# Like Caesar’s wife | Inquirer Opinion

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They might have been absent when the concept of the blindfolded Lady Justice was taught in law school, but surely the prosecutors who had challenged the dismissal of drug charges against Mamamayang Liberal party list Rep. Leila de Lima, would have known about it through their years in government service.

But instead of dispensing justice fairly and impartially—eyes blinkered to avoid external factors apart from evidence from clouding its judgment—the prosecution panel was apparently moved by political loyalty and not legal precepts.

Department of Justice (DOJ) Secretary Jesus Crispin Remulla himself called them out on it early this week when he ordered the withdrawal of their appeal on De Lima’s acquittal in a drug case by a Muntinlupa Regional Trial Court. In a public rebuke, Remulla directed Prosecutor Gen. Richard Anthony Fadullon to “stop the foolishness of these people under us because they are following a political agenda, not a legal agenda.”

The panel’s motion exposed not just its dubious agenda, but also put into question its mastery of legal concepts. As Fadullon noted, “[The motion] should not have been filed in the first place,” as it constituted double jeopardy.

The constitutional right against double jeopardy shields anyone who had been acquitted from being subjected to another trial unless there’s a compelling case of mistrial or grave abuse of discretion.

## Political agenda

In a statement, former senator and Justice secretary De Lima thanked Remulla “for bringing sense and order to the unethical actuations of Provincial Prosecutor Ramoncito Bienvenido Ocampo Jr. and his panel,” but also insisted that the DOJ “investigate and sanction” the group for “acting on the basis of a political agenda … for the past seven years.”

De Lima spent almost seven years in jail for three counts of drug-related charges based on the testimony—later recanted—of convicted drug felons and jail officials. The witnesses for the prosecution had cited heavy pressure and threats to them and their families from Duterte officials if they did not link De Lima to drug trading inside the National Penitentiary. All three charges against her were eventually dismissed.

Said De Lima: “By accepting promotions in exchange for their loyalty to [former president Rodrigo] Duterte, they have compromised their government positions and continue to serve not the DOJ, but [Duterte] … [They] are seriously compromising the DOJ and the [National Prosecution Service] under Remulla’s watch.”

She added: “These renegade prosecutors must be forthwith disciplined and be held liable for abuse of processes and twisting the law for political reasons.”

## Defamatory comments

Two of the prosecutors—Ocampo and Darwin Cañete—drew close scrutiny in recent years for actuations and circumstances that revealed their political bias for Duterte, whom then Human Rights Commissioner De Lima had called out for abuses and rights violations during his term as Davao City mayor. The drug charges were widely seen as payback for her public censure.

On May 27, 2019, Duterte appointed Ocampo as Bataan prosecutor. The chief prosecutor in De Lima’s case was later promoted as provincial prosecutor for Bulacan shortly before Duterte stepped down from office in February 2022.

Netizens meanwhile slammed Cañete as a DDS (Duterte Diehard Supporter) for his Facebook posts showing him with Duterte and his loyal lieutenants in what appeared to be private meetings. In 2017, the Caloocan City prosecutor was bashed on social media for his defamatory comments against student Kian delos Santos, a victim of extrajudicial killings by anti-drug operatives in the city. In fact, then Justice Secretary Vitaliano Aguirre II had to re-assign Cañete to Mandaluyong City in August 2017, reportedly because of threats he was receiving for his remarks on Delos Santos.

## Poetic justice

Cañete also made public his rabid feelings against the opposition in his June 13, 2017 social media post. He wrote: “This is why no ceasefire. No stopping. No compromise. Fact is, yellows are evil. You do not talk to them. You kill them. After you kill one, you find another to destroy. Like cockroaches.”

The two men have apparently never heard—or blissfully ignored—that saying about Caesar’s wife being above suspicion, which simply means that people in positions of power, and those associated with them, should conduct themselves in a manner that precludes even the appearance of wrongdoing. Maintaining a spotless reputation and avoiding actions that expose their leanings and partiality were apparently lost on these prosecutors who found no need to hold themselves to a higher standard of conduct, as their actions can have far-reaching consequences.

In this particular case, the consequences should extend to them personally. Call it poetic justice, but these prosecutors should face administrative sanctions and charges for weaponizing the law to advance the political interest of their patron who, ironically, is under the mercy of the courts himself.