

# Senate removes obstacle to a speedy impeachment trial for Filipino president

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The impeachment trial of Philippine President Joseph Estrada is due to proceed on December 7 after Supreme Court chief justice Hilario Davide sitting in the Senate on Tuesday rejected an appeal by Estrada's lawyers to dismiss the charges on the grounds that procedure had not been followed.

The House of Representatives impeached Estrada over allegations of corruption on November 13, setting the stage for his trial in the Senate, which meets as a court with Davide as chief justice presiding. The president's lawyers objected to the manner in which the House had adopted the charges without debate or a vote.

After a one-hour closed-door meeting of the Senate, Davide announced that he was dismissing Estrada's appeal for "lack of merit". Although the Senate has the power to override the judge's decision, there was no indication following the meeting that any of the senators, including the president's close supporters, would challenge the decision.

As in the House, Estrada's solid majority in the Senate has been rapidly crumbling over the last month and a half. On November 20, Senate majority leader Francisco Tatad, previously a firm Estrada supporter, resigned from the ruling Party of the Filipino Masses (LAMP) saying: "It's absolutely important that every senator... be seen as being completely neutral and impartial." Tatad was the seventh senator to leave LAMP in the last six weeks.

The following day, two more senators—Gregorio Honasan and Teresa Aquino Oreta—announced they were taking "leave of absence" from the ruling alliance in order "to ensure the credibility of the impeachment process and the Senate."

A two-thirds majority in the Senate is required in order to remove Estrada from office. As two places in the 24-member legislative body are vacant, the exact number of Senate votes needed—15 or 16—is in doubt. There has been considerable media speculation as to the Senate line-

up—at present, it appears that 10 senators will vote for impeachment, five will continue to support Estrada and the remainder are undecided or wavering.

Estrada is accused of having taken over \$US8.6 million from an illegal gambling racket known as "jueteng" as well as a cut of \$2.8 million from provincial tobacco taxes. The allegations were made by one of the president's own political allies, provincial governor Luis Singson, known for his "jueteng" connections. He claimed to have paid the money to Estrada in return for political protection.

When he was elected in mid-1998, Estrada had the backing of sections of big business, which calculated that his populist image as a "champion of the poor" could be exploited to push through the IMF's program of economic deregulation. But as his administration's market reforms and the economy faltered, Estrada has become enmeshed in a series of scandals culminating in the latest "jueteng" allegations.

After the political crisis sent the value of the peso and stocks plummeting, the clamour for Estrada's removal in business circles has become virtually unanimous. All of the major corporate groupings have called on the president to resign to make way for the Vice President Gloria Macapagal Arroyo. Big business figures have joined opposition leaders, such as Arroyo, former president Cory Aquino and Catholic archbishop Jaime Sin, trade unions, and leftist groups in organising ongoing protests against Estrada.

On Wednesday, about 20,000 people—including office workers, farmers, labourers and students as well as businessmen, stockbrokers, professionals—took part in protests in the capital of Manila. A leading industrialist Jose Conception told the media: "We are calling on Estrada to resign. He will save the nation from agony if he will immediately step down."

Some 2,000 protesters held an overnight vigil outside

the presidential palace in preparation for further demonstrations on Thursday—Philippines' National Heroes Day—which swelled to an estimated 75,000 at one point. Demonstrations also occurred in other cities across the country. Protests, strikes and “caravans” have taken place throughout the week as part of “One Week of Protests” declared by anti-Estrada groups.

The government has put the country's military on a state of “red alert” claiming that communist rebels planned to infiltrate the protests and foment violence. “We can not allow anarchy or violence in our streets and in our cities,” Estrada declared. It is the first time that the army has been put on a one-week red alert—a measure that places the security forces at the disposal of the administration “to respond to civil disturbances”.

According to an article in the *Manila Times*: “The military preparations involve the deployment of four battalions of Crowd Disturbance Control (CDC) within the Camp Aguinaldo premises in Quezon City. A Navy battalion is also on standby in Malacanang while the Presidential Security Group (PSG) has requested that the AFP [military] provide them with another battalion of Marines.”

At this stage, there are few indications that Estrada intends to resort to military rule in order to stay in power. While he has adamantly denied the charges and refused to resign, Estrada has stated that he will defend himself in the Senate impeachment trial and abide by its outcome. Moreover, there are signs that the armed forces are themselves divided. A group of retired generals last week issued a manifesto urging the army to “assist” the president “to realise the noble and heroic act of voluntary resignation”.

Other indications of Estrada's dwindling support among the ruling elites include:

\* On November 16, four of the five government negotiators involved in negotiating peace with the communist party-backed New Peoples Army, including former ambassador Howard Dee and former election commissioner Haydee Yorac, resigned and issued a two-page statement calling on Estrada to step down. “We appeal to your sense of patriotism to save the nation from further deterioration by taking the alternative constitutional route of resignation,” the group wrote.

\* On November 22, Maria Imelda “Imee” Marcos, the daughter of former Filipino dictator Ferdinand Marcos, issued a public statement declaring that while the Marcos family would continue to support the institution of the “presidency” as well as constitutional processes, “we will

not be... used by anyone or by any party.” Maria Marcos, a House representative herself, said she was hurt by a recent reference to her father by Estrada as a “dictator”.

Estrada has close political connections to the Marcos family. In early November, he addressed a rally in the northern province of Ilocos Norte, a Marcos stronghold, organised by the former dictator's son Ferdinand Marcos Junior who is incumbent provincial governor. Estrada's spokesman Richard Puno moved quickly to patch up the rift, saying that the matter was “a mere misunderstanding”. But the disagreement clearly indicates that Estrada can no longer rely on the unconditional support of the Marcoses.

\* Likewise, one of Estrada's close business cronies, billionaire tycoon Lucio Tan, has carefully distanced himself from the president. In an interview on November 22, Tan explained that he had “followed the majority” when it came to a vote in the Federation of Filipino-Chinese Chambers of Commerce and Industry for a motion calling for the president to resign. Tan has extensive interests in aviation, brewing, tobacco and banking.

\* On November 28, a third member of Estrada's cabinet, Science and Technology Secretary Filemon Uriate, quit, saying only that he wanted to return to the private sector. Uriate's resignation follows those of Trade Secretary Manuel Roxas who quit November 2 and Vice President Arroyo who resigned as Social Welfare Secretary in October.

Estrada loyalists in the House of Representatives are fighting a rearguard action by attempting to remove Arroyo from office. The Justice Committee met on Tuesday to debate a motion to impeach the vice-president on the grounds that she is campaigning for the president's resignation. Others are threatening to take legal action in the Supreme Court to block Estrada's impeachment.

All the signs, however, point to the conclusion that sooner rather than later Estrada will either be impeached or forced to resign.



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