This prompted an investigation by the Senate Blue Ribbon Committee, and in its 1998 report, irregularities were noted, recommending prosecution against those responsible, including Ramiscal.
- **Initiation of Charges:** On January 28, 1999, fourteen informations were filed against Ramiscal for violations of the Anti-Graft Law (R.A. No. 3019) and estafa through falsification of public documents (Article 171, paragraph 4, of the Revised Penal Code). Separate criminal cases were filed, concerning both Anti-Graft Law violations and estafa.
- **Subsequent Related Events:** In 2003, the Oakwood mutiny occurred, wherein military officers aired grievances about military corruption. This led to the creation of a fact-finding commission, the Feliciano Commission, which also recommended Ramiscal's prosecution. Justice Hernandez's wife served on this commission.
- **Procedural History:** More charges ensued on October 11, 2004, further implicating Ramiscal in additional graft and estafa charges, now under the Fourth Division where Justice Hernandez presided. Ramiscal sought Hernandez's inhibition due to alleged partiality, citing Hernandez's spousal connections to the Feliciano Commission. Both the motions for inhibition were denied by the Sandiganbayan. Ramiscal then elevated a petition to the Supreme Court.

Issues:

1. Whether Justice Hernandez committed grave abuse of discretion in refusing to inhibit himself from cases due to partiality concerns related to his wife's involvement in the Feliciano Commission.
2. Whether there was sufficient basis for disqualification under Rule 137 of the Rules of Court due to alleged bias and interest.

Court's Decision:

- **Issue 1:** The Supreme Court evaluated if there was grave abuse of discretion by Justice Hernandez. The Court found no such abuse since no concrete evidence of bias or partiality

was provided against Justice Hernandez. The Court determined that mere allegations do not suffice absent a demonstrably biased action or act of Hernandez himself.

- **Issue 2**: On the concern of disqualification under Rule 137, the Court concentrated on interpreting pecuniary interest and bias. Ramiscal's claims based on spousal relationship as a bias-inducing factor were insufficient without proof of a direct financial interest or demonstrated prejudiced conduct by Justice Hernandez. The Court upheld Hernandez's decision not to inhibit himself given no evidence supported a reasonable apprehension of bias or bad faith.

Doctrine:

Judges are deemed impartial unless demonstrated otherwise by act or conduct indicative of bias. Mere spousal connections do not inherently disqualify when unaccompanied by substantive evidence of partiality or vested interest (Sec. 1, Rule 137). The integrity of judicial decision-making is presumed unless convincingly rebutted.

Class Notes:

- **Key Concepts**: Judicial impartiality, rule on inhibition and disqualification of judges (Sec. 1, Rule 137), "pecuniary interest", interpretations of bias and conduct-based disqualification criteria.
- **Statutory References**: Republic Act No. 3019, Anti-Graft and Corrupt Practices Act; Revised Penal Code, Article 171 on falsification.
- **Application**: To successfully claim judicial bias, specific actions demonstrating prejudgment, malice, or a prejudiced predilection must be established with extrinsic proof beyond unsubstantiated allegations.

Historical Background:

The case occurred amid increased scrutiny of military-related corruption in the Philippines, especially post-2003 Oakwood mutiny highlighting defense establishment issues. The decision reflects judiciary measures to balance fairness against cohesion during investigations into long-standing systemic corruption.