

Estrada v. Arroyo: Some Reflections

Justice Isagani A. Cruz

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This Essay sheds light on the questions raised in the Supreme Court decision in *Estrada v. Arroyo* surrounding the impeachment and resignation of President Joseph E. Estrada and paved the way for then Vice-President Gloria Macapagal-Arroyo to succeed in his place.

In the aforementioned decision, the Supreme Court applied the “totality test” to determine that Estrada’s departure from the Palace on 20 January 2001 was an intentional resignation. The decision also held that the conviction of President Estrada in the impeachment trial was not a condition precedent to the filing criminal charges against him as he no longer enjoyed immunity from suit.

In this Essay, the Author suggests that the supposed resignation of President Estrada involved a question of fact more appropriately examined by the lower courts, subject to the Supreme Court’s power of review. The Author criticizes the method in which the Supreme Court relied primarily on Senator Edgardo Angara’s diary to support its decision, yet there is no showing that such document was ever submitted in evidence.

The Essay concludes by stating that, although the Angara diary was not entirely proper in determining President Estrada’s state of mind before his alleged resignation, the decision is still an earnest effort of the Filipino people to honor the Rule of Law.