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EDITORIAL

WHAT'S BEHIND ALL THE TALK ABOUT PEACE THIS TIME?

The past days and weeks, talk about peace has been rife. The latest report was an announcement from Malacanang that it was looking into the possibility of reopening talks with the National Democratic Front regarding a ceasefire.

Before this, the Multisectoral Peace Advocates (MPA), a cluster of cause-oriented organizations, groups and individuals, called on the government to hold talks with the NDF and other armed groups so that, in their view, a solution to the armed conflict can be found and the ground for peace and national unity laid.

The issue of peace and ceasefire resurfaced after the failed coup d'etat of December 1989. The Catholic Bishops Conference of the Philippines drew up a peace project to formulate a peace agenda and started the ball rolling for a national conference on peace.

At about the same time, a small group called the Coalition for Peace (COPE) stepped up its campaign for the creation of "peace zones" or "zones of life." This group aims to start in the localities a process towards lessening or removing the armed conflict until the whole country becomes one zone of peace. COPE members linked up with and played a big role in the CBCP project.

The question of peace and ceasefire became prominent after a destructive earthquake hit the country last July. In a resolution, the Senate supported a proposal by Sen. Wigberto Tanada for a nationwide ceasefire to give the nation a reprieve in the face of a new level of intensification of the economic and social crisis. The mass media took it up and projected their own interest and position regarding the issue.

Growing alarm of reactionaries

All these calls for peace are signs of the growing alarm over the rapid worsening of the social crisis and downslide of the Aquino regime. All clamor for a reduction or a cessation of the armed conflict without a clear agenda on how to go about it. And almost all emanate from the conservative sections of society -- traditional institutions like the Church, government leaders, the mass media and upper-class personalities. There are some progressives speaking out, but those coming from the ruling classes have the dominant voice.

On the same level are the initiatives of the CBCP, Senate, bourgeois political parties, established media and COPE (which is dominated by right-wing social-democrats). Their purely anti-violence line is directed against the revolutionary armed struggle of the people. They do not mention -- or if they do, only superficially and marginally -- the counter-revolutionary state violence which the Aquino regime's total war policy embodies.

They have no clear agenda to solve the roots of the crisis and civil war raging throughout the country. Their holier-than-thou condemnation of violence glosses over the structural violence of the ruling system which breeds the increasing poverty and oppression of the people and the lack of

national freedom and dignity of the Filipino nation.

They talk of peace because they are stricken by fear that the system from which they profit immensely may totally collapse. They are extremely alarmed at the swift plunge into deeper crisis of society and the state, the instability of the Aquino regime and the tremendous revolutionary possibilities emerging from this situation.

Some of them ride on progressive demands and trends, but the ultimate objective of their actions is to place the revolutionary movement on the defensive and weaken it. In all probability, their tactic is to pacify the enraged masses suffering from the whiplash of the crisis, undermine the revolutionary struggle and forces of the people, neutralize or decisively defeat the militarists threatening another coup d'etat and tide over the Aquino regime until 1992, the year of the next presidential election.

Progressive leaders like Sen. Tanada and progressive organizations belonging to and having a strong influence within the MPA hew to a different line. They want the government to confront and respond to the problems which underlie the crisis and civil war. They recognize the importance of NDF participation in solving these problems and achieving genuine peace in the country.

However, they avoid facing squarely and objectively the real nature of the Aquino regime and the puppet state and condemning it for the crisis and violence that cause the people's misery and oppression. They still cling to reformist illusions which blur their views and position on state violence and lead them to reject, if not condemn, revolutionary violence. They reflect the middle-class vacillation on the issue of resolute struggle against the oppressors and the middle-class fear of armed revolution.

Fluctuations in MPA stand

Influence over the MPA is divided between these progressives, on the one hand, and the right-wing social-democrats and diehard anti-communists, on the other. This is the reason why the MPA fluctuates between taking a progressive line directed at the roots of the crisis and armed conflict and advocating reactionary projects such as COPE's "zone of peace."

Straddling the two are the Association of Major Religious Superiors of the Philippines (AMRSP) and the National Council of Churches of the Philippines (NCCP). In the pronouncements of these two major religious institutions, they have emphasized solving the fundamental problems of the country as the way towards genuine peace. This stance of the AMRSP and NCCP mirrors the influence of progressive leaders in institutions basically conservative in nature. But their bias against revolutionary violence is deeper and stronger than that of the progressives in the MPA.

A separate analysis of the mass media is called for. Its character and social position naturally incline it to give more weight to the views and actions of the government and ruling classes in society. On the issue of peace, the big publishers and owners of the broadcast media have the same interests as the ruling classes. Furthermore, mass media capitalists have a particular interest in preserving the present order against the militarists who may kill off their business and with it, their influence in society. In the same vein, they fear the revolution because they believe that it intends to wipe out their huge economic interests and control over mass media.

