

# Constitutional crisis erupts in the Philippines

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A factional war among sections of the Philippine bourgeoisie has boiled over into a full-blown constitutional crisis. President Benigno ‘Noy’ Aquino’s prosecution of former President Gloria Arroyo, shaped and driven by the contestation between China and the United States in the region, has led to open conflict between the executive and judicial branches of government. Aquino, employing sharply anti-democratic measures, has had Chief Justice Renato Corona impeached.

The conflict between Aquino and the Corona court has been simmering since Aquino assumed office in mid-2010. Departing President Arroyo stacked a number of government departments with midnight appointees beholden to her and determined to protect her interests. Renato Corona, formerly Arroyo’s chief of staff before being appointed to the court, was made chief justice.

Corona’s appointment as head of the Supreme Court passed over another candidate with greater seniority but who was perceived as being much less closely allied with Arroyo. According to Philippine law, a president is not allowed to appoint individuals to political office during their last 60 days in power. The Corona appointment occurred well after this deadline, but the Supreme Court, with freshly appointed Chief Justice Corona at the helm, ruled that this law did not apply to the judiciary.

As late as 2004, Arroyo still had the support of the Cojuangco-Aquino political dynasty. Arroyo was declared victor in a presidential election in that year despite a great weight of evidence indicating that she had engaged in massive electoral fraud to cheat her opponent and retain the presidency. As widespread unrest broke out over the election results, then Congressman Benigno Aquino, as well as his mother, former President Corazon Cojuangco Aquino, gave their political support to Arroyo. Congressman Aquino voted to have the evidence against Arroyo sealed without examination.

In November 2004, twelve farmers and two children were killed when security forces opened fire on a picket line of unarmed demonstrators on the Cojuangco-Aquino sugar plantation of Hacienda Luisita. Hacienda Luisita is the largest contiguous sugar estate in the country and has been at

the center of debates over land reform for decades. In 2005, in the face of public outrage and in an effort to bolster her miserable approval ratings, Arroyo broke her political alliance with the Aquinos and moved to have the estate dismantled and distributed to its farmers. The case over the Luisita land has been pending before the Supreme Court since then.

Upon his election, Aquino, under the tawdry guise of a campaign against corruption, has pursued his family’s vendetta against Arroyo, consolidating his power and eliminating her appointees. The Corona Supreme Court has found itself in the middle of this fight, teetering precariously between its pronounced allegiances to Arroyo and the growing political clout of the Aquino administration. It has repeatedly reversed its decisions, wavering between rival political interests. In July 2011, the court issued a decision on the Luisita land which favored the Cojuangco-Aquino family and prevented the break-up of their estate.

Arroyo’s nine years in office witnessed the rise of China as an economic powerhouse in the region and mounting geopolitical tensions between China and the United States. During her second term in office, Arroyo increasingly distanced herself from the US and favored ties with China. She withdrew Philippine troops from Washington’s “coalition of the willing” in Iraq, favored Chinese corporations in numerous major infrastructural bids over rival bids from US companies, and signed a deal for the joint exploration of the South China Sea with China and Vietnam.

A diplomatic cable in November 2005 from the US Embassy in Manila, released by WikiLeaks, comments on the emerging political vendetta between the Aquino and Arroyo families and the central role of the Supreme Court in the Hacienda Luisita case. When Aquino assumed office in 2010, Washington began pressing hard for the prosecution of Arroyo, seeking the full allegiance of Aquino as a proxy of US imperialism in the region. US diplomats provided evidence to Aquino against Arroyo and her appointees, and repeatedly gave public approval to his increasingly anti-democratic prosecution of his political rival. Aquino, in turn, has sharply shifted the political orientation of the Philippines back toward the United States. A routine political vendetta

between competing sections of the local bourgeoisie has, through the machinations of Washington, become a proxy battle between the interests of major powers.

In November 2011, the Aquino administration, without yet having filed any charges against Arroyo, issued a restraining order, preventing her from departing the country, ostensibly for medical care. The Supreme Court declared the order unconstitutional. Aquino's justice secretary, Leila de Lima, stated that she would not be honoring the Supreme Court's decision and had Arroyo prevented from departing the country, having her physically removed from the airport in a wheelchair.

Charges were then hastily filed against Arroyo, accusing her of electoral fraud on behalf of her political allies in the Senatorial election of 2007. She was imprisoned in her hospital room. Days later the Supreme Court acted against the interests of Aquino, by reversing its decision on the Hacienda Luisita land and ordering that it be redistributed to its farmers immediately.

Aquino gave two prominent public speeches in which he deliberately confronted and humiliated Corona, denouncing him as crooked, leeching the honor of the court, and stripping the blindfold off of justice. In the late afternoon of December 12, articles of impeachment were introduced into the Philippine House of Representatives and voted upon. Within three hours of the appearance of the bill, 188 congressmen voted to impeach Corona, with 97 voted against.

It emerged in subsequent days just what brazenly thuggish and anti-democratic tactics the Aquino administration had utilized to push through the articles of impeachment. Aquino met on Sunday with the Speaker of the House and the majority leader over lunch. He gave them the articles of impeachment and instructed them to railroad it through the next day. The impeachment bill was introduced in the house and voted upon, without any congressmen having read it.

Two members of Aquino's Liberal Party voted against the bill. They revealed that the administration had stated that no representative who voted against the bill would receive access to their 70 million-peso discretionary spending, or pork barrel, fund. Aquino had one of the pair of representatives removed from his position on the ways and means committee. The other resigned from the Liberal Party.

Very little has been discussed about the substance of the articles of impeachment. Corona stands accused of inappropriate ties to Arroyo, and, farcically, of a rush to judgment. Each of the articles of impeachment denounces decisions reached by the Corona court; but most were majority decisions. This is seen as laying the groundwork for the future impeachment of other Supreme Court justices. A Liberal Party spokesperson announced that Aquino would be

pursuing impeachment charges against at least three justices.

The judiciary responded by declaring a court holiday in protest of the executive's violation of the separation of powers. Civil courts, criminal courts and tax courts all shut down. Corona gave a fiery speech to a large crowd of employees of the judiciary, in which he denounced Aquino as a dictator and refused to resign.

The impeachment case now goes before the Senate. Aquino's influence in the Senate is not seen as strong enough to marshal adequate votes against Corona. He will be pursuing a different tactic, bullying Corona into resignation. This plan was made obvious by Senator Sergio Osmena in an interview with the *Philippine Daily Inquirer*.

He stated, "We're politicians. You know how abusive we Filipino senators can be. We can say anything and everything, and we have immunity ... we can say anything during the trial and it would make the Filipino people believe that what we're saying is true when it might not actually be true, it might have no basis in law. So, that is the danger when you enter into a political trial like this ... You cannot win if it's a political trial. All the stink will come out."

Osmena continued, "I expect CJ Corona to resign. I can bet on it."

This is bald-faced political thuggery; the anti-democratic tactics of the Mafiosi. Aquino has openly assaulted the democratic principle of the separation of powers. As he further consolidates his hold on legislature and dismantles the independent judiciary, the danger of a dictatorship in the Philippines—with Washington's behind-the-scenes support—becomes increasingly real.



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