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Item Type	Book chapter
Authors	Marigza, Ruel
Publisher	Globethics.net;World Council of Churches
Rights	2022 WCC Publications & Globethics.net;Attribution-NonCommercial-NoDerivatives 4.0 International
Download date	2026-07-12 14:23:11
Item License	http://creativecommons.org/licenses/by-nc-nd/4.0/
Link to Item	http://hdl.handle.net/20.500.12424/4260158

Churches in Solidarity with Victims of Human Rights Violations in the Philippines

Ruel Marigza

As a church worker, it is difficult to carry out the mission of the Church. When I say, ‘Peace be with you’ to the congregation, I ask myself ‘Am I at peace?’ It has been seven years since my brother was killed and still we don’t see justice . . . Today, I regain hope as my colleagues in the Church exert efforts so that justice and truth will be attained.²

These were the remarks of Rev. Elsie Plotado, sister of the slain Joel Baclao, when the United Church of Christ in the Philippines (UCCP) filed a civil case against the former president of the Republic of the Philippines, Gloria Macapagal-Arroyo, on 16 June 2011. With more than 18 of its members killed, 1 disappeared, 2 ambushed and wounded, and 4 arrested, detained, and tortured,³ the Church could not remain silent.⁴

This is but one church. The pastors, priests, other church workers, and lay leaders of several others have become victims for standing to uphold the human rights of those whose rights are violated. A publication of the National Council of Churches in the Philippines (NCCP) entitled *Churches as Human Rights Defenders: A Module on Human Rights* listed the names of victims of human rights violations among church people: 33 church people killed, 5 church people tortured and illegally detained, 1 enforced disappearance, 3 filed with fabricated cases, 1 frustrated killing, and 3 as victims of harassment and vilification.⁵

2. See Ronalyn V. Olea, “Protestant Church Sues Arroyo for Killings, Human Rights Abuses,” *Bulatlat.com* (Journalism for the People), 17 June 2011, <https://www.bulatlat.com/2011/06/17/protestant-church-sues-arroyo-for-killings-human-rights-abuses>

3. Olea, “Protestant Church Sues.”

4. The case was eventually dismissed due to insufficiency of evidence, as adjudged by the Court. The case, though, highlighted that those human rights advocates were targeted. The absence or insufficiency of evidence in a culture of impunity does not negate the fact that people are tagged as part of the “enemies of the state.”

5. *Churches as Human Rights Defenders: A Module on Human Rights* (National Council of Churches in the Philippines, 2012), 90–94.

“Something is indeed terribly wrong when pastors and church workers are killed, arrested and detained or go missing while they are teaching people to know, defend and fight for their rights,”⁶ Rev. Rex Reyes, then general secretary of the NCCP, said at the time of the filing of the UCCP case against Arroyo.⁷

Yet human rights violations persist, especially with President Rodrigo Duterte declaring his utter disregard for human rights in his speeches.⁸

Churches used to be a place of refuge. Churches, especially during the martial law regime, advocated for the respect of human rights, exposed human rights violations, and stood in solidarity with the victims.

The military doctrine of an “all-out war” seen in the various operational plans (OPLANs), aimed at ending the decades-long Communist-led insurgency by going after those under the legal organizations and personalities, has given rise to the phenomenon of human rights defenders becoming human rights victims themselves. As stated by this author in various fora, there is something very wrong when those who advocate for human rights and defend them end up becoming victims themselves and need to be defended as well. But that is the reality that human rights defenders face in this country, so that programs like Defend the Defenders are needed.

A big part of the problem is due to the blurring of lines between combatants and non-combatants. As reported by Rappler, a media outlet led by the Nobel prize awardee for 2021, Maria Ressa:

6. Olea, “Protestant Church Sues.”

7. The Rev. Rex Reyes is a bishop of the Episcopal Church in the Philippines and a member of the WCC central committee.

8. See Franco Luna, “‘I Don’t Care about Human Rights,’ Duterte Says, Urging Cops to ‘Shoot First,’” *Philstar Global*, 3 December 2020, <https://www.philstar.com/headlines/2020/12/03/2061268/i-dont-care-about-human-rights-duterte-says-urging-cops-shoot-first>. The report quoted Duterte: “I say to the human rights, I don’t give a shit with you. My order is still the same. Because I am angry.” Duterte has often slammed the criticisms of rights groups, and statements encouraging police to shoot first are nothing new. Earlier in the coronavirus pandemic, he also urged law enforcement personnel to “shoot dead” any quarantine violators, especially those linked to left-leaning groups critical of his administration.

