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People Power Reawakening

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The People Power revolution of 1986 that ousted the Marcos dictatorship was supposed to prevent any form of dictatorship from emerging again. That was embodied in the 1987 constitution, also known as Cory constitution or People Power constitution. Article II Section 3 states: “Civilian authority is, at all times, supreme over the military. The Armed Forces of the Philippines is the protector of the people and the State. Its goal is to secure the sovereignty of the State and the integrity of the national territory.”

People Power Provision

Evidently, the framers of the 1987 constitution were wary that another dictatorship might emerge again. In such an event, the military is empowered to act to protect the people and the State. However, it must do so without abrogating the supremacy of civilian authority over the military. This is known as the “People Power Provision” of the 1987 constitution.

It’s a “checks and balances” mechanism intended to safeguard civilian rule and at the same time put a “Sword of Damocles” hanging over it to discourage authoritarian rule. Indeed, just the mere threat of a Damoclean intervention would make the President think twice before contemplating acts that smack of dictatorship. However, there is also a dangerous situation wherein the military would allow itself to be used by power-grabbers in the pretense of protecting the people and the State.

EDSA II

On January 19, 2001, that’s exactly what happened when then Armed Forces Chief of Staff, General Angelo T. Reyes together with the Commanders of the Philippine Army, Navy and air Force withdrew their support for President Joseph “Erap” Estrada and joined then Vice President Gloria Macapagal Arroyo and her supporters in their attempt to depose Estrada. Reyes defended their action. He said that the 1987 constitution designated the military as the “protector of the people and the State.” But who was he protecting the people and the State from?

The following day, January 20, 2001, at 11:26 AM, Vice President Gloria Macapagal Arroyo faxed a memo to Chief Justice Hilario Davide Jr. stating:

“The undersigned respectfully informs the Honorable Court that Joseph Ejercito Estrada, is permanently incapable of performing the duties of his office resulting in his permanent disability to govern and serve his unexpired term. Almost all of his Cabinet members have resigned and the Armed Forces of the Philippines and the Philippine National Police have withdrawn their support for Joseph Ejercito Estrada. Civil Society has likewise refused to recognize him as President.

“In view of this, I am assuming the position of President of the Republic of the Philippines. Accordingly, I would like to take my oath as President of the Republic of the Philippines

before the Honorable Chief Justice Hilario G. Davide, Jr., today, 20 January 2001, at 12:00 noon, at the EDSA Shrine, Quezon City, Metro Manila.

May I have the honor to invite all the members of the Honorable Court to attend the oath-taking.

“VERY TRULY YOURS,

GLORIA MACAPAGAL ARROYO”

An hour later, at 12.30 PM, Gloria Macapagal Arroyo took her oath as President before Chief Justice Davide.

To this day, nobody could explain what Arroyo meant when she said that Estrada “is permanently incapable of performing the duties of his office resulting in his permanent disability to govern and serve his unexpired term.” Estrada was never “permanently incapable of performing” his duties. If there is one term that would explain this, it’s a “snow job.”

The ascension of Arroyo to the presidency was trumpeted by her supporters as the “EDSA II People Power Revolution.” Even the icons of the original People Power revolution of 1986 -- Cardinal Jaime sin and former president Cory Aquino -- were convinced into supporting the removal of Estrada believing that EDSA II was a genuine people power revolution. However, many people believe that it was a power grab -- a coup d’etat.

It is interesting to note that Reyes was appointed by Arroyo to several important Cabinet positions in her administration. And the man who sworn Arroyo as President, Chief Justice Davide, was appointed upon his retirement from the High Court as Ambassador and Permanent Representative of the

Permanent Mission of the Philippines to the United Nations. Estrada was charged with plunder and after more than six years of prosecution -- or persecution -- was convicted to life imprisonment. However, Arroyo granted him full pardon before he could serve his sentence. Today, Estrada is running for President.

In December 2008, at an event where Cory and Estrada were present, Cory publicly apologized to Estrada for supporting his removal from office. Cory told Estrada, “I am one of those who feels guilty for the 2001 [Edsa Dos revolt].... Lahat naman tayo nagkakamali, patawarin mo na lang ako [We all make mistakes. Please just forgive me].” In one fleeting moment, the false façade of EDSA II collapsed. It never was like the EDSA I People Power revolution. EDSA II was a coup d’etat legitimized by the “People Power Provision” of the 1987 constitution.

Failure of elections

With the jitters created by a looming “failure of elections,” there are talks of the military invoking the “People Power Provision” in the event that no President, Vice President, and Senators are proclaimed winners in the elections on May 10, 2010. But it would be unlike EDSA II in the sense that the military would oust President Arroyo before her term ends and install her as a caretaker president until things return to “normal.” Some people call it, “self-coup.”

If such would be the case, would the people rise again? According to a SWS survey held on October 24-27, 2009, “Half (49%) of adults sense that people power will happen if the 2010 elections fail.”

Behold, People Power is reawakening.