

First execution in the Philippines in 23 years

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For the first time in 23 years, the death penalty has been carried out in the Philippines. Leo Echegaray, 39, died shortly after 3 pm local time yesterday, having been injected with lethal chemicals at the execution chamber in New Bilibid Prison on the outskirts of Manila. The execution was turned into a media circus with 11 selected journalists as well as government officials permitted to watch the prisoner die.

Outside the prison, the police had set up barbed wire lining the main road to the national jail. Schools in the area had been shut down as demonstrations took place both for and against the execution. Across the country, prisons were placed on alert in anticipation of possible rioting.

Philippine President Joseph Estrada ignored a string of appeals from the European Union, Canada, Amnesty International, the Vatican and church leaders in the Philippines to grant clemency. He declared that he would not change his mind even for the Pope and theatrically ordered the telephone "hotline" between the presidential palace and the death cell to be cut off to signify that there would be no last minute reprieve.

Estrada, along with other politicians, right-wing religious organisations and vigilante groups, has been in the forefront of whipping up a lynchmob frenzy. His wife Luisa and Vice-President Gloria Macapagal joined a protest last month in Manila's central business district demanding Echegaray be executed. Just recently Estrada has told the media that he "feels good" about ordering the execution, saying he was doing it to protect "innocent people, especially innocent young girls".

Echegaray was found guilty in 1994 of raping his stepdaughter, known as Baby, who was then 10 years old. The date of the crime was never established, the forensic evidence was inconclusive and there were no corroborating witnesses. Echegaray, a house painter from a poor Manila neighbourhood, maintained that he

was innocent and had been framed because of a family land dispute.

The death penalty was abolished in 1987 in the Philippines only to be reintroduced in late 1993 in a political atmosphere increasingly permeated by "law-and-order" demagogery. The new legislation covers a wide variety of crimes including murder, rape, kidnapping, possession of firearms and drug trafficking. The death sentence is mandatory for 21 so-called "heinous crimes," far more than in most countries with capital punishment, and can be imposed in another 25 crimes. Estrada has indicated he supports legislation to broaden the scope even further.

There are now 915 prisoners on death row, including 17 foreigners. Most are individuals from impoverished backgrounds who cannot afford their own lawyers and have to rely on the limited legal assistance offered by the public defender. Echegaray claimed that he would have been found not guilty if he had paid the presiding judge a 50,000 peso bribe. In the coming months, another 10 men are scheduled to die.

The execution of Echegaray has been a major political issue in the Philippines in recent months. On January 4, just three hours before he was due to die, the country's Supreme Court voted for a six-month stay of execution to allow the Congress time to review the law.

The decision provoked a hysterical response from pro-death penalty organisations and politicians. Groups such as the Volunteers against Crime and Corruption and the Citizen's Crime Watch, as well as the Jesus is Lord and Philippines for Jesus Movement, held demonstrations demanding the abolition of the Supreme Court. Some of the protesters chanted "Hang the eight Supreme Court justices".

Pressure was brought to bear on the victim and her immediate family to actively support the campaign. The Speaker of the Congress, Manuel Villar, gave Baby Echegaray, now 15, a house and land, and held a two-

hour meeting with her. She supported the execution and joined the pro-capital punishment marches.

In a hastily convened session, the lower house of Congress categorically ruled out any change to the death penalty legislation. Just two weeks after its original decision, the Supreme Court voted 11 to 2, with another two abstentions, to reverse the stay and allow the execution to proceed. Final legal appeals for Echegaray were rejected this week.

According to the latest polls, more than 80 percent of Filipinos support the death penalty. The level has risen markedly over the last decade as the social tensions caused by rising unemployment and poverty have sharpened. Right-wing politicians, unable to provide any solution to the social problems confronting millions, have seized upon "law-and-order" as a means of exploiting the prevailing mood of unease and uncertainty.

In the national elections last year, Estrada, a former film star in B-grade movies, played on his film persona as a tough underdog to appeal to the impoverished masses in the city slums and rural areas. As mayor of San Juan in metropolitan Manila, he made a name by personally taking part in arrests that were carefully staged for the media. One of his main opponents, Alfredo "Dirty Harry" Lim, mayor of Manila, was notorious for the arbitrary murder of suspected criminals.

During the campaign, Estrada, nicknamed "Erap" or "Buddy" in Filipino slang, used the slogan "Erap for the poor" and promised programs to raise the living standards of the most downtrodden. But in the aftermath of the elections, his close connections with the former dictator Ferdinand Marcos and his big business cronies such as the billionaire tycoon Eduard Cojuangco have become more and more apparent.

After Marcos was toppled by the so-called "People's Power" movement led by Cory Aquino in 1986, Cojuangco's 17 percent holding in the huge beer and food conglomerate San Miguel was suspended pending an investigation into allegations of corruption. One week into Estrada's term of office, Cojuangco was elected by the board of directors to head the company. Eight of the 15 board members are presidential appointees.

Even before his inauguration, Estrada caused an uproar by suggesting that Marcos' body be reinterred in

a hero's grave. After taking office, he took the lead in reaching a deal with Marcos' widow Imelda over a division of the billions of dollars in wealth hoarded away by the dictator. Neither Imelda nor any of Marcos' other military and business supporters have been brought to trial for their role during the dictatorship over the past 13 years.

At the same time, Estrada is presiding over an economic and social disaster. The country's Gross Domestic Product slumped by 1.9 percent in the fourth quarter of 1998 and was down by 0.5 percent for the entire year, as compared to 5.1 percent growth in 1997. As unemployment and poverty have grown Estrada has ruled out any government assistance for the jobless.

The motivations of Estrada and his political associates for demanding the execution of Echegaray are all too clear. He has seized upon the death penalty as a means of diverting public attention from his failure to carry out his empty election promises to help the poor and his increasingly obvious role as a political puppet for some of the richest families in the Philippines.



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