A White Area policy paper from Gonzales’⁹ office that was eventually fused with Oplan Bantay Laya reads: “The AFP is following the old military philosophy that the diminution of the coercive power of the NPA can cause the whole revolutionary activity to fall. This is no longer the case. The current setup of the whole insurgency suggests that the military pressure has to be applied [on] all fronts and against all personalities simultaneously in order to create an impact” [underscoring mine]. . .

. . . The plan was to launch an information drive among civilian agencies on the presence of front organizations in populated areas, on what they do, where they get funding, and how to stop them – legally. . . .

. . . a former Palace official says, the Armed Forces went their own way to add white area operations in its counterinsurgency doctrine and as a key brainwashing tool among commanders – despite doubts over the commanders’ grasp of the nuances of the situation and the likelihood that it was open to various interpretations.

Under Oplan Bantay Laya 1 and 2, one of the key objectives stated in secret military documents is to “neutralize the White Area command and communist movement personalities in sectoral organizations providing support to the . . . armed struggle.”

The documents, in fact, cite “results of operations” against “sectoral personalities” that led to a 52% decline in their number.¹⁰

The same Rappler report observed that “in 2005 alone, there was a 583% increase in extrajudicial killings from the previous year,” according to data culled by the government’s own technical working group created under the government peace panel with the communist rebels.

9. Norberto Gonzales was the national security adviser at that time. Earlier on, as “presidential adviser on special concerns at the time, he asked his staff, led by retired Major Abraham Purugganan, to draw up a framework on the new insurgency landscape. Purugganan and his team came up with a paper on the insurgents’ ‘white area’ operations.”

10. See Glenda M. Gloria, “War with the NPA, War without End,” 29 February 2020, Rappler, <https://www.rappler.com/newsbreak/in-depth/252770-archives-war-with-npa-without-end>.

“In its 2007 assessment of Oplan Bantay Laya 1, the Armed Forces cite the following deficiency in its counterinsurgency campaign: ‘Only about 20% of the actual neutralized personalities are in the Order of Battle list.’ Neutralize means three things to the military: arrest, hurt, or kill.”¹¹

Order of Battle

An Order of Battle refers to a document by the military, police, or any law enforcement agency of the government listing the names of persons and organizations that it perceives to be enemies of the state and which it considers as legitimate targets as combatants that it could deal with, using means allowed by domestic and international law.¹²

Section 5 of RA 10353 reads:

“Order of Battle” or Any Order of Similar Nature, Not Legal Ground, for Enforced or Involuntary Disappearance. – An “Order of Battle” or any order of similar nature, official or otherwise, from a superior officer or a public authority causing the commission of enforced or involuntary disappearance is unlawful and cannot be invoked as a justifying or exempting circumstance. Any person receiving such an order shall have the right to disobey it.

Despite this law, Orders of Battle exist. Philip Alston, the United Nations Human Rights Council’s Special Rapporteur on extrajudicial, summary, or arbitrary executions, conducted a fact-finding mission to the Philippines on extrajudicial killings and had this to say:

The public vilification of “enemies” is accompanied by operational measures. The most dramatic illustration is the “order of battle” approach adopted systematically by the AFP and, in practice, often by the PNP. In military terms an order of battle is an organizational tool used by military intelligence to list and analyze enemy military units. The AFP adopts an order of battle in relation to the various regions and sub-regions in which it operates. A copy of a leaked document of this type, from 2006, was provided to me, and I am aware of no reason to doubt its authenticity. The document, co-signed by senior military and police officials, calls upon “all members of the intelligence community in the [relevant] region . . . to adopt and be guided by this update to enhance a more comprehensive and concerted effort

11. Gloria, “War with the NPA.”

12. Order of battle as defined by the *Republic Act (RA) 10353: An Act Defining and Penalizing Enforced at Involuntary Disappearance*, https://didm.pnp.gov.ph/images/sidebar_pdf/others/Republic_Act_No._10353.pdf.

against the CPP/NPA/NDF.” Some 110 pages in length, the document lists hundreds of prominent civil society groups and individuals who have been classified, on the basis of intelligence, as members of organizations which the military deems “illegitimate.” While some officials formalistically deny that being on the order of battle constitutes being classified as an enemy of the state, the widespread understanding even among the political elite is that it constitutes precisely that.¹³

This shift of doctrine in the military thinking has led into the vilification, red-baiting/red-tagging, filing of trumped-up charges, and extra-judicial killings of civilians suspected or judged as enemies of the state.

