



PAHATID KAPATID

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FPPC gears up for the Political Prisoners' Week

FPPC members discuss plans for PP's Week.



When the work of the Task Force Detainees (TFD) staff members started in 1974, they never realized that the realization of the organization's objectives would be an uphill trek. The year 1974 was just witness to a new wave of arrests as the martial law regime continued to track down dissenters.

The TFD's foremost objective was to protect the political detainees' rights and ensure that their cases would merit justice. It sought to document, with utmost care and thoroughness, the abuses done to the political detainees and disseminate the facts as efficiently as possible. Thus, it developed various sources of information so as to make the public aware of the conditions of political detainees as well as the sacrifices they have to undergo in pursuit of their demands.

Still, the task of pursuing the demands of the political detainees did not end with providing support to the struggles of the political detainees inside prison cells. Their

arrest and detention left behind their families and relatives, a potential force indeed, that if organized and galvanized into one group, can give formidable support to their detained kin.

Thus, in 1978, KAPATID was formed with the aims of organizing the relatives to support the prison struggles of their detained relatives, promote their welfare and develop self-reliance and mutual assistance among themselves. The relatives organized delegations to lobby for the release of the detainees, drafted petition letters asking for the abolition of torture and the eventual freedom of their detained kin, and spoke at symposia and fora in an attempt to disclose to the unimformed many the conditions of the detainees and the illegality of their detention, something not well publicized in the media.

The next years witnessed the tasks of KAPATID and TFD expanding. Arrests and detention continue to be part of the strategy of

cowing the citizenry into fear. Torture and maltreatment of prisoners continue to be a state policy, sanctioned by no less than the United States government.

Work multiplies perpetually. The pace of their implementation calls for swifter action.

Fortunately, the list of supporters and allies to the cause of political detention lengthens as the tasks multiply. The political detainees, considered as the living evidence of political repression, have drawn an ever increasing number of citizens from various sectors and political persuasions.

The forms of support are multifarious: a concerned women's organization launching welfare programs for the families whose breadwinners are in jail, a businessmen's group raising scholarship funds for the children of political detainees, a legal assistance group facilitating the handling of cases, or a civic organization spearheading a food drive to augment the P6.00 daily food allowance being allotted to the detainees.

There is no other opportune moment than now to organize the various groups and supporters to the cause of the political detainees. At this stage, when the clamor for the release of the political detainees is gaining wider support as part of the recent upsurge of the popular movement for justice, freedom and democracy, there is a greater demand to bring the issue of political detention into the forefront of the people's demands.

Thus, the Friends of the Political Prisoners Committee (FPPC) was organized to launch a week-long series of activities that will bring the demands of the political detainees for freedom into a higher visibility in the larger picture of the people's democratic demands.

The Political Prisoners' Week slated for December 1-7 will feature activities sponsored by various sectoral and multisectoral organizations. The series of activities are clustered into three types: information and education, welfare and special events (see box).

The Friends of Political Prisoners Committee (FPPC) composed of representatives from various organizations and concerned individuals, hopes that the Political Prisoners' Week will respond to the pressing need of generating a wider base of support on the specific issues and other

issues related to the struggle of political detainees. This undertaking will hopefully keep the various sectors informed and educated. More importantly, it is hoped that the organizations working for the release of political detainees, such as KAPATID and TFD, will get the sustained support of the different sectors. Concretely, chapters and support groups of TFD and KAPATID will hopefully be set up deep within the various sectors and regions.

For those who had participated in the struggle of the political detainees even in a very modest

way, such as signing of petition letters or attending a protest march for the political detainees such as the Luksa ng Bayan held last May, this series of activities may lead to a deeper understanding of the phenomenon of political detention. Those who have read about the cases of some detainees can still learn about other cases and from then on realize the commonality of their plight against a repressive regime. Finally, it is hoped that imprisonment does not shatter the hopes for a better future. As one prisoner would say: "Prison is not the deathbed of our dreams."