The outlook and position on peace of the revolutionary forces continue to earn space in the newspapers and the broadcast media, particularly when journalists and broadcasters stick to the principles of honest and impartial reporting. But, on the whole, editorial policies can be expected to be in tune with the peace line being promoted by the big media owners and publishers, together with the forces dominating society.

It took some time before Mrs. Aquino responded to the calls and initiatives of the churches, some politicians and political parties, cause-oriented organizations and mass media. When she did, the move she made was extremely cautious and limited -- issuing a directive to Cabinet Cluster E, a group of Cabinet members in charge of discussing security and political affairs, to study the possibility of renewing talks with the NDF regarding a ceasefire.

The focus was on a ceasefire, not on an agenda centered on the main issues behind the civil war. In her next pronouncement, Aquino made it clear that she wanted no more than a limited and localized ceasefire, such as for instance in quake-devastated areas.

The dynamics of the contending views within government on the issue of peace produced this kind of response. The Department of National Defense (DND) and the AFP High Command are vehemently opposed to formal and open talks with the NDF because, according to them, this is tantamount to a recognition of the belligerency status of the revolutionary movement. They are also strongly against a nationwide ceasefire. Instead of this, they have proposed a limited and localized ceasefire, similar to the "peace zones" being proposed by COPE. This is probably because the COPE's concept of "peace zones" fits well into the counter-insurgency campaign.

On a different tack are the views of the highly influential "Council of Trent," a clique of Cabinet members, presidential advisers and big businessmen who are part of Malacanang's inner circle and are closely associated with the Jesuits and Catholic Church hierarchy. They favor a peace process with this discernible objective: to neutralize the NDF and give the regime enough elbow room to concentrate on the militarist rebels so that Mrs. Aquino can ride out the crisis until the presidential election in 1992.

Right now, what is clear is that the Aquino regime is making a show of being open to talks with the NDF in response to pressures from some quarters of the ruling classes and an influential section of the middle classes. Whether this is the start of a bigger scheme, or more likely, whether it will take shape in an entirely new scheme, depends on the internal dynamics within the regime and among the reactionaries as they grope for ways to ride out the crisis and to stem the advance of the revolution.

Revolutionary position on peace

However the situation develops, the Party must continue to affirm and propagate the revolutionary stand on the peace issue -- that only by resolving the fundamental problems of the nation can there be a genuine, just and lasting peace.

The Party stands on the principle that only the total victory of the national democratic revolution will lay the ground for a durable peace. But

it is ready to enter into talks or even an agreement for the peaceful resolution of the basic problems of Philippine society should conditions arise to make this possible.

The Party fully supports the NDF position that peace talks must be conducted within the framework of a comprehensive resolution of the issues at the root of the armed conflict. The ceasefire issue must be placed within this framework. The revolutionary movement is prepared to discuss a nationwide ceasefire as one of the topics in a comprehensive peace agenda.

By firmly grasping the revolutionary line on peace, the revolutionary movement is able to expose the reactionary scheme on peace and gradually wean away the progressive forces and elements from their reformist view of the peace process.

In addition, the fascist state violence expressed in the Aquino regime's total war policy should be vigorously and unceasingly exposed. This task is made easier by the arrogant and brazen pronouncements of a fascist AFP totally opposed to any serious and meaningful approach to the question of peace.

What is paramount at this point is to intensify political and military struggles against the puppet regime and its US imperialist master to hasten the victory of the national democratic revolution. This also ensures that the revolutionary movement will be in a more advantageous position to deal with any kind of peace scheme or maneuver by the reactionaries.

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"PEACE ZONES" -- ANTI-PEOPLE AND COUNTER-REVOLUTIONARY SCHEME

As the Aquino regime renews its "peace" rhetoric, a proposal to create "peace zones" or "zones of life" in the midst of the intensifying war in the countryside has been pushed forward by a cluster of upper-class and middle-class groups and elements involved in the peace issue and is now receiving an official boost from the government.

In discussions with a Cabinet group charged with studying the possibility of peace talks with the National Democratic Front, the Multisectoral Peace Advocates (MPA) strongly urged the Aquino government to promote "peace zones" throughout the country.

Defense and military officials led by Fidel Ramos, who have consistently and vehemently opposed a nationwide ceasefire with the revolutionary forces, openly declared themselves amenable to the idea.

Unwilling to consider a comprehensive peace agenda proposed by the National Democratic Front as essential to the peace process, the Aquino regime is finding the "peace zone" concept increasingly attractive and in line with its own desire for "limited" or "localized" ceasefires.

