

Statement on the charge of rebellion

Monday 13 November 2006, by [NEMENZO Francisco "Dodong"](#) (Date first published: 11 November 2006).

Former University of the Philippines president and Laban ng Masa Chairperson, Dr. Francisco Nemenzo, Jr. and ten others were charged last October 12, with obstruction of justice for allegedly harboring fugitive rebel soldiers belonging to the Magdalo group which the government believed to be involved in the July 2003 failed coup. Dr. Nemenzo has appeared in two hearings, November 20 and 28 at the Quezon City Regional Trial Court. He shared that after the hearings, no formal complaint has been filed so far.

On October 18, Dr. Nemenzo was also included in the rebellion case [NBI and CIDG vs. MGen. Renato Miranda, et al. IS No. 2006-1003] along with 50 civilians and military officers, whom the government claims were behind the alleged coup attempt in February this year. Summoned by the Department of Justice, Dr. Nemenzo, accompanied by top notch volunteer lawyers and thousands of supporters, showed up for the hearing on November 13 only to find out that no formal charges have been filed. His lawyers have since filed a motion to terminate his case. [IPD introduction]

Contents

- [Bases for the allegations](#)
- [Unrest in the armed services](#)

Francisco Nemenzo

Former President and Professor Emeritus,

University of the Philippines

If the attachments to the subpoena are all the evidence they can produce, the NBI and CIDG are wasting the time of the state prosecutors by including me in the rebellion case [*NBI and CIDG vs. MGen. Renato Miranda, et al. IS No. 2006-1003*]. They did such a sloppy job that they could not even get my name right. In the subpoena I am listed as "Prudencio Dodong Nemenzo." Everyone in UP knows my real name. A call to Diliman or a visit to UP Manila (the NBI's next door neighbor) would have spared them from this embarrassing error.

I could have taken advantage of their carelessness to deny that I am one of the accused. But I do not want to get off the hook through technicality. I welcome this charge - no matter how silly and malicious - as an opportunity to reiterate the views that the Arroyo government seeks to suppress. I choose to speak in my own voice instead of speaking through my lawyers to show that the opposition cannot be cowed. The mass movement will not be intimidated. We shall continue to call for the ouster of an illegitimate, corrupt, incompetent, and repressive regime that has inflicted so much damage to our country.

It is our patriotic duty to defend the area of freedom that people's power had carved out in the struggle against the Marcos dictatorship. The best way to defend freedom is to exercise it.

Responsible citizens cannot watch in silence as the minions of Mrs. Arroyo make a mockery of our democratic rights.

Bases for the allegations

Before I go further, let me answer the specific charges. In some 150 pages of documentation, I am mentioned only twice: in the affidavits of Lt. Lawrence San Juan and Lt. Patricio Bumidang. My name does not appear in the letter of transmittal, the Lopez report, or the affidavits and transcripts of oral testimonies.

San Juan claims that I met a group of junior officers to discuss the Blueprint for a Viable Philippines. This I do not deny. What is wrong with discussing with soldiers the problems of our country and the policy options available? They, too, are citizens who are worried about our country's plunge to disaster.

I should emphasize, however, that I met San Juan before he escaped, before he became a fugitive. There was therefore nothing conspiratorial about the meeting. We also discussed the Blueprint with colleagues in academe, with journalists, religious communities, mass organizations, and even with Makati business executives. This document is published and widely circulated. In fact, it is posted in the Internet and can be downloaded by anybody who cares about the future of this country.

In a separate affidavit Bumidang alleges that I visited him and other fugitives in the house of Renato Constantino, Jr. It is not unusual for me to visit RC Constantino because we are old friends. I have been to his house countless times; but never did I find soldiers among his guests. Mr. Bumidang's story is inaccurate. In truth, I first saw Mr. Bumidang's face on television, when he and companions were paraded for public humiliation after their capture.

I hold no rancor toward San Juan and Bumidang. They have been kept in isolation and probably subjected to physical and mental torture. Having experienced solitary confinement myself, I know how vulnerable they are to intrigues and disinformation. It is not improbable that their tormentors put words into their mouths. For this investigation to be credible to the intelligent public, ***I challenge Gen. Esperon to allow media, in the presence of bishops and other religious leaders, to interview San Juan and Bumidang***. Release them from isolation and let them answer questions about their affidavits outside the intimidating atmosphere of an interrogation chamber. If indeed they are telling the truth, there is no reason to shield them from public grilling.