**POLITICAL PRISONERS' WEEK
DECEMBER 1-7, 1984**

| Date | Activity, Time | Place | Sponsoring Organizations |
|------------|--|---------------------------------|--|
| December 1 | Press Conference, 10 a.m.-12 noon | National Press Club | TFD & KAPATID |
| | Photo Exhibit | National Press Club | TFD & KAPATID |
| December 1 | Start of the Roving Photo Exhibit | National Press Club | League of Filipino Students (LFS) |
| | Start of Pulong Komunidad | | WOMB & SAMAKANA |
| | Political Detainees' Products Sale | | TFD & KAPATID |
| | Symposium-Sharing, 2 p.m. | | Financial Intermediaries Society Against Tyranny (FIST) |
| December 1 | Protest Night | Christ the King | SANDATA |
| December 2 | "A Run for the Freedom of Political Detainees" | Luneta | ROAR-ATOM |
| | Ecumenical Service, 10 a.m. | Our Lady of Sacred Heart Chapel | Protection of Church People's Rights (PCPR) |
| December 2 | Bingo for Justice, 2 p.m. | QC Sports Club | Jaycees for Justice |
| December 4 | Ex-detainees Reunion, 5 p.m. | Heritage Art Center | TFD & KAPATID |
| December 6 | Picket | | Detainees' Relatives |
| December 7 | Symposium, 9 a.m.-12 noon | Sisters' Formation Institute | Kapisanan ng mga Madre sa Kamaynilaan (KAMAY) |
| | Symposium, 10:30 a.m. Motorcade/Detention Center Hopping | Claret School | Claret Coalition of Organizations for the Realization of Democracy (CORD) |
| December 8 | Symposium, 1-5 p.m. | | LFS |
| December 9 | Human Rights Awards | Mondragon House | Concerned Women of the Philippines (CWP) |
| | Victims of Repression Awards (VICTOR Awards) Camp Visitations | | CORD HEAD-MAG |

Other Activities:

1. Ongoing Art Exhibit at Sining Kamalig Art Gallery up to December 14 sponsored by KAPATID and Sining Kamalig.
2. Information Drive by MAKAMASA at Parañaque, Muntinlupa and Alabang.
3. Torch Rally sponsored by the Nationalist Alliance for Justice, Freedom and Democracy-Las Piñas Chapter.
4. Bazaar sponsored by concerned groups at Makati and Alabang for the benefit of political detainees.

Red alert order bars visiting relatives

Detention camps in Metro Manila reportedly have been frequently under red alert order for the past two months. During red alert occasions, relatives are barred from visiting their detained kin. Detainees in Bago Bantay related that the military officers have been "raiding" their cells regularly.

The red alert order can be attributed to several reasons. The frequency of mass actions and demonstrations held in Metro Manila calls for the regular redeployment of military soldiers to anti-riot teams assigned to disperse the rallies.

The release of the Agrava fact finding report might have some bearing too. The much awaited report has caused some frenzy and anxiety in the population and has only made the political situation more volatile. Military officials have reportedly reorganized and re-

deployed their forces in anticipation of rallies and other political activities that will be initiated as a response to the findings of the reports.

Meanwhile, relatives of political detainees in Camp Nakar in Lucena City and Camp Delgado in Iloilo City have also reported frequent red alert orders in the camps. Relatives of Camp Nakar detainees are in a more difficult situation. They have to travel for at least three hours to be able to reach Camp Nakar in Lucena City, only to find out they would not be allowed to visit their relatives.

The relatives of political detainees in Camp Bagong Diwa, Bicutan, Metro Manila drafted a petition letter appealing for the lifting of the red alert order. They also organized a series of delegations to the office of the Minister of National Defense. **PK**



TFDP, KAPATID welcome Agcaoili and Sabilano



Agcaoili and Sabilano (6th and 7th from left) are flanked by ex-detainees as they sing a popular protest song "Tumindig Ka".

On Nov. 5 at 12 noon the Task Force Detainees of the Philippines (TFDP) and the Kapisanan Para sa Pagpapalaya at Amnestiya ng mga Detenido sa Pilipinas (KAPATID) gave a "welcome home party" for the two longest held political prisoners, Alfonso Sabilano and Fidel Agcaoili who were released last Oct. 5 and Oct. 24 respectively.

Agcaoili, detained for 10 years, and Sabilano, who was sentenced to double death but was acquitted after 14 years,

were special guests in a gathering held at the Sisters Formation Institute cafeteria. They were welcomed by friends and ex-detainees who attended the affair.

