

Column for Manila Bulletin
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Of Trees and Forest

First Impeachment an Independent Act

MANILA, Philippines — Since the beginning of the impeachment trial of Chief Justice Renato Corona at the Senate last January 16th, I kept silent and just focused on the presentation of witnesses and evidence and the exchanges between the prosecution and the defense, as well as the questioning and observations from the impeachment court, of which I am a member.

In my mind, however, I knew it was inevitable that the first impeachment case that reached the trial stage would be mentioned, although it had no relation whatsoever to the case on hand. Comparisons were made between the impeachment of former President Joseph Estrada and Chief Justice Corona, the most disturbing of which was the criticism that both cases were “railroaded.”

I already voiced my disagreement when this issue came out during the trial, but I feel I have to explain further because I continue to receive questions about the differences between the two impeachment cases.

Firstly, I disagree that the impeachment case that was filed by the House of Representatives against then President Estrada was “railroaded.” This is absolutely untrue!

The articles of impeachment against Chief Justice Corona were finished in two days, and the complaint was signed in two hours. News reports quoted congressmen as saying many of them signed without reading the complaint – the issues were just presented to them, and they lined up to sign.

The case against President Estrada began on October 5, 2000, with the “I accuse” speech by Sen. Teofisto Guingona, then the Senate Minority Floor Leader. Then the Senate Blue Ribbon Committee conducted an investigation throughout the month of October, and even while an impeachment complaint was filed with the House of Representatives on October 18.

The 150-page complaint was referred to the House Committee on Justice on October 23, which subsequently conducted a hearing on November 6. It took another week, or until November 13, before I, as Speaker of the House of Representatives, transmitted the articles of impeachment to the Senate.

Unlike the impeachment complaint against Chief Justice Corona, we did not gather the required one-third vote of the House to impeach President Estrada in one sitting. During our time, House members were signing as the hearings progressed, until we reached the threshold.

I want to point out that then there were no impeachment rules yet. We were guided only by the Constitution, which says that once the signing by House members, which is the substance of the impeachment, reached one-third of the membership, the transmittal to the Senate becomes a simple ministerial act.

Secondly, there’s a huge difference between the characters of the two impeachment cases. The impeachment of Chief Justice Corona followed attacks from Malacañang, and it was publicly endorsed and supported by no less than President Aquino. The House of Representatives, after all, is allied with the President.

In our time, we were impeaching a sitting President, with all the powers of the Executive Branch at his disposal. It was very difficult to impeach a president. You can lose everything. Those who signed suffered not only sleepless nights, but also lost of committee chairmanships. I lost the speakership.

In fairness to President Estrada, I must say that he did not use his power over fund disbursements to block his impeachment and persecute those who supported it.

And that brings us to my third point: the first impeachment case proved the independence of the House of Representatives. We were very firm in asserting the independence of the House when I was speaker.

Historically, the Speaker has always been subservient to the President. I'm very proud to say that during my time, the House was independent. In fact, I think that was the only time in our history that the House showed its independence from the Office of the President.

I maintained my independence even when I became Senate President. I questioned the decisions of then President Gloria Macapagal Arroyo up to the Supreme Court. And, consequently, many of my requests for funding for public service projects were withheld, which usually didn't happen to a Senate President.

So, the emphasis is not so much on the process but on independence. I firmly believe in the separation of powers. I firmly believe that the House and the Senate should be independent of the Judiciary and the Executive. And this is precisely important in strengthening our democracy!

(Please send comments/feedback to: mbv_secretariat@yahoo.com)

LINK:

<http://www.mb.com.ph/articles/357300/first-impeachment-an-independent-act>