

The Jotting of *Obiter Dicta* in *Estrada v. Sandiganbayan*: Did the Supreme Court Blunder in its Decision on the Constitutionality of the Law on Plunder?

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This Comment examines how the Supreme Court, in *Estrada v. Sandiganbayan*, tackled the constitutionality of Republic Act No. 7080, otherwise known as “An Act Defining and Penalizing the Crime of Plunder.” The case stems from the filing of a criminal case against President Joseph E. Estrada for violation of the Plunder Law shortly after he left office. The Supreme Court rules that the Plunder Law is constitutional after President Estrada contested that it is void for being vague.

The main issue tackled by the Author does not concern the issue of the void for vagueness doctrine but rather, the issue on the use of *obiter dicta* in Court decisions. The Author argues that the Supreme Court’s *dicta* on Estrada’s estoppel, the element of pattern in plunder, and proof of pattern, illustrated the Court’s vulnerability to justifying their conclusion on unnecessary and sometimes erroneous *dicta*.

The Comment concludes that the ruling of the Court regarding estoppel was unnecessary and could set a dangerous precedent.