After a sumptuous lunch, Agcaoili and Sabilano were requested to deliver short remarks. Both ex-detainees were very grateful to sympathetic friends who showed their concern while they were in prison. Other former detainees were requested to render nationalist songs. Everybody sang "Ang Bayan Ko" with clenched fists for the finale. **PK**

Launching of KAPATID-Iloilo chapter, firmed up

The KAPATID-Iloilo Chapter held a consultation meeting last October 20 at St. Alfonso's Seminary, Redemptorist Compound, Iloilo to discuss the situation of the Iloilo political detainees, historical background of the KAPATID-Iloilo Chapter, overview of the KAPATID and their relatives and to plan for the formal launching of the KAPATID-Iloilo Chapter.

Attended by the relatives of the political detainees, fishermen, ex-detainees, representatives from the College Editors Guild of the Philippines (CEGP-Iloilo), seminarians and students, they agreed to formally launch the KAPATID-Iloilo Chapter as a formal unit of KAPATID National Office on November 24 and to hold a symposium on November 23 with the theme: "Political Prisoners - Living Symbol of Repression".

During the meeting, the KAPATID reiterated its mission for existence: establishing support for the political detainees and their relatives and propagating the issues of the political detainees.

Philippine poetry is enjoying a spectacular flowering. The present crisis besetting the nation and the people's long journey to freedom have given birth to many poems written in every conceivable place. Poetry is being written in the countryside, where the spectre of militarization continually haunts the rural folk; in the picketline, where the main source of inspiration are the workers' unrelenting virtues of struggle and sacrifice; in the parliament of the streets, where the realization of people's power is taking place; and in the prison cells, where the reality of separation and the yearning for freedom have invited the muse to be a perennial visitor.

Prison Poetry: The Muse Visits the Prison Cells

But the muse is more than a visitor in the detention camps. The significant volume of literary output of political detainees attests to the fact that the muse has found a dwelling place in many detention cells. The poems from prisons, although varied in their style and subjects, all drive home a crucial point: their yearning to be free and to be reunited with the people.

A number of them have put into poetry the stark reality of prison life: the solitude, the separation from the masses, the unceasing boredom, the legal limbo and the long, arduous wait for freedom and justice. Isagani Serrano, detained at the Camp Crame Stockade, communicates this solitude in "A December in Prison":

*"In our lonely cells
We fancied our little blessings
Imagining how it's like
to be in the midst of near and dear ones
singing the same songs of hope
and marching against the winds of doom."*

Serrano was an organizer of sugar workers prior to his arrest. In "Sweat Blood and Sweat", he narrates the exploitation of the sacadas in the following lines:

*"What's in a cane of sugar
Here's a sacada tell you what
His finger arithmetic never fails
To follow whither goes
The precious juice
That flows
Out of a luscious ten foot cane."*

Alan Jazmines, detained at the Camp Bagong Diwa, is perhaps the most prolific

poet in detention next to Jose Maria Sison. His poetry takes the liberty of departing from conventional structures. His poems, sans meter and rhyme, bear images that are straight forward yet truthful in its depiction. In "The Black Apparatus", the many elements of prison life are revealed:

*"The sentried towers
fatigue
and rifle sticks
the high walls
and jutting posts
the iron posts
are always set
against the sun,
against the sky."*

*"The apparatus closes in
and merges with the night
thickened with steel and wire."*

The harsh reality of torture and solitary confinement is the subject of Jose Maria Sison's "Fragments of a Nightmare." In this poem of 30 stanzas of 10 lines each, he recounts his ordeal in the hands of the enemies: the arrest, physical torture, mental anguish, solitary confinement and court trial. But the poet emerges strong willed and steadfast to his cause as he affirms his solidarity with the struggling masses. The pain and agony of detention is nothing compared with the toils and travails of the people in their struggle, as in the poem:

*"...I belittle my pain
And I think of the people who fight
for their own redemption and freedom
and avenge the blood of the martyrs.
I belittle the pain and the suffering
as I give more to the struggle."*

The images in Sison's poems are recurring. He consistently portrays the enemy as the demons, devils and monsters of history. On the other hand, the struggling masses are the ever victorious protagonists of history.

