

Impeachment of a Former Chief Justice: Its Effects to the Court Employees in Batangas City

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Abstract – *This paper investigated the Impeachment of a Former Chief Justice: Its Effects to the Court Employees in Batangas City. The result revealed that the respondents agree with the effects of impeachment, the most observed effect of which is that the impeachment led to a more strict compliance of government officials in the declaration of their Statement of Assets, Liabilities and Net Worth or SALN. The respondents disagreed that the impeachment reduced foreign investments and diminished the people's trust to the judiciary. Moreover, the employees' perception on the effects varies to the level of their seniority (years) in the office.*

From the results gathered, suggestions have been formulated. First, the Commission on Audit may adopt an efficient policy to ensure that public officials are diligently observing the constitutional provision embodied in Article XI, Section 17 of the 1987 Philippine Constitution mandating the declaration of their SALNs. Being the Highest Tribunal of the country, the Judiciary, may initiate measures to always maintain the constitutional provision under Article XI, Section 1 of the Constitution that public office is a public trust. The Code of Conduct and Ethical Standards for Public Officials and Employees, otherwise known as RA 6713, may be amended to impose higher criteria for public officials and employees in the discharge of the duties required of them. Future researchers may come up with a thorough study on the effects of the impeachment of the Former Chief Justice using other variables to further scrutinize the other effects of this significant part of our political history.

Keywords – impeachment, Chief Justice, public trust, SALN

I. INTRODUCTION

Public trust is the most inevitable pillar and indispensable foundation of public office. It is the defining quality that is expected of a public official. Further, it is the soul of a public office, without it, the latter is like a lifeless body, futile and unresponsive. In fact, John Caldwell Calhoun once said that the very essence of a free government consists in considering offices as public trusts, bestowed for the good of the country, and not for the benefit of an individual or party. The concept of public trust relates back to the origins of democratic government and its seminal idea that within the public lies the true power and future of a society. Consequently, whatever trust the public places in its officials must be respected. Once this trust is tainted with faithlessness and perfidy, one has to be accounted for and if necessary, be removed from the

public office to redeem said office and institution from further corruption so that genuine reform is initiated and public trust be regained.

Impeachment is a process by which a legislative body formally levels charges against a high government official. It does not always result in a public official's removal from office. An impeachment is only a formal statement of charges, much like an indictment in criminal law. Therefore, an impeached person is not necessarily considered guilty as he or she has only been formally charged with an impeachable offense. Impeachment is only the first step to remove a government official. A public official, once impeached, must face the possibility of conviction through a legislative vote. An official may only be removed from office if convicted. The grounds for impeachment are not necessarily always criminal offenses. They are, in nature, political offenses that arise from the misconduct of public officials and the abuse or violation of public trust (De Leon, 2005). Article XI, Section 2 of the 1987 Philippine Constitution provides that the President, Vice President, members of the Supreme Court, Members of the Constitutional Commissions and the Ombudsman may be removed from position through impeachment should they be convicted of "culpable violation of the Constitution, treason, bribery, graft and corruption, and other high crimes, or betrayal of public trust.

Among the impeachable officials are the members of the Supreme Court. The Supreme Court of the Philippines is the highest judicial body in the country. Being so, its primacy over the interpretation of the laws as well as the giving of legal orders is undisputed and is given weight in the country. In addition, the courts inferior to the Supreme Court looked up therein as the role model in the highest pursuit of the administration of justice. Pursuant to Article VIII, Section 6 of 1987 Philippine Constitution, the Supreme Court has administrative supervision over all courts and the personnel thereof. One of the legal entities governed and directed by the Supreme Court is the Hall of Justice in Batangas City or more popularly known as the Bulwagan ng Katarungan.

The Bulwagan ng Katarungan in Batangas City was established under the Justice System Infrastructure Program of the former President Fidel V. Ramos, as implemented by the inter-agency committee composed of the then Secretary of Justice, Franklin Drilon, as chairman and former Secretary of the Interior and Local Government, Rafael Alunan III, and former Secretary of Public Works and Highways, Gregorio Vigillar, as members. Moreover, the Hall of Justice in Batangas City is the combination of Municipal Trial Court in Cities and the Regional Trial Court having two and

seven branches, respectively. The different offices in the Bulwagan ng Katarungan is under the direction of either judicial or executive branch (De La Vega, Tan, Dalida, Panganiban, 2005).