The Coalition for Peace (COPE), an organization dominated by the right-wing social-democrats and closely associated with the Jesuits, is the initiator and primary exponent of "peace zones." Since 1988, this has been

the central focus of their "peace" work. But they have generated little public interest until recent developments highlighted the issue of renewed peace talks and ceasefire with the NDF.

Lately, the idea was endorsed by some influential quarters, among them the Catholic Bishops Conference of the Philippines and a few cause-oriented organizations and personalities now engaged in peace advocacy.

As COPE defines it, a "peace zone" can come into existence when community residents unilaterally declare their area as such and act together to exert pressure on government armed forces and the revolutionary armed forces to cease hostilities and operations there. "Community-based structures" are then set up to manage the "peace zone," and they take steps to regulate the behavior of the armed combatants on both sides, promote "dialogue and the spirit of pluralism" within the zone, and pursue a "local development agenda." This "people's organization" intervenes or mediates whenever there are issues or incidents between the contending armed parties.

According to the MPA, the avowed purpose of a "peace zone" is to "forge space beyond the reach of the raging internal war in which to live and develop (the) community." Their vision is to multiply the "peace zones" until they cover the whole country, thus reducing and eventually eliminating the space for war.

"Peace zones" in actual practice

From 1988-1990, COPE launched "peace zone" projects in five areas: Sagada, Mountain Province; Naga City, Camarines Sur; Tabuk, Kalinga-Apayao; Bgy. Bituan, Tulunan, North Cotabato; and Sitio Cantomanyog, Candoni, Negros Occidental.

COPE holds up Sagada as the "most advanced" among the "peace zones" and claims that a "no-war situation has been able to hold despite occasional threatening situations posed by one or the other of the armed parties."

Towards the end of 1988, the people of Sagada had demanded that their area be demilitarized and that both the AFP and the NPA should pull out. This was triggered by two separate incidents: one in which drunken soldiers of the 50th IB shot and killed two youngsters in the town; and the other, in which an NPA unit sniped at and exchanged fire with the Army detachment in the town center, resulting in the death of a child.

The Cordillera People's Democratic Front-Mountain Province and the regional command of the NPA clarified that the NPA unit involved had violated a clear policy to avoid military actions in the town center and heavily-populated areas. It was discovered that a deep penetration agent (who subsequently joined AFP operations against the NPA) had provoked the sniping incident. But out of respect for the sentiments of the people, the NPA agreed to pull out from the town center on condition that the AFP do the same.

However, the AFP refused to remove the 50th IB from Sagada and instead launched operations to flush out the NPA, bombed and strafed villages and engaged in mass arrests of civilians suspected of being NPA supporters. In the face of the continuing total war campaign of the AFP, the revolutionary leadership of the region withdrew its agreement to a "peace zone" and asserted the right of the revolutionary armed forces to defend the people.

Throughout all this, COPE trumpeted its "successful" efforts to establish a "peace zone" in Sagada. It criticized the revolutionary movement for refusing to recognize the "peace zone" and publicly challenged the national leadership of the NDF to override the "rigid" decision of the CPDF and NPA regional command. But it had nothing to say about AFP operations in the province and the region.

Until today, Sagada and the whole of Mountain Province remain heavily saturated with military and paramilitary troops, and military operations are conducted anytime and detachments set up anywhere. The much-hated 50th IB troops have indeed been reassigned but PC soldiers have taken their place.

In July and August this year, a composite force of the 192nd PC Coy and CAFGU undertook company-sized operations in eastern and southern Sagada, while the 1st Special Force Coy of the Philippine Army swept through the northern barrios. A detachment was set up in the town center, positioned below a school.

Not only has the objective of "demilitarization" not been realized in Sagada. Despite the flood of socio-economic projects in the province, there has also been no real economic progress, or whatever kind of "people's development," particularly for the deprived masses. Local officials and their cronies have benefitted the most, since nearly 30 to 60 percent of the project funds have ended up in their pockets.

Nearly 85 percent of the Sagada population remains below the poverty line. More than 80 percent of households lack rice till the next harvest. Seasonal jobs become their only source of income during the months of shortage which last from three to eight months.

Basic commodities are sold at exorbitant prices -- from 30 to 80 percent above their buying price. On the other hand, agricultural products are grossly underpriced -- with only 21 percent of the market value going to the farmers while 79 percent are appropriated by middlemen.

Yet, COPE continues to propagandize that the "livelihood and infrastructure projects" are serving the purpose of "addressing the roots of the armed conflict on the local level through the pursuit of a local development agenda on (the people's) own terms."

