

JGL Eye Column

By JOSEPH G. LARIOS

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C HICAGO (*jGLi*) – There has been persistent talks in the Philippine Senate that the current impeachment hearing is taking away a lot of official hours from the other duties of the senators.

It may true. And they should learn lessons from the impeachment proceedings of Philippine Chief Justice Renato Corona how they can improve on the way they conduct the process without sacrificing its integrity.

The Senators, setting as judges, should be able to wind up the trial at the end of this month.

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According to a *Manila Times* report, the Corona impeachment hearing is causing the backlog of pending bills. As early as the middle of March this year, there have been 3,151 bills and additional 740 resolutions that had not been taken up in the committee levels. Out of the 2,871 bills during the first regular session, only 11 bills had been passed by both chambers.

It is very likely that only 11 or less bills will be passed into law before Congress adjourns on June 8th as most members will be rushing to Las Vegas Nevada, and move their session there once again to watch and extend moral support to their fighting Congressman Manny Pacquiao against undefeated American Timothy Bradley on June 9th.

If this is the case, then, the Senate should adopt a better time-management technique.

They can look up to the manner the U.S. Senate conducts its impeachment trial. After all, the impeachment language in the Philippine Constitution was patterned after the U.S. Constitution.

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Like any human activity, the impeachment being conducted for the first time that is going the distance in Philippine annals is an exciting phenomenon. It's like dating a girl for the first time. You devote too much of your time in planning and strategy and where you are going to take your date for the first time.

On the second date, you downgrade the time of your planning and strategy because the excitement has also waned a little bit specially if the girl already said yes to you.

Similarly, on the next time that there is going to be another impeachment trial, and I hope, there will be more, the Philippine Senate should appoint a trial committee that will act as a fact-finding committee of the Senate after the Senate received the impeachment complaint from the House.

Like what they do in the U.S., the trial committee only collects facts. It does not pass judgment on the case.

SENATE TRIAL COMMITTEE A FACT-FINDER ONLY

After the trial committee is done with its fact-finding, which lasts several months, it will submit its report to the full Senate, which starts in earnest the voting “aye” or “no” to each of the impeachment article.

In the U.S., impeachment vote by the Senate only takes two days. If the Philippine Senate can do this, then, they will have plenty of time to attend to thousands of pending bills. They will not be hurrying to catch the flight to Las Vegas in case Mr. Pacquiao has not hanged up his gloves.

As it is in the Corona trial, the Philippine Senate is now entering the 40th day when Mr. Corona testifies this coming Tuesday, May 22nd.

Like the result of first impeachment trial of U.S. Associate Justice Samuel

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Chase, who was acquitted, if Chief Justice Corona is acquitted, too, it will strengthen the concept of judicial independence, preserve the separation of powers, and demonstrate that the system of checks and balances was effective.

At the same time, it will show that it will be very hard to convict a Justice, who is facing corruption charges.

The acquittal will also strengthen President Aquino in the sense that he dared to help in prosecuting the chief magistrate, when Mr. Aquino encouraged the House to file the impeachment complaint.

President Thomas Jefferson, who orchestrated in filing impeachment complaint against Justice Chase, remained widely popular after the acquittal of Chase by completing his second term. Believing that a third term was unhealthy for the nation, Jefferson did not run a re-election, and instead supported his Secretary of State, James Madison, for President.

Although, U.S. Presidents were allowed to run for office for more than two

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terms, it was only President Franklin D. Roosevelt, who broke precedents by serving more than two terms, with his supporters citing the war in Europe for his third term and World War II for his fourth term. But Mr. Roosevelt died in office of cerebral hemorrhage the following year of his election in 1944.

Mr. Roosevelt would be the last U.S. president to run beyond two consecutive terms following the ratification in 1947 of the 22nd Amendment that limited the term of a U.S. president to two terms.

A Corona acquittal will also prevent the House from trying to use impeachment as a political weapon in the absence of overwhelming proof to bring against a Justice for “culpable violation of the Constitution, treason, bribery, graft and corruption, other high crimes, or betrayal of public trust.”

But if Corona is convicted, it will also strengthen the judiciary, as it will deter other justices from committing the charges leveled on Corona.

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Also, Corona's conviction will also strengthen the fight of Mr. Aquino and the Congress for graft and corruption against all impeachable officials, namely, the President, the Vice-President, the Members of the Supreme Court, the Members of the Constitutional Commissions, and the Ombudsman.

Either way, if Corona is acquitted or convicted, it will also be a win-win for the Filipino people for witnessing for the first time that theirs is a working Philippine Constitution, where everyone bows to the majesty of the law. # #
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