All lawyers and personnel working under the supervision of the Supreme Court, including those in the Hall of Justice in Batangas City, are bound to uphold the 1987 Philippine Constitution and obey the existing laws in the country with the end in view of consoling that justice is served to anyone without discrimination and that the legal profession is always placed in high esteem and regard. Thus, the Constitution entrusts upon the Supreme Court that justice be served fairly and justly all the time. This mandate is clearly vested upon the shoulders of the judges especially the Chief Justice being the highest reserved Justice of the Supreme Court.

Every human being is responsible for one's actions. The Constitution sets higher standards of accountability for public officials as embodied in the Constitution, more for judges and the greatest reserved for Justices of the Supreme Court. However, there are things in this world that are characterized with so much irony such that the same criterion sanctioned by the Constitution for public officials to abide is questioned as what happened on December 12, 2011, an unforgettable date in the entire history of the Philippines.

The conviction of the former Chief Justice Corona was one of the major turning points in the entire Philippine history. It was the first time that the Highest Magistrate of the Land was impeached more so convicted for culpably violating the Constitution and betraying the public's trust. It retained different impacts and produced various effects to the country and the people.

The group deemed it necessary to scrutinize the effects of the impeachment of Corona as it was like an earthquake which has left numerous aftermaths especially to the people comprising the justice system, some of them are the Court Employees of the Hall of Justice in Batangas City or Bulwagan ng Katarungan. Considering that the Judiciary is one of the most indispensable governmental institutions in the Philippines, such impacts and effects must also be divulged to the community so that the latter will be informed of this significant part in our political history. Having knowledge of the impeachment's effects will heighten the essence of being a democratic society of the Philippines.

As aspiring lawyers and agents of the law, knowing the effects of the impeachment will serve as a guide in fulfilling the duty of being a minister of justice and upholding the required dignity of the legal profession. In addition, as aspiring public servants, who will owe it to the public a beholden duty of public accountability, the effects of the impeachment will be an avenue to uplift the principle that public office is a public trust.

II. OBJECTIVES OF THE STUDY

The study aims to determine the effects of the impeachment of the former Chief Justice to the Court Employees in Batangas City. More specifically, to describe the profile of the respondents; to identify the

effects of the impeachment and; to determine the difference in the effects of the impeachment when grouped according to profile variables.

Ho: There is no significant difference on the effects of impeachment when respondents are group according to length of government service.

III. METHODS

Research Design

The researchers used the descriptive method of research to determine the effects of the impeachment of the former Chief Justice to the Court Employees in Batangas City. According to Jacobs (2010), descriptive research involves the collection of data in order to answer questions about the current status of the subject or topic of study. It uses formal instruments to study preferences, attitudes, practices, concerns, or interests of a sample.

The researchers believe that this method is best for the purpose of giving the students better understanding by providing rich details about the effects of the impeachment of the former Chief Justice.

Participants

The researchers utilized 105 Court Employees, excluding the Trial Judges, of the Hall of Justice in Batangas City as their respondents.

Instrument

The researchers utilized a researcher-made questionnaire. The first part was the profile of the respondents which included their sex, age, educational attainment, length of government service and position. The second part of the researcher-made questionnaire was the effects of the impeachment of the former Chief Justice. After the modifications and approval of the adviser and the validation of Atty. Nancy C. Bernardo and Atty. Reynold S. Beredo, the questionnaire was formed. The researchers utilized the 1987 Philippine Constitution.

Procedure

The study was conducted by the researchers through the help of their adviser, Dr. Cherry Tamayo. The researchers accumulated information in the classroom wherein the first foundations were made. The data were gathered in the library specifically in the Internet Section, journals, current events as well as in the research and studies conducted by other people in connection with the effects of the impeachment.

To know the quantity of the total respondents needed, the researchers asked the assistance of Atty. Mike Masangcay, a Clerk of Court in the Hall of Justice in Batangas City, to give the total number of court employees currently employed therein. The total number of court employees was presented to the statistician, Ms. Annalie Pateña, for computation of the total respondents and the latter gave the formula using the statistical tools.