The legitimacy crisis

When citizens perceive the government as legitimate, they will obey even if they disagree with its policies; otherwise, they have to be forced to obey. The current political instability is rooted in this widespread perception that the president is a usurper who uses foul means to keep herself in power. All opinion surveys show that most people doubt the legitimacy of her accession in 2001 and her reelection in 2004.

When those who are supposed to protect her government and enforce her orders doubt her legitimacy as well, her position is precarious indeed. She is lucky that the protest movement has yet to reach the stage of rebellion. Rebellion properly so called involves the use of arms. A peaceful demonstration, no matter how massive, does not constitute a rebellion. Wishing for a coup is not rebellion. But Mrs. Arroyo's minions, by accusing us of what we have not done, provoke the angry multitude who may be less temperate to turn the fabricated scenario into a grim reality.

Dictators panic when they hear voices of dissent because when people gain the courage to defy, the effectiveness of state coercion is diminished. But a democratic government, confident of its own legitimacy, responds to such voices with equanimity.

I was never convinced of the legitimacy of Mrs. Arroyo's accession to power. Yet, as head a state institution (as President of the University of the Philippines) I urged my constituents to accept her presidency as an accomplished fact and give her the benefit of the doubt. That was because I was painfully aware that a breakdown of civic order would prevent UP from catching up with the other premier universities in Asia.

It became increasingly clear, however, that Mrs. Arroyo does not deserve our qualified and tentative support. She continues to pursue the neo-liberal policies that have devastated the lives of the working people. She has incurred more public debts than her three predecessors put together. While waving the banner of a "strong republic," her government could not enforce the laws on influential malefactors. She blames external circumstances for our economic woes, but it is her policies that make the country vulnerable to the vagaries of the global market. In a sense, she is the No. 1 destabilizer.

She had a chance to legitimize her illegitimate regime by a convincing victory in the 2004 elections. But she squandered the chance. The indecent haste in her proclamation in the wee hours of the morning, and the stubborn refusal to open for scrutiny the certificates of canvass in contested provinces reinforced the suspicion of massive cheating. This worsened when her rabid supporters in the Lower House aborted the impeachment process, invoking flimsy arguments that could only persuade the blind and the brainless.

By depriving the Senate of the opportunity to evaluate and pass judgment on the authenticity and implications of the Garci tapes, they closed the last possibility of removing her through constitutional means. This prompted people, out of frustration, to explore of the extra-constitutional channels. As doubts of her legitimacy mount, Mrs. Arroyo and her minions are now resorting to systematic intimidation.

Since the much ballyhooed "all out war" miserably failed to crush the underground opposition, her minions have started running after the aboveground opposition. The special target of the latest drive is the open mass movement. Peaceful rallies are violently dispersed. Some 800 grassroots activists have perished in extra-judicial executions. Lately they are threatening to replace elected opposition mayors with docile partisans.

Unrest in the armed services

This campaign of intimidation is the context of this and similar cases recently filed. Without being asked, I take up the cudgels for the active and retired military and police officers who are similarly accused, but who cannot speak freely because they are either detained or forced into hiding by a fabulous reward for their capture, dead or alive. Among them are the finest officers in the AFP and PNP.

These are not the stereotype soldiers who blindly follow orders from the chain of command. These are intelligent officers who dare to ask if the regime deserves the risk to their lives and the lives of the men under their command. With RSBS sponged dry, they also worry about the survival of the families they might leave behind. In a brazen display of hypocrisy, their star-spangled superiors invoke the doctrine of "political neutrality" to whip them into line.

But these soldiers have come to realize that “political neutrality” is a fiction. Many times in Philippine history, the AFP and PNP played a political role. They have been used to protect the elite from the outraged masses. They have also been used to thwart the people’s will in fraudulent elections. These soldiers who now stand accused for violating “political neutrality” are in fact trying to redeem their profession from ignominy, by aligning themselves with the people. They seek to transform the armed services from a tool of elite rule and an instrument of deceitful politicians into a force for genuine democracy and social reforms.

Extrapolating from survey results, a coup to evict GMA would be the most popular coup in Philippine history. But there was no danger of that last February 24th. It is evident in the Lopez report and the affidavits and testimonies appended to the complaint against us that Brig. Gen. Danilo Lim and Col. Ariel Querubin did not plan to stage a coup. They just wanted to march with their troops to the EDSA shrine and join a civilian crowd in calling for withdrawal of support from an illegitimate and corrupt government. Real coup plotters do not ask permission from their superior officers, much less invite them to heed the clamor from below.

As a political science professor who specialized in the study of unconventional forms of political action, I have been a keen observer of military affairs. I therefore understand and sympathize with these disgruntled soldiers, but I vehemently disclaim the charge that we conspired against the Filipino people.