Political detainees have to make do with the limitations of prison life to pursue their legitimate demands. Hunger, a perennial visitor in many homes beyond the walls of prison, is transformed into a political weapon in the process of pursuing their demands. Manuel Mario Guzman communicates his experience in the hunger strike of December 1983 in his poem "Fasting":

*"Alone I am not in thirst
for is not hunger an anathema
in many a house?
The thought of suffering
sharpens the claws of hunger digging in me.
I welcome the pain
for it affirms my will and amplifies
the thunder in my hearthrobs..."*

For many detainees, the writing of poetry behind bars and locked doors has opened a new venue for the expression of their deepest sentiments. "Writing poetry," says Jazmines, "does not necessarily assuage the pain of separation. In fact, sometimes, it intensifies the pain, but it helps you think that by writing, you can still contribute to the process of social change inspite of the irons upon you."

Prison poetry, for all the pain they communicate, do not lead the reader's insights to social doom. On the contrary, the poems take the readers beyond all loneliness and sordidness and give a glimpse into a future of hope. One realizes that somehow, these poet-detainees are bravely wending their way out of isolation and solitude and are preparing themselves for their eventual reunification with the people. As Manuel Mario Guzman puts it in his poem "Transition":

*"Soon
the sooty hands, the muddied hands
and a thousand other hands
shall clench into a fist.
And the voices
long inured to groans and sighs
shall rise into a howl,
one loud, deafening howl of protest
that shall drown laughter
of the revellers."*



Isagani Serrano



Jose Maria Sison



Alan Jazmines

DETAINEE FAMILY

Tina Farrol

A detainee's family member speaks...

The list of Tina's worries seems longer than those of most of the relatives. She has two relatives presently detained at Camp Delgado Detention Center, Iloilo City. Her sister Rosell and her husband Romeo were arrested by the elements of the 322nd PC Company in a raid last June 30, 1983 at Sito Tampad, Bgy. Calansagan, Badiangan, Iloilo. Both were charged with violation of PD 885 and 31 (Revised Anti-Subversion Law). She takes care of two daughters, Florida, 5 and Marilyn, 3.

A Task Force Detainees-Iloilo Unit Documentation worker interviewed Tina to impart to us the many effects of arrest and detention of her sister and husband. Despite a seemingly heavy burden imposed her by the detention of two relatives, Tina emerges strong and determined.

Task Force Detainees: What are the effects of the arrest/detention of your sister and your husband to you and your family?

Tina Farrol: My husband is the sole breadwinner of our family. With his arrest and continued detention, our family is deprived of its breadwinner and able support. The children were also deprived of paternal care and guidance. I can now hardly support our family because of the present situation. My sister Rosell was also a great help to our family but with her arrest and detention, she can no longer help us. This is speaking of the effects from the economic point of view.

During the first days of the arrest/detention of my husband and sister, my morale was affected. I was confused. I used to think of what I would do to support our family now that its main breadwinner is not around. But then, I was able to get over the initial difficulties like confusion and self-pity.

The family was affected initially by the arrest of its two members. It was not long before we understood and accepted the condition of our two family members. We understand them more now.

We are presently facing several problems at home which were compounded by the situation of my husband and my sister. For one, my mother-in-law is very sick. And with the present economic crisis, supporting a family singlehandedly is a very hard task to shoulder. I also try hard to provide a normal atmosphere by which our children

will grow normally.

Regarding the circumstances of his arrest and detention, I was not really disturbed. I am aware that my husband did only his part in solving the major problems of our country by eradicating the root causes.

TFD: Have there been effects to the children?

TF: At first, yes. My older child Florida used to ask me why her father is not at home like other fathers. With frequent visitations to the detention center, she has now come to accept that her father's home is the one at Camp Delgado in the city. I explained to her that with the present conditions and priorities, her father cannot be with us. The child has accepted everything with a smile.

TFD: What is the attitude of your community towards the arrest and detention of your husband?

TF: The whole barangay accepts the present status of my husband. With this, members of our community extend help to our family. They also expressed their sympathy with us because our breadwinner is detained.

TFD: The political prisoners in Camp Delgado had recently launched a one-week fast as their own form of protest activity. What can you say regarding this? Has this affected you?

TF: The fasting launched by the political prisoners, with their demands, was their legitimate right. Based on their demands, I can see that they raised legitimate and basic rights for humane treatment.

With that fasting, we can also see that the political prisoners are united on the standpoint that they are one with the struggle of the Filipino people. They believe that detention is not the end of the struggle; legitimate struggle for the attainment of constitutional/basic rights is still possible even if one is behind bars.