After the questionnaire was validated by Atty. Nancy C. Bernardo and Atty. Reynold S. Beredo for its improvements and refinements, this was finalized and the researchers produced several copies thereof.

For the actual data gathering from the respondents, the researchers asked permission from proper authorities to administer the questionnaire. The researchers immediately collected them after the respondents were done answering.

Once the answered questionnaires were gathered, data were immediately tallied and grouped the results accordingly. The grouped data were presented to the statistician for computation using the necessary statistical tools. Subsequently, the researchers analyzed and interpreted the results using perspectives and review of literature then gathered conclusions and recommendations.

Data Analysis

The data was tallied and interpreted using different statistical tools. Frequency distribution was used to describe the percentage distribution of the respondents' profile. In addition, weighted mean was used to identify the effects of the impeachment of the Former Chief Justice. Moreover, Analysis of Variance (ANOVA) was used to determine the significant difference in the effects of the impeachment when grouped according to variables. All data was supported using PASW version 18 using 0.05 alpha level.

IV. RESULTS AND DISCUSSION

Table 1 presents the distribution of the respondents' profile.

Table 1. Percentage Distribution of the Respondents' Profile (N = 105)

Profile Variables	F	(%)
Sex		
Male	31	29.50
Female	74	70.50
Age		
18-25 years old	3	2.90
26-33 years old	13	12.40
34-41 years old	36	34.30
42-49 years old	36	34.30
50 years old and above	17	16.20
Educational Attainment		
Doctoral Degree	5	4.80
Masteral Degree	9	8.60
College Graduate	87	82.90
College Undergraduate	4	3.80
Length of Government Service		
Less than 1-5 years	12	11.40
6- 10 years	20	19.00
11- 15 years	20	19.00
16- 20 years	24	22.90
21- 25 years	18	17.10
26- 30 years	6	5.70
31 years and above	5	4.80
Position		
Clerk of Court	15	14.30
Administrative Officer	2	1.90
Rank-and-File	88	83.8

In terms of sex, male was dominated by female since it obtained the highest frequency of 74 or 70.50 percent. This signifies that most of the employees working in the Hall of Justice in Batangas City are female.

With regard to age, 34 to 41 and 42 – 49 years old got the same frequency of 36 which ranked first while 18 to 25 years old got the lowest frequency. The data

shows that most of the employees working in the Hall of Justice are in a more matured age, the employees being in their early 30's to late 40's. As to the employees aged 18-25 years old, who got the lowest frequency, it can be interpreted that there are only few members of the young labor force employed in the Hall of Justice.

As to educational attainment of the employees, majority are college graduates which is comprised of 87 or 82.90 percent, followed by those who obtained master's degree. Considering that the practice of the legal profession and exercise of public service require sufficient knowledge, training and experience, it is undoubted that most of the employees are college graduates. Based on the foregoing, it also follows that some of the employees have obtained master's degree.

The result also shows that most of the employees are working for 16 to 20 years followed by 6 to 10 and 11 to 15 years. Only five (5) employees are in service for 31 years and above.

Generally, working as a government employee entails stability in terms of professional employment. The result that was gleaned from the table supports the aforesaid fact. Since the retirement age for government employees is 60-65 years old, it is understandable that there were only five employees who are in the service for 31 years and above.

As to the position, majority of the respondents are Rank and File employees which comprised of 88 or 83.8 percent. There were only 2 Administrative Officers as respondents. It is evident that most of the individuals employed in the Hall of Justice are Rank and File employees.

Effects of Impeachment

As seen from the table 2, the respondents agree with the effects of impeachment as revealed by the composite mean of 2.61. The result indicates that the most agreed effect of impeachment was that the impeachment led to a more strict compliance of government officials in the declaration of their Statement of Assets, Liabilities and Net Worth (SALN), with the weighted mean of 3.08.

This result is not surprising considering that the very basis of Corona's conviction was his failure to properly declare his SALN.

