

The ouster of Philippine Chief Justice Renato Corona

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The Philippine Senate, with a vote of 20 to 3, found Chief Justice Renato Corona guilty of “culpable violation of the constitution” and sentenced him to immediate removal from office. This was the culmination of a concerted campaign by President Benigno Aquino to undermine the judicial branch of government and extend the power of the executive.

Corona was convicted of possessing assets which he did not declare in his mandated Statement of Assets, Liabilities and Net Worth (SALN). Each senator took the floor to explain their vote. The legislative body, composed of former coup leaders, presidential offspring, a police thug, movie actors and media personalities, and the inner coterie of the former Marcos dictatorship, made speeches about the fight against corruption, the triumph of democracy, and “a paradigm shift in Philippine politics.” Even by the farcical standards of Philippine politics the hypocrisy involved was staggering; as of March, during the midst of the impeachment trial, not a single one of the senators had filed a SALN.

Behind the bombast of justice and corruption is a faction fight among sections of the ruling elite. Since assuming office in 2010, Aquino has been prosecuting a relentless campaign to consolidate political power from his rival, former President Gloria Macapagal Arroyo. Corona was a close ally of Arroyo and at the head of the Supreme Court had repeatedly blocked Aquino’s power grab as unconstitutional, and had ordered the redistribution of the Aquino family’s vast landholdings.

The prosecution of Corona was something far more insidious than the conduct of a routine faction fight,

however. It was the deliberate undermining of the principle of the separation of powers and of judicial review, and the concerted extension of executive power. The prosecution of Corona was an assault on the independence of the Supreme Court.

The executive branch was able to count on a pliable legislature and blatantly anti-democratic methods. None of the 188 congressional representatives who voted to impeach Corona ever read the charges against him, which were drafted by the executive. The WSWWS has documented how the evidence presented against Corona was both fabricated and illegally obtained. Corona was pressured into waiving his right against self-incrimination. He was repeatedly smeared in the press. The ombudsman, appointed by Aquino after having her predecessor impeached, declared under oath in the Senate, that if Corona were acquitted, he would simply be impeached again.

From its inception, this campaign by Aquino to accumulate executive power, has been spearheaded by every section of the so-called left. The drive to railroad charges through the legislature sight unseen, the smear campaign of slander and libel, and the prosecution of charges in the Senate have all been led by Akbayan, an ex-left group which broke from the Maoists in the 1990s, and Bayan, the leading Maoist front organization.

It is the drive of US imperialism against China in the region which has transformed a routine faction fight into a more sweeping assault on the constitution. Former President Arroyo had begun to orient Philippine political and economic ties away from the United States and toward China. Aquino’s election and consolidation

of power from Arroyo coincided with the efforts of the Obama administration to reassert US power and undermine Chinese influence in the region.

From its inception, the Philippine judicial system has been the product of US imperialism. The United States, as the bloody colonial occupier of the country for 50 years, created the Philippine judiciary as a pliant institution to rubber stamp the dominant executive power. Under the legal system created by the US during its colonial rule, the judiciary was carefully crafted to give only the semblance of democracy. The American occupiers denied that Filipinos were capable of having trial by jury, and granted exclusive authority in trials to the judges. The executive branch was given the power, enshrined in the Philippine bill of rights, to suspend the writ of habeas corpus at will.

Since formal independence, Philippine presidents have repeatedly suspended the writ of habeas corpus and at every turn the Supreme Court rubber stamped their decisions. Under Marcos, the Supreme Court provided the tawdry window dressing of constitutionality to his dictatorship.

The Supreme Court issued a ruling (*Aberca v. Ver*) in 1988, after the downfall of Marcos, that ruled that in 1982, the Marcos dictatorship had infringed upon rights of individuals when it suspended the writ of habeas corpus. It was a very limited and much delayed decision, but it marked the first time that the Philippine Supreme Court had genuinely asserted its privilege of judicial review.

The two decades after the fall of Marcos in 1986 and ending of US military bases in the Philippines in 1991 saw a marked decline in US imperial power in the country and in the region. During this time, the Supreme Court functioned as a semi-independent body, upon which the executive could no longer count for the automatic rubber-stamping of decisions.

With the conviction of Corona, Aquino has succeeded undermining that authority of the court and its quasi independence. Aquino will appoint a new Chief Justice, in all likelihood a firm supporter from outside the court. If the new court fails to act in accordance with the

wishes of the executive, impeachment proceedings against another Arroyo-appointed justice have already been drawn up. They are pending in a house committee, in the hands of Akbayan representative Walden Bello.

With the Obama administration's "pivot" to Asia, Washington is again asserting its dominance in the region. Dictatorship has a lengthy history in the Philippines, and it has at every turn served the interests of US imperialism. Repeated suspensions of the writ of habeas corpus and the naked assertion of executive power have always been carried out over the backs of a weak and subservient judiciary. The impeachment and conviction of Renato Corona is a marked step in this direction.



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