During the later period of the political prisoners' fasting, camp authorities of Camp Delgado suspended visitation privileges even of immediate relatives of the political prisoners because of the old excuse that the camp is under red alert status. This happened despite an earlier agreement between political prisoners and camp authorities that normal visitation during normal visiting hours will be allowed regardless of the status of the camp. The suspension continued despite an assurance from camp authorities that normal visitation will be allowed come September 22. When I visited on September 22, together with a wife of another political prisoner, we were not allowed to talk to nor see the fasting political prisoners. We visited only to check their conditions.

(continued on page 7)

Ms. Evelyn Balais-Serrano, wife of detainee Isagani Serrano, went on a trip to the United States and Canada last August. She was the Philippines' official delegate to the international conference of the International Federation of Social Workers held in Montreal, Canada. While abroad, she worked for the passing of a resolution during the joint plenary sessions of the International Federation of Social Workers demanding the immediate release of Judy Taguiwalo, a social worker-detainee and all other social workers in detention. She also met with the representatives of human rights organizations in Canada and the United States. One of the organizations she met with is the Canadian Catholic Organization for Development and Peace.

The Canadian Catholic Organization for Development and Peace launched a campaign for political detainees in the Philippines in the fall of 1983. The action proposed in this campaign was to ask the French population of Canada to sign a letter expressing their solidarity with the political prisoners and condemning the Canadian government's attitude toward the Philippine government.

Collated at the National Secretariat were around 70,000 letters which were then presented to the general public and to the press during a Share Lent Campaign launched last February 1984.

Montreal, September 7, 1984.

The Executive Officer
KAPATID
4th Floor, Social Communication Center
R. Magsaysay Blvd., Sta. Mesa
Manila, PHILIPPINES

Dear friend,

While he was travelling in the Philippines, Mr. Fabien Leboeuf, Coordinator of Educational Programmes for Development and Peace, contacted KAPATID and discussed with them our solidarity campaign for the political detainees conducted in the fall of 1983.

Mrs. Evelyn Balais-Serrano came to our offices to discuss the possible follow-up to this campaign when she came to Canada. She agreed with us that the best way to get these letters to the political detainees was to send them in parcels, by mail, to the members of KAPATID.

You shall then receive, addressed to the organization which you represent, a few of these parcels intended for some of your people and also others who are suffering unjustly from detention because of their work for human rights and better living conditions for the people of the Philippines.

I would recall to you that after a few years of low-profile work, we have decided, in the fall of 1983, to proceed with a strong campaign in favor of the people of the Philippines by the French population of Canada.

The action proposed was to sign a letter (copy enclosed) in which they expressed their solidarity and at the same time condemned the Canadian government's attitude toward the government of the Philippines.

The French Sector of Education (one of the working units of Development and Peace), which is sending you the parcels that you shall receive in a few weeks, asked the signers to send their

letters to their regional animateur.

In several cases and with the help of volunteers, the latter contacted his federal member of Parliament to make him aware of this situation. For some of the peoples' representatives this was their first information and we hope the beginning of a change of attitude.

Collated at the National Secretariat of Development and Peace, some 70,000 letters were then presented to the general public and to the press at our Share Lent Campaign launched last February 1984, thus making the link between our fall campaign action, that is sending of letters, and the Share Lent action which is the money donations to help finance socio-economical projects in Asia, Africa and Latin America.

Dear friend, what you are getting is approximately one quarter of the total number of signatures. As agreed with Mrs. Balais-Serrano, we ask you

- to forward these letters to the political detainees in the fashion best suited to you;
- to obtain that either one of the other detainee reply to us, if at all possible;
- to make the people of the Philippines aware of this solidarity campaign.

These actions should be coordinated through Mrs. Balais-Serrano and the other members of KAPATID who will receive similar parcels.

We are very happy to know that some of the detainees have been released and we remain close to those who are still unjustly detained.

On behalf of all the people here who showed their solidarity, we thank you sincerely for being the channel that brings this flow of affection and solidarity to the political detainees in your country.

Denis Thibeault
Director
French Sector of Education

We would like to thank the following donors to the KAPATID Welfare Fund (for the period July-October 1984).