To further support this finding, Cheng (2012) stated that since the conviction of former Chief Justice Renato Corona in the impeachment court, government employees are now more conscious about the accuracy of their SALNs. Cheng also said that immediate impact that one could already see after the impeachment is the emphasis on the declaration of SALN when it comes to employees of the government.

Ranking second with the weighted mean of 2.97, the effect that the impeachment led to the observance of higher standard of behavior especially to public officials has been agreed by the respondents. This result implicates that since it is already the Highest Magistrate who has been impeached, all public officials must always inculcate in their minds and engraved in their hearts that being agents of public service, a higher standard of behavior must be consistently observed.

Table 2. Effects of Impeachment of Former Chief Justice as Perceived by the Employees (N = 105)

	WM	VI	Rank
1. The former Chief Justice's impeachment preserved the dignity of my profession.	2.59	Agree	13
2. The impeachment heightened the Filipino pride.	2.36	Disagree	23
3. The impeachment solved some of the country's political conflicts.	2.13	Disagree	25
4. The impeachment reduced foreign investments.	2.41	Disagree	20.5
5. The independence of the judiciary was tarnished by the impeachment.	2.90	Agree	3.5
6. The Corona conviction set as an example that no one is above the law.	2.82	Agree	5.33
7. There was an improvement in administration of justice because of the impeachment.	2.54	Agree	16
8. The confidence of the public to the judicial system was restored.	2.50	Agree	17
9. The Corona conviction demoralized the members of the justice system.	2.75	Agree	8
10. The trust of the people in the judiciary was greatly diminished.	2.41	Disagree	20.5
11. The impeachment has opened my eyes to real essence of the performance of my duties.	2.60	Agree	12
12. The impeachment motivated me to perform my responsibilities more effectively.	2.82	Agree	5.33
13. The impeachment led to a more strict compliance of government officials in the declaration of their SALNs.	3.08	Agree	1
14. The impeachment led to the observance of higher standard of behavior especially to public officials.	2.97	Agree	2
15. The impeachment opened opportunities for transformation for the judicial system.	2.67	Agree	9.5
16. The impeachment reconciled inconsistent laws.	2.44	Disagree	19
17. The Principle of Separation of Powers was strengthened by Corona's impeachment.	2.38	Disagree	22
18. The impeachment proved that there were inconsistency of decisions in final and executory cases.	2.28	Disagree	24
19. The Principle of Checks and Balances was preserved by Corona's impeachment.	2.46	Disagree	18
20. The impeachment showed that democracy is at work.	2.56	Agree	14
21. The impeachment strengthened the constitutional provision that public office is a public trust.	2.82	Agree	5.33
22. The impeachment rebuilt the Supreme Court's integrity.	2.55	Agree	15
23. The impeachment demonstrated the strength of the constitutional institutions.	2.65	Agree	11
24. The Corona conviction set up the essence of the impeachment process.	2.67	Agree	9.5
25. The impeachment increased the public official's observance of the responsibility, integrity, loyalty and efficiency required of them.	2.90	Agree	3.5
Composite Mean	2.61	Agree	

Legend: 3.50 – 4.00 = Strongly Agree; 2.50 – 3.49 = Agree; 1.50 – 2.49 = Disagree; 1.00 – 1.49 = Strongly Disagree

The data further shows that the respondents agreed as to the effect that the impeachment increased the public official's observance of the responsibility, integrity, loyalty and efficiency required of them. This finding supports another result that the impeachment motivated the respondents to perform their responsibilities more effectively. This outcome indicates that the impeachment reminded the respondents that all government officials, no matter how high their positions in the government hierarchy are, can be held accountable for their actions. Public office is not to be understood as a position of honor, prestige, and power but a position of rendering service to the public so observance of the requirements set by law must be increased.

As revealed by a weighted mean of 2.90, the respondents agreed that the independence of the judiciary was tarnished by Corona's impeachment. This

supports Quismundo's (2011) words that the undeniable speed by which the impeachment complaint was approved violated the constitutional guarantee of judicial independence. In connection with this, Quismundo also said that the head governor of the Integrated Bar of the Philippines stated that the 188 Congressmen, in impeaching the Chief Justice based on collegial decisions, have in effect arrogated upon themselves the power to interpret the laws which is in effect, a clear violation of judicial independence.

