

Gloria Macapagal-Arroyo v. People: “OK, GMA” and the Plunder Law

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CONSPIRACY

The decision on the controversial plunder case involving former President Gloria Macapagal-Arroyo (President Arroyo) was released on 19 July 2016. The case was dismissed based on the insufficiency of the Information against President Arroyo, the perceived weakness of her “OK” as an overt act of plunder, and the lack of proof of conspiracy.

This Essay seeks to examine the language and intent of the Plunder Law, circumscribed in the context of *Gloria Macapagal-Arroyo v. People*. The Author posits that the Supreme Court in that decision added the elements of personal gain and “mastermind” to the crime of plunder, thereby committing judicial legislation. This argument is supported by a review of the Congressional deliberations behind the plunder law, a comparison to the Anti-Graft and Corrupt Practices Act, an examination of the meaning of “conspiracy” laid down in the earlier landmark case of *Joseph Ejercito Estrada v. Sandiganbayan*, and the very text of the Plunder Law itself.