- U.P. Silak Brotherhood, Gerafil Placido, Chairman
- Mrs. Demetria Apolonio
- Mrs. Priscilla Melendres
- Mrs. Aurora Flores
- Vice Dean Amelita A. Cruz, UE Education
- Mrs. Elena C. Cutiongco
- Fasters for Justice, Ateneo
- Botz Sta. Cruz c/o Mauro C. del Rosario
- Torres High School, Class '31, NPC Press Freedom Day Donors
- Q.C. Matron (V.M)
- Dr. Erlinda de la Cruz

(This is just a partial list)

- Mrs. Gloria de Leon
- Mrs. Lita Paras
- Dr. Violeta Flores
- Dr. Gliceria Reyes
- Mrs. Adoracion Vega
- Mrs. Telly Albert Zulueta
- Raymundo A. Armovit
- Juanito Galvez
- Danny Ofrecio
- Mr. & Mrs. Eduardo Martel
- PANDANANON (Antique Citizens Association)

DEAR Tatay

HAPPY BIRTH DAY TO YOU Kabay pa Tatay nga Mali' Payon Kas a BIRTHDAY
MO Nga Pala - Abatog Tay Nah idka walkami sa imo NINANG SA
imo Kag? ito Michael. Si Nonoy Jun kagsinene Kagtay palangga
Kogid i kaw Gi mapag moyoan ko i kaw Tay Kag adlawgabi Kag
TAY KAMOSTAANG IMOPAGKAON MAAYO KAMAN DIRATAY sab i langko
ah kamostang imopagkaon MAAYO MAN BALAY DAMO
MAN BALAY TAY ANG KANDKAG SODAH TAY NAPOY G idkam i G id
SCIMO AMO LANG INI ANG S. WIAT KOSA IMOTAY

FROM TOTO MICHAEL

Toto Michael is the son of detained peasant organizer, Noel Etabag. Toto Michael sends his birthday greetings to his father and expresses his deep yearning and longing for him. The child's wishes for his father are simple: enough food and good health. But the yearning for his father's freedom is a wish that Toto Michael shares with all kids whose parents are detained.

(continued from page 5)

From this experience, we can see that authorities are bent on stifling the lawful protest move of the people, including political prisoners. I also learned that the students' picket at the camp on September 19 was met by anti-riot team of Camp Delgado. These examples only show that authorities are being irrationally defensive, with regard to protest actions.

TFD: What other forms of support do you get in raising your family?

TF: The sisters in our town are very sympathetic to my situation. They arranged that I be allowed to sell snacks inside the campus of their school. We are given a chance to sell at this place once a month. We do so on rotation basis.

The income I get from this activity helps much in providing for the daily basic needs of my family. But if ever any of us get sick, we don't have provisions for any emergency. So we can't afford to get sick, even the children!

TFD: Are you a member of any organization supportive of the political prisoners?

TF: Yes, I am a member of a recently launched organization which aims to provide for the general welfare of political prisoners while they are in detention. This organization is called KAPATID, short for Kapisanan Para sa Pagpapalaya at Amnestiya ng mga Detenido.

Members of this organization include family members of detainees, former detainees, relatives of victims of military atrocities and other sympathetic groups or individuals. We hold regular meetings and we discuss the prob-

lems of the political prisoners. We also seek ways to provide moral and financial support to the political prisoners. We are primarily a support group of the political prisoners.

During the fasting of political prisoners, we visited as a group. Also during rallies, we present conditions of the political prisoners by reading statements of the political prisoners. We also attend symposia and fora where we relate the situation of the detainees.

TFD: What is your overall attitude towards your situation and the detention of your husband?

TF: The situation that I face now calls for courage and commitment. I have to summon all my courage to support my family and help my husband while he is detained. As his wife, I have to assume the same degree of courage and sacrifice that he has to be really with him during this very critical period. I have learned to face everything with optimism.

I believe that the arrest/detention of my husband is not the end to everything. In fact I have the perspective that the struggle that he waged with other political prisoners continues even while he is, with his companions, detained.