Fourth on the list is the effect that the impeachment has set an example that no one is above the law, the same having a weighted mean of 2.82. This is supported by the study entitled "Impeachment of the President" conducted by Segal (2009) wherein he stated that the President is a federal employee and as such, he should be held accountable for his actions as every other employees. His study manifested that no President is

above the law. Since the Philippines is a democratic society, the executive, legislative and judicial departments are placed in equal footing. If no President is above the law, no Chief Justice is above the law as well.

The data also reveals that the respondents agreed as to the effect that the impeachment strengthened the constitutional provision that public office is a public trust. As gleaned on the respondents' responses, it can be interpreted that since Corona holds a public office, he owes to the public the utmost responsibility to maintain the trust reposed on him. With Corona's impeachment, it was proved that every public official must at all times imbibe the virtues required of a public servant. Corona, being the first Highest Magistrate to have been subjected to an impeachment trial and more so convicted, has been an exemplification that public trust must be preserved by those occupying a public office. Otherwise, no government can be stable enough without the sole repository of its power which is the public.

However, there are some effects that the respondents do not agree with. Topping the list is the effect that the impeachment reduced foreign investments. The respondents' disagreement is not surprising as the conclusion of the impeachment translates to renewed investor confidence towards the Philippines. Salazar (2012) enunciated that Corona's conviction is medicine for the property sector. This means that the decision is interpreted by many foreigners as the possible beginning of the true and sustainable economic reform in the country.

The respondents also disagreed that the impeachment diminished the trust of the people in the Judiciary. This finding indicates that the people did not single out the Judiciary and Corona. It is a fact that Corona has been a Member of the Supreme Court but his conviction devolves on him alone, particularly on his failure to properly declare his SALN, and not to the Judiciary.

Having a weighted mean of 2.38, the respondents disagreed that the principle of separation of powers was strengthened by the impeachment. This finding supports the result that the independence of the judiciary was tarnished because of the impeachment, the two being interconnected. In addition, Quismundo (2011) expressed that the impeachment move threatened the disruption of constitutional balance. He added that the move is discriminatory and a patent display of disregard for the rule of law and the separation of powers.

The data also shows that the respondents disagreed as to the effect that the impeachment heightened the Filipino pride. It appears that this finding negates a critic of the Philippine Daily Inquirer (2012) who once enunciated that the impeachment lifted the pride of the Filipinos. Since the respondents are members of the judiciary and taking it from their points of view, the conviction of Corona may not be seen by them as something to be proud of. The conclusion of the impeachment may be viewed by them as an attack to the integrity of the judicial system as a whole. The respondents disagree that the impeachment proved that there were inconsistency of decisions in final and executory cases.

Table 3. Difference of Responses on the Effects of the Impeachment of Former Chief Justice When Grouped According to Profile Variables

Profile Variables	F _c	p-value	Decision	Interpretation
Sex	0.727	0.396	Accepted	Not Significant
Age	0.870	0.485	Accepted	Not Significant
Educational Attainment	1.706	0.171	Accepted	Not Significant
Length of Government Service	2.580	0.023	Rejected	Significant
Position	0.723	0.607	Accepted	Not Significant

Significant at p-value < 0.05; HS = Highly Significant; S = Significant; NS = Not Significant

As seen from the table, only length of government service shows significant difference on the effects of impeachment since the computed F-value of 2.580 is greater than the critical value and the resulted p-value of 0.023 is less than 0.05 level of significance.

Therefore the null hypothesis of no significant difference on the effects of impeachment when grouped according to years of service is rejected. This means that the employees' perception on the effects varies to the level of their seniority (years) in the office. It has always been a principle that the longer a person works in a certain field, the deeper is the connection that the former builds with the latter. In the same stance, the length of time that an individual has spent in a particular profession, considering the training, experience and values learned as well as people encountered, is determinative of one's views, opinions and perception over a certain matter concerning such definite profession. However, other profile variables do

not show significant difference as to the effects of impeachment.

