

Statements on the Philippine Supreme Court Decision to Uphold the Declaration of Martial Law in Mindanao

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Statement of Kalipunan ng mga Kilusang Masa

Left with a Lone Dissenter, the SC reminds The Filipino People of Marcosian Court

The decision of the Supreme Court to uphold the declaration of Martial Law in Mindanao, as government response to armed conflict that escalated in the city of Marawi, is not the triumph of law, but of authoritarian rule. We are outraged by the Supreme Court's decision, which could now pave the way for the setting up of authoritarian rule in the whole country.

Worse than the SC division of votes on the critical issue of the dictator's burial at the Cemetery for Heroes, the SC ruling shows that the third branch of government has become a political pawn. This is not without precedent, as the politicization of what should be independent branches, including the legislature, and institutions, such as the military and police force, was precisely one of the legacies of the 20-year authoritarian Marcos regime.

Before the SC's decision, we have already witnessed how Congress, both the Senate and the House of Representatives, has disregarded its constitutional duty to call for a session and discuss the legality of the declaration of Martial Law in Mindanao. Owing merely to political loyalties, its members led by the Davao Congressman, Pantaleon Alvarez, sidetracked other legislators' views by not calling for a session. In his trademark style as bully, Pantaleon even threatened to impeach or ignore the justices if the latter dissented from Congress.

Martial Law in Mindanao is now on its sixth week since the fateful day of Tuesday, May 23, 2017, which would now belong to the darkest days in the history of Mindanao similar to what happened in the time of Marcos. Marawi City, the capital of the province of Lanao del Sur, has been ravaged badly. Moro sisters and brothers tell us that they are reminded of the burning of Jolo in 1974.

As of June 21, at least 230,000 have fled Marawi and 40,000 crowd and make-do evacuation centers, where at least 59 have died of dehydration and diseases. The death toll in the month-long clashes between government forces and the Maute Group has risen to 422, at least 50 of them civilians (according to MindaNews). This would be higher given eyewitnesses' accounts.

Aerial bombings continue, which claim the lives of more civilians. Local leaders have been calling for the President to dialogue with Meranao leaders for the latter to help in dealing with the Maute Group but without success, as he would rather have war and allow people to suffer. He has even blamed the Meranaos for what is happening in Marawi. All these amount to yet another big blow to the decades-long attempts to find lasting peace in the war-torn areas of Mindanao.

The votes of the 14 in the SC cause great dismay in the face of evidences presented by the

Integrated Bar of the Philippines in Lanao del Sur of “wanton disregard of sanctity of domicile, the right against deprivation of property without due process of law, the right to be secure in one’s person, house, papers and effects against unreasonable searches and seizures,” especially in Marawi. All of these are in direct violation of the Bill of Rights accorded to all Filipino citizens under Article III of the 1987 Philippine Constitution. The persistence of Martial Law in Mindanao is clearly superfluous to military operations and has trampled on civilian liberties and affected the livelihood of the people.

On its first year, the Duterte regime has already bared its despotic fangs and with this decision of the Supreme Court, the people are being further shoved to the corner without recourse to law, government institutions whose constitutional duty is to protect them, and their duly recognized rights. If this is not authoritarian rule in the making, or plainly authoritarian rule, then clearly we haven’t really learned from our history as a people. We are threatened to having our rights violated, suppressed, and worst, we are threatened to more violence and resulting deaths.

We in Kalipunan ng mga Kilusang Masa, a growing assembly of social movements, call on the people to defend our constitutional rights and to fight the impending authoritarian regime under Duterte. We have members - sisters and brothers - in Marawi and the rest of Mindanao. We cannot allow the continuing loss of life and this government’s choice to resort to violence than to the resolution of the roots of conflict and social problem. As we stand in solidarity and bring continuing support, by material, moral, political means, to our brothers and sisters in Marawi and Mindanao, we stand indignant of the decision of the Supreme Court to uphold the Martial Law declaration in the island.

The situation demands of us who are grassroots-based, to educate and push for a counter-narrative to the authoritarian government’s justification of Martial Law and intensification of armed operations in Mindanao and the country at-large.

Justice, peace and democracy in Mindanao! Stop the Bombings!

Alyansa Tigil Mina (ATM)

Bagong Kamalayan

Baywatch Foundation

Coalition Against Trafficking in Women - Asia Pacific (CATW-AP)

Kilos Maralita (KM)

LILAK (Purple Action for Indigenous Women’s Rights)

Pambansang Kilusan ng mga Samahang Magsasaka (PAKISAMA)

Partido Manggawa (PM)

Sentro ng Progresibo at Nagkakaisang Manggagawa (SENTRO)

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FDC Statement on the Supreme Court Decision on Martial Law in Mindanao

NO TO LEGALIZED IMPUNITY THROUGH A FRAUDULENT MARTIAL LAW!