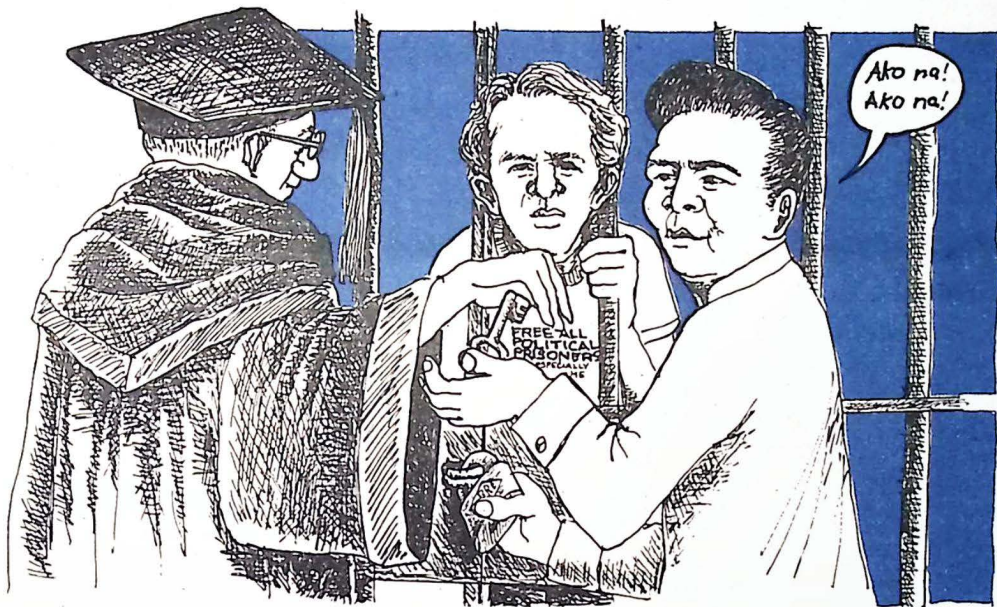
I believe too that it won't be long before we will welcome the dawn of a free and humane society.

I was born poor; I am used to sacrifices. With this, I can face the present situation with strength and patience.

I am also calling on our brothers and sisters to open their eyes to the realities of the times.

(Edited for length - PK)

FM Preempts Supreme Court Again



Finally, it looked like time had come for Fidel V. Agcaoli, one of the longest-held political detainees, to have a taste of justice from the Supreme Court and to find vindication for his suffering in prison beyond the time he should have spent there. He was in jail for 10 years and 4 months (though his sentence was only 8 years and 1 day to 10 years), thanks to President Marcos' prerogative to detain anyone indefinitely via the arrest, search and seizure order (ASSO), presidential commitment order (PCO), or preventive detention action (PDA).

But Mr. Marcos was not to give Fidel that much-deserved taste of justice, that modicum of vindication through the judicial system. If Fidel were to be freed at all, it would not be courtesy of the court but by virtue of Mr. Marcos' own recognizance and "compassion".

Thus, just as Fidel's family — his father, mother and wife — was to get a sympathetic hearing by the Supreme Court on the petition for habeas corpus filed in Fidel's behalf on October 22, 1984, Mr. Marcos issued an order for Fidel's release on October 24. At the hearing of the petition on October 25, Solicitor-General Estelito Mendoza presented the President's release order and thereupon moved for the dismissal of the petition on the ground that it had become moot and academic.

As it had done many times before, the Supreme Court acceded to the government's motion, seeing that Fidel was before it already a freed man. It was the easy way out, both for the President and the Supreme Court. But for Fidel and his family — and for the others with pending habeas corpus petitions — it was a denial of proper hearing and judgment.

Because of the President's release order, and its immediate implementation (Fidel was freed close to midnight, October 24), the Supreme Court was deterred from hearing the merits of the petition — which indeed were valid, but damaging to the President's image — and from deciding on the merits of the case.

By acceding to dismiss the petition, the Supreme Court missed the opportunity to assert its independence from the Executive. It let pass the chance to reassert its proper jurisdiction over a juridical question: the power of the court to effect the freedom of a prisoner under its jurisdiction over the President's holding order — the ASSO, PCO or PDA. At least two senior Justices took a categorical position that a prisoner who had over served his sentence ought to be freed outright, and the Chief Justice himself agreed but opted to have the Court en banc to decide on the matter.

This judicial sentiment, contained in the order for a hearing of the petition on October 25, may have prompted Mr. Marcos to preempt the Supreme Court's possible action. By itself, this preemption is a form of interdiction of justice. But there is a further irony in it. Although the order freeing Fidel was issued by Malacañang Palace in the afternoon of October 24, the Solicitor-General produced a copy of the order with a date "October 22, 1984". On the basis of this antedating, the Solicitor-General argued that Fidel's family had no cause to file the habeas corpus petition because on the day of filing Fidel was already technically free.

A cunning move, yes. But grossly unfair.