V. CONCLUSIONS AND RECOMMENDATIONS

Most of the respondents are court employees working in the Hall of Justice in Batangas City for 16-20 years. The most agreed effect of impeachment is that it led to a more strict compliance of government officials in the declaration of their SALN and it did not reduce foreign investments and not diminish the trust of the people to the Judiciary. There is significant difference in the effects of the impeachment when the respondents were grouped according to length of government service.

The Commission on Audit may adopt an efficient policy to ensure that public officials are diligently observing the constitutional provision embodied in Article XI, Section 17 of the 1987 Constitution mandating the declaration of their Statements of Assets, Liabilities, and Net Worth or SALN. Being the Highest

Tribunal of the country, the Judiciary, may initiate measures to always maintain the constitutional provision under Section 1, Article XI of the 1987 Constitution that public office is a public trust. The Code of Conduct and Ethical Standards for Public Officials and Employees, otherwise known as RA 6713, may be amended to impose higher criteria for public officials and employees in the discharge of the duties required of them. Future researchers may come up with a thorough study on the effects of the impeachment of the Former Chief Justice using other variables to further scrutinize the other effects of this significant part of our political history.

REFERENCES

- Bernardo, A. and Ramos, L. (2009). *Political Science and the 1987 Philippine Constitution*.
- Cheng, W. (2013). *Gov't employees more responsible after Corona ouster*. Retrieved August 12, 2013 from <http://www.abs-cbnnews.com/nation/05/29/13/govt-employees-more-responsible-after-corona-ouster>
- Chief Justice Renato C. Corona. (2012). Retrieved November 11, 2012 from <http://sc.judiciary.gov.ph/cjcorona.php>
- Corona Impeachment 101. (2012). Retrieved November 18, 2012 from <http://coronaimpeachment101.wordpress.com/category/research/>
- Daily Mirror News. (2012). *Impeachment Will Impact On Foreign Investment*. Retrieved December 7, 2012 from <http://www.dailymirror.lk/news/25005impeachment-will-impact-on-foreign-investment-us.html>
- Daily Star International News. (2013). *Sri Lankan Parliament Votes To Impeach Chief Justice*. Retrieved February 12, 2013 from <http://www.dailystar.com.lb/News/International/2013/Jan-11/201874-sri-lankan-parliament-votes-to-impeach-chief-justice.ashx#ixzz2ItHxe7nc>
- De La Vega, Tan, Dalida, Panganiban. (2005). *Motivational Factors in the Job Performance of the Rank-and- File Personnel of some offices in the Hall of Justice in Batangas City*.
- De Leon, H. (2005). *Philippine Governance And The 1987 Constitution*. Manila: Rex Bookstore.
- De Leon, H. and De Leon, H. Jr. (2010). *Student's Manual On The Constitution*. Manila: Rex Printing Company.
- Guardian News. (2012). *Romania President Impeached*. Retrieved December 7, 2012 from <http://www.guardian.co.uk/world/2012/jul/06/romania-president-impeached>
- Human Rights Asia News. (2012). Retrieved December 7, 2012 from <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-217-2012>
- Impeachment of Bill Clinton. (2008). Retrieved December 7, 2012 from <https://www.customessaymeister.com/customessays/History:%20World/4772.htm>
- Jacobs, R. (2010). *Educational Research: Descriptive Research*. Retrieved March 18, 2013, from <http://www83.homepage.villanova.edu/.../EDU%208603/lessons/descriptive.ppt>
- Many Important Lessons. (2012). Retrieved November 18, 2012 from <http://opinion.inquirer.net/29871/many-important-lessons>
- Quismundo, T. (2011). *Corona Impeachment Trap Flawed- IBP*. Retrieved August 12, 2013 from <http://newsinfo.inquirer.net/115431/corona-impeachment-rap-flawed%E2%80%9393ibp>
- Salazar, T. (2012). *Boost in foreign investor confidence seen after Corona conviction*. Retrieved August 12, 2013 from <http://business.inquirer.net/62787/boost-in-foreign-investor-confidence-seen-after-corona-conviction>
- Segal, D. (2009). *Impeachment of the President*. Retrieved January 12, 2013 from <http://www.studymode.com/&%-impeachment-of-the-president/shdyuergf328784590wfheruiyterufhew>