JUSTICE AND SOLIDARITY FOR THE BANGSAMORO PEOPLE AND OTHER VICTIMS OF STATE REPRESSION!

Despite questionable constitutional grounds and fraudulent claims of gory crimes committed by the so-called Maute “terrorist group” [1], the Supreme Court recently upheld, by an overwhelming majority, President Duterte’s declaration of Martial Law in entire Mindanao.

Proclamation No. 216, which put the whole of Mindanao under martial law and suspended the privilege of the writ of habeas corpus, was signed by the President last May 23 while he was in Russia, thousands of miles away from Marawi City, which was alleged to be one of the key strongholds of Maute and other extremist groups.

Since then, the Filipinos have witnessed heartbreaking sights and sounds of death, pillage and destruction as government troops flushed out their targets through close quarter firefights and aerial bombings of densely populated and civilian sections of Marawi City to implement their Commander In Chief’s brutal command to “kill, kill, kill”.

To date, UN reports say that 350,000 residents, predominantly Bangsamoro civilians, were forcibly displaced, and scattered in evacuation centers and houses of their friends and relatives. The evacuees are homeless, hungry and left to suffer deprivation and indignities as helpless victims of the brutal impacts of martial law. Scores of unarmed and defenseless civilians, including children and the elderly, have reportedly died, while hundreds more suffer more from various ailments, hunger, trauma and mental distress.

According to news reports, over 400 people including soldiers, Maute group members, and civilians have been killed in the Marawi siege. As casualties mount, President Duterte has promised to protect and take care of the orphaned families of his troops. Meanwhile, nothing was mentioned for the hundreds of thousands of displaced and other victimized civilians in terms of compensation and reparation for the loss and damage that they suffered, and without clear prospects for their return to their beloved city to rebuild their battered lives and communities.

The government estimates that at least P10 billion is needed to rebuild Marawi City, with the Asian Development Bank and the World Bank announcing the availability of fresh loans packaged as “assistance”. In truth, these are new debts to further burden us, the people and taxpayers, as we are expected to bear the economic, social and political costs and consequences of the Duterte administration’s Martial Law and war, and the imperatives of rebuilding from the ruins.

We therefore stand in solidarity with the Bangsamoro and other civilian victims of the Marawi siege and those who suffer from the impact of the government’s Martial Law. The Supreme Court decision bodes ill-tidings for our democratic and human rights. This decision not only exonerates the Duterte regime from accountability on its alleged abuses and violations of human rights and the rule of law. The Supreme Court’s landmark stand, legalizes impunity in our land.

Now, nothing can stop this government from declaring Martial Law over the rest of the country by simply claiming the same fraudulent and unconstitutional grounds as was done in Marawi. Nothing can stop this regime from sending its troops to waylay entire cities and its planes to indiscriminately bomb targets, notwithstanding the presence of civilians, and from forcibly displacing millions as

their communities are turned into ghost towns. Nothing can stop this regime from forcing us, taxpayers, to bankroll its brutal campaigns of death and destruction, and the huge cost of rebuilding from the ruins of its self-created war.

When wholesale injustice and state repression become the norm and the rule of the day, people's resistance is not only justified. It becomes a matter of patriotic duty.

July 5, 2017

Freedom from Debt Coalition

PALAG NA!

Footnotes

[1] The statement refers here to the twin fraudulent claims in the Duterte ML Declaration that were attributed to the Maute group--- one, the so-called decapitation of the local police chief, and two---the burning down of the local hospital. These were later on, proven to be false. This says, we, at FDC, agree that there are indeed, armed groups committing wanton acts of terrorism against their targets---including local communities and unarmed civilians. These armed groups include the Maute armed group. Let it be made clear that the FDC statement on Martial law by the Duterte government is not meant to absolve the culpability of the Maute groups and other armed combatants' terrorist acts much less downplay the barbarism of terrorism as part of the (dirty)tactics of warfare.

Thus we also raised the slogan: Martial Law is not a solution to terrorism. We also clarified that we oppose the Duterte's kind of Martial Law, because it carries other sinister and worrisome implications and dangerous agenda other than simply stamping out terrorism. Duterte's Martial Law legalizes impunity and other human rights abuses that the current administration has failed to resolve. The impunity in human rights abuses that are happening have in fact been worsened many times over.

Duterte's Martial Law is in fact not the solution to problems of terrorism and the level of terrorism that is taking place, many believe, does not require draconian measures such as Duterte's decision vs. the armed and terrorist challenges in Marawi City.

We hope that this email will help clarify the issue.

Best regards,
Sammy Gamboa
Secretary-General