

Antonio Hits Media On Memo Distortion

Solicitor General Felix Q. Antonio observed that certain misinterpretations crept into the press and mass media reports on the memorandum submitted by the State counsel, in compliance with the order of the Supreme Court, on the several petitions for the writ of habeas corpus pending before the high tribunal.

He noted that some of the reports concerning the contents of the State memorandum and other documents annexed to it were grossly misleading and unwarranted.

He pointed out that there is nothing in the memorandum and its documentary annexes from which it could be reasonably inferred that the State counsel and the military authorities ever attempted or even intended to make blanket and indiscriminate

accusations against certain individuals and organizations in order to justify before the Supreme Court the suspension of the privilege of the writ of habeas corpus.

Some of the press reports, it appeared, conveyed the erroneous impression that the list of various individuals and organizations furnished by the defense department was being used by the State lawyers in an effort to convince the Court that these individuals and groups mentioned in the military's list are subversive elements and communist fronts.

The Solicitor General stressed that both the memorandum and its annexes show that the inferences made in certain press quarters seriously distorted the

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content of the memorandum and that precisely because of these misinterpretations, some persons and organizations felt unjustly accused or implicated by the government and the military authorities.

As a legal document, the memorandum, Antonio explained is worded specifically and explicitly, including the references to certain persons or organizations, who may have been identified by the proper authorities as subversive or functioning as a "front organization." In each case, the fact is expressly stated in the said document.

This can be verified from the memorandum itself, it was asserted. For instance, the authorities were clear in stating that in the labor-peasants sector the "primary front organization" is the Malayang Samahan ng Magsasaka (MASAKA), and in the youth-students and professional-intellectual sectors, the "primary front organization is the Kabataang Makabayan (KM)."

Contrary, however, to the reports appearing in certain newspapers, particularly the *Manila Times* and the *Manila Chronicle*, the State lawyers in their consolidated memorandum have not made the broad accusation attributed to them, as in the case of the facile conclusion that the State counsel had branded the Movement for the Advancement of Nationalism headed by Senator Lorenzo Tañada as a "Red front."

It was pointed out also that both the memorandum and the military intelligence reports do not contain any statement accusing Undersecretary of Labor Amado Inciong of engaging in subversive activities. The name of the labor undersecretary was included in Annex 3 of the memorandum only, as part of the historical exposition of the legal theory of the case as advanced by counsel for the State, to the effect that the communist elements have been infiltrating various mass organizations. The memorandum does not accuse the undersecretary of being a communist or of having engaged in subversive activities.

As explained by the labor undersecretary himself, "As vice president of the Lapiang Mangagawa, I was present during the founding convention of the SPP during which I clashed with Jose

Ma. Sison on fundamental questions." Inciong added that "due to my work in the government, my involvement with the SPP ceased upon the close of its founding convention in 1967."

A careful reading and analysis of the memorandum and its annexed documents revealed that, according to the State lawyers and the defense department, the communist elements in the country have been pursuing a program of subversion and have the common goal of overthrowing the government. In achieving this aim, they employ two basic forms of struggle, namely, armed struggle, and legal or parliamentary struggle. The latter form of struggle is being carried out by, among others, setting up front organizations and infiltrating or influencing other mass organizations, the State lawyers said. However, the extent of the infiltration of the various mass organizations listed by the military authorities was not incited.

Annex "1" of the memorandum is a graphic chart showing the "evolution and relationship of communist front groups and infiltrated, influenced mass organizations," covering the period from 1950 to August, 1971. The "relationship" is indicated in Annex "1-A."

Annex "3" is also a tabulated list of the various communist front organizations and other mass groups which have been infiltrated or influenced, as affirmed by military intelligence reports.

All these annexes and the memorandum do not say that the mass organizations mentioned are communist front organizations, or are necessarily subversive. What can be gathered from these documents is that these mass organizations are among the objectives of the operations of the communist plotters who are determined to overthrow the government by force of arms.

Existence of Rebellion

In a 62-page memorandum, the State lawyers headed by Solicitor General Felix Antonio,

told the Supreme Court that a state of rebellion exists in the country today, and because of the grave danger that it poses to the security of the State, as well as the safety and security of the public, the proclamation issued by President Marcos suspending the privilege of the writ of habeas corpus is fully justified.

The State counsel stated that the communist-inspired rebellion in the country has been continuing for the past twenty years and such fact is recognized in the several decisions rendered by the Supreme Court involving cases of communist subversion.

According to the State lawyers the rebellious activities of the communist plotters in the country are best described in the May 1, 1969 issue of "Ang Bayan," otherwise known as "Pahayagan Ng Partido Komunista Ng Pilipinas Pinaagpatnubayan Ng Kaisipang Mao Tse Tung," wherein the following appeared:

"The most pressing task of the People's Army now is to defeat and destroy the reactionary imperialist-created and imperialist-supported Armed Forces of the Philippines and all other kinds of armed power in the hands of the exploiting classes and the reactionary state at all levels."

The state solicitors mentioned that the continuing unrest in our country has been highly praised in the "Peking Review" of April 9, 1971, in the following terms:

"The present situation in the Philippine revolutionary armed struggle is excellent. As the Central Committee of the Communist Party of the Philippines has pointed out, the road of armed revolution has been opened and the spark of the armed struggle is turning into a prairie fire.

"Kindled two years ago in Capas, Tarlac Province in Central Luzon, the flames of the people's armed struggle have now spread to other rural areas in Central, northern and southern Luzon and other places. Although the US imperialists have given the Philippine reactionaries a large amount of military aid and sent so-called US advisors to

supervise the fighting they cannot check the rapid development of the revolutionary armed struggle.

"Carrying out instructions of the Communist Party of the Philippines on establishing consolidated revolutionary bases, the New People's Army last year set up temporary organizational committees in the rural areas. The peasant masses have raised their political consciousness through struggle, and a good number of young peasants enthusiastically joined the new army in response to the Party's appeal."

The memorandum also cited passages from a book of Amado Guerrero, also Jose Ma. Sison, who has been identified by the authorities as the Chairman of Communist Party of the Philippines and founder of the Kabataang Makabayan, describing the progress of the rebellious activities of the communists, their implementing arms, and affiliates during the tenure of President Marcos.

Forms of Struggle

The state lawyers said the communists have been employing two basic forms of struggle to attain their revolutionary objective, namely the armed struggle, which is mostly conducted in the rural areas, and the legal or parliamentary form of struggle. These forms are used according to circumstances or as dictated by the situation.

The Court was informed that "the link-up of the Kabataang Makabayan with the Communist Party of the Philippines and the New People's Army sometime in March 1969, energized the revolutionary forces with the combining of substantially representative followings from the three most important, decisive elements of our society in the pursuit of the Party's legal (and armed) struggle: (1) labor-peasants; (2) youths-students; and (3) professionals-intellectuals." The aim of the communist plotters is to develop these three target sectors to the full and work to attain its ends mainly through the front organizations, the state lawyers asserted.