# Why meddle in a House mandate?

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President Marcos may have voiced his appeal to the House not to entertain impeachment moves against Vice President Sara Duterte, but the fact remains that he can’t—and shouldn’t—get in the way of a public accountability mechanism mandated by the Constitution.

Operating on the principle that public office is a public trust, the 1987 Constitution drafted after people ousted the Marcos dictatorship and restored democracy prescribes that the president, vice president, members of the Supreme Court and constitutional commissions, and the Ombudsman may be removed from office through impeachment and upon conviction on culpable violations of the Charter, betrayal of public trust, treason, bribery, graft and corruption, and other high crimes.

The Charter mandates that the House “shall have the exclusive power to initiate all cases of impeachment,” while the Senate “shall have the sole power to try and decide on all cases of impeachment.” Officials impeached and subsequently convicted shall be removed from office and disqualified from holding any government position.

## Clear and explicit

The constitutional provisions are clear and explicit, leaving no room for Mr. Marcos to expand on his supposed noninvolvement in the process to impeach Duterte, who had publicly broken away from his administration and declared a possible hit on the President, his wife, and the House Speaker, should government forces decide to kill her. The threat comes amid the ongoing House investigation on the Vice President’s questionable use of P612.5 million in confidential and intellignce funds.

In a text message sent to his House allies last week, the President said: “In the larger scheme of things, Sara is unimportant. So please do not file impeachment complaints. It will only distract us from the real work of governance which is to improve the lot of all Filipinos.”

After confirming the text message that was purportedly leaked and went public, he added: “This [impeachment] is not important. This does not make any difference to one single Filipino life. So, why waste time on this?”

While Mr. Marcos may be shrewd enough to avoid being seen as the hand orchestrating moves to unseat his erstwhile ally, his unequivocal order against the impeachment move unduly burdens the House from performing its mandate that comes from no less than the supreme law of the land.

## Co-equal branches

By design, the Constitution has made sure that the executive branch—Malacañang—would have no power over its co-equal branch of government. This, even if it’s public knowledge that no impeachment move would prosper without the express support of the Palace and other forces holding, sway over our political system.

But with an impeachment case already filed and another one forthcoming, the President should allow the process to run its course and reach its logical conclusion. The most important step is to ensure that the impeachment process becomes credible, if only to prevent another period of instability and chaos in our already fractured political landscape.

To this end, the House would be well-advised to practice utmost transparency and due process in handling the impeachment cases against Duterte despite—or maybe because of—public perception of the brewing hostility and animosity between the subject of the impeachment move and the House led by its Speaker, the President’s cousin. This is amply demonstrated by the House’s exhaustive investigations into Sara Duterte’s use of confidential and intelligence funds and her father, former president Rodrigo Duterte’s drug war.

Senate President Francis “Chiz” Escudero rightfully asked senators to refrain from commenting on the impeachment case to avoid perceptions of bias in the chamber where several senators are known Duterte allies.

## Not enough time

And while the House can undoubtedly turn the ouster move into a numbers game, time is not on the impeachment author’s side. As House Secretary General Reginald Velasco pointed out on Monday, while the entire process as prescribed in the Constitution would take 130 days, the House is mandated to initially act on an impeachment case within 10 session days after its filing. “So after filing (on Monday), we won’t have enough time because we only have nine session days remaining until Dec. 18,” when Congress goes on its Christmas break.

If, by sheer determination, the House decides to send the articles of impeachment directly to the Senate, as done during the case of former president Joseph Estrada, the Senate would similarly have little time to undertake a credible trial before the current Congress ends.

Given the distractions of the approaching holiday season and the midterm elections just a few months away, the momentum for impeachment might not be sustained without the irresistible force from the powers-that-be. That won’t exactly be a reprieve nor a source of comfort for the Vice President, however. Even if the first wave of impeachment cases doesn’t materialize, Sara Duterte won’t be able to rest easy with a slew of legal cases being filed against her. And her opptonents can always try another impeach move next year.