The military, after the long years of martial law, has not “returned to barracks,” so to speak; to this day they impose their will in civilian affairs despite the constitutional provision and principle that “Civilian authority is, at all times, supreme over the military. The Armed Forces of the Philippines is the protector of the people and the State”¹⁴

One instance is on the conduct of the peace talks. When President Duterte was contemplating reviving the stalled peace talks between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines, the national security adviser and the defence chief, who were former generals, openly disagreed with their commander-in-chief (a civilian) on the conduct of the talks. The two were quoted in the media as pushing for localized peace talks.¹⁵

As the president’s alter-ego, they should have waited for the president’s directive or debated the matter within the cabinet and not in the public sphere. Notes a Rappler report: “The statements from the military, Lorenzana,

13. United Nations, Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development: Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston. 16 April 2008, Human Rights Council Eighth session, Agenda item 3, https://www.karapatan.org/files/English_Alston_Report_Mission_to_the_Philippines_HRC8.pdf.

14. See Article II, Section 3, of the 1987 Constitution of the Republic of the Philippines. Article II is entitled “Declaration of Principles and State Policies.”

15. See J. C. Gotinga, “Military to Resume Offensives vs NPA as Holiday Ceasefire Lapses,” Rappler, 7 January 2020, <https://www.rappler.com/nation/248720-military-resume-offensives-against-npa-ceasefire-lapses>. The report summary states: “The military, the defence chief, and the national security adviser all caution against reviving peace talks with communist rebels, saying it’s a ruse to buy guerrillas time to regroup.”

and Esperon, both retired military generals, are a rare instance of Duterte administration officials expressing disagreement with the President.”¹⁶

Red-baiting/Red-tagging, Vilification, and Extra Judicial Killings

Notes the *Observer Journal*:

political activists and especially human rights defenders (HRDs) are often criminalized for using their sanctioned rights. Red-baiting is a common strategy of state actors to intimidate and muzzle government-critical individuals, activists, human rights defenders as well as organizations who peacefully engage for their rights. They are labeled as state enemies, communist, terrorists, or members of communist front organizations—labels that give rise to human rights violations in the Philippines.¹⁷

On the other hand, Philip Alston reported:

Newspapers routinely carry reports of senior military officials urging that alleged CPP front groups and parties be neutralized. Often, prominent political parties and established civil society groups are named specifically. The public is told that supporting their work or candidates is tantamount to supporting “the enemy.” This practice was openly and adamantly defended by nearly every member of the military with whom I spoke. When I suggested to senior military officials that denunciation of civil society groups should only be done according to law and by the Government, the response was that civilian authorities are in no position to make such statements because they might be assassinated as a result. On another occasion, I asked a senior civilian official whether the government might issue a directive prohibiting such statements by military officers. He expressed vague sympathy for the idea, but his subordinate—a retired military commander—promptly interjected that such a directive would be “impossible” because “this is a political war.” When political “warfare” is conducted by soldiers rather than civilians, democracy has been superseded by the military.¹⁸

16. See Gotinga, “Military to Resume Offensives.”

17. See “Editorial,” *Observer: A Journal on Threatened Human Rights Defenders in the Philippines* 6:1 (2014), 3, https://ipon-philippines.org/wp-content/uploads/ObserverJournal/Observer_Vol.6_Nr.1_RedBaiting2.pdf.

18. United Nations, *Promotion and Protection*, no. 16.

A Prophetic Witness for Human Rights and Human Dignity

Bishop Rex R. B. Reyes stated that “in the Philippines, to come to the defence of the vulnerable and/or those made vulnerable is not only a pastoral responsibility but also a prophetic task.”¹⁹

“Christian praxis in the Philippines,” says Bishop Reyes,

raises the question of grinding poverty in a land abounding in natural resources, of the concentration of wealth and power to so few and the perpetual powerlessness of the majority, of the obvious imposition of global policies that place priority on profit and capital at the expense of human dignity and of communities and of the tendency of the State to vilify, malign and oppress those who uphold human rights.²⁰

The NCCP could not help but be true and steadfast to its reason for being, however. Among its aims are:

It is no wonder, then, that in the context of impunity, where the lines are blurred and where human rights defenders are themselves tagged as enemies of the state and dealt with as such, the surveilling eye of the elements of coercive power focuses on the work, mission, and ministry of the church. It is no wonder that as the churches band together and as church workers dare to stand up for human rights and uphold human dignity, standing by the side of the poor and the oppressed, they, as defenders of human rights and human dignity, become victims themselves.

As no one is an island, there is a need to develop communities of support and to organize a global coalition and network of ecumenical, interreligious, and multi-faith movements in solidarity in pushing forward the observance and defence of human rights as well as the upholding and respect for human dignity.

19. *In the Image of God: Reflections and Perspectives on Human Rights* (National Council of Churches in the Philippines, 2012), vi–vii.

20. *In the Image of God*.