In the rest of the areas, COPE has achieved virtually nothing except the unilateral declaration of these as "peace zones" -- despite the glaring realities of militarization, increasing human rights violations and the rise of criminality and tribal wars directly instigated by the AFP.

The proposal of the Heart of Peace (HOPE) in Naga City has been outrightly rejected by the Camarines Sur PC-INP command. The CAFGU raided Cantomanyog, Negros Occidental not long after it was declared a "peace zone." A delegation composed of some government and Church officials was even barred from entering the sitio, causing Bishop Antonio Fortich to abandon his plan to set up "peace zones" all over Negros. In Bgy. Bituan, Tulunan, North Cotabato, the activities of the local military detachment continue to pose an armed threat to the community residents.

Avoidance of issues behind armed conflict

Are these "peace zones" really laying the ground for a genuine, just and lasting peace throughout the country? Have they achieved even their initial purpose of "demilitarizing" the areas involved and "mediating" between the government and the revolutionary forces? Are the "peace-building" communities on their way to realizing the "spirit of pluralism" and "local development"?

It does not take much to see that none of these objectives are being met in the COPE's "peace zones." COPE blames this on the "hardheadedness" of both parties in the armed conflict and focuses its attention and pressure on the NDF and NPA. In reality, the revolutionary movement has been open to dialogue with COPE and even some local groups clearly dominated by reactionaries, proposing alternatives when it cannot fully agree with COPE's demands. On the other hand, the AFP has refused to consider anything other than the outright pull-out and surrender of the revolutionary forces in the areas, while maintaining its freedom to launch military operations.

"Peace zones" have failed, and will continue to fail, in paving the way for a genuine and lasting peace because, first of all, they are based on an avoidance of the fundamental issues that lie at the heart of the civil war raging throughout the country.

"Peace zone" advocates try to make it appear that the people are a "neutral party" in the armed struggle that is going on in the countryside. They narrow down the people's problems to a simple lack of peace, singling out violence as the main obstacle to their progress and development.

They negate the fact that the revolutionary armed struggle and the forces that spearhead it have persisted and grown through the years because they are fighting for revolutionary changes that will solve the basic problems of the people. Substantial sections of the people support and take part in revolutionary armed struggle, believing it to be the most effective instrument in liberating themselves from the exploitative and oppressive ruling system.

Though one of its declared aims is "addressing the roots of the armed conflict," the "peace zones" promote "people's development" within the semifeudal and semicolonial order that breeds ever-deepening mass poverty and economic and social crisis.

Because they focus attention on eliminating violence without eliminating the conditions that spawn violence, "peace zones" cannot help but end up as a defender of the status quo, of the unjust and repressive ruling system from which the people are seeking to liberate themselves.

They thus serve a counter-revolutionary purpose: quelling the people's desire for change through palliatives and false hopes. They delay the resolution of the fundamental problems of Philippine society.

One-sided treatment of peace question

Furthermore, "peace zone" proponents treat the peace question one-sidedly and are biased in favor of the reactionary system. It turns a blind eye to the proliferation of the AFP-CAFGU, their criminal activities, abuses and atrocities -- in fact, the entire "total war" program of the Aquino regime which is the main cause of the escalation in the level of warfare.

The "community-based structures" which COPE builds in the "peace zones" do not act as "neutral entities" or "independent bodies." Most of the time, they are composed of local bureaucrats, small businessmen and professionals who, because of their reformist outlook, social position or lack of a solid mass base, are incapable of challenging the authority of the AFP. They are largely ineffective in mediating or intervening between the two armed parties in order to lessen the intensity of the armed conflict.

Because of this, "peace zones" have not contributed substantially to reaching a state of "demilitarization." In fact, in some cases, the armed conflict intensifies, rather than cools down or lessens. Intrigues, suspicions and maneuvers -- instigated by the local AFP command, or even by COPE itself or its local counterparts -- become rife.

A prime example is what is happening in the so-called "peace zone" of Tabuk, Kalinga-Apayao. In early 1989, the Kalinga Bodong Council was formed with COPE's help and sponsorship. From the start, it was dominated by reactionary elements, counting among its members an AFP intelligence officer, active CAFGU organizers and leaders of Balweg's Cordillera People's Liberation Army (CPLA). The KBC started its term by condemning "NPA atrocities" while oblivious to the widespread abuses of the AFP-CAFGU-CPLA in the province.

Outside the guerilla bases of the NPA, killings and hold-ups involving AFP-CAFGU-CPLA members are the scourge of the people. When the NPA was in control of the road running through Upper Tabuk, Cagaluan, Pasil and Lubuagan, anti-people activities were virtually eradicated. All these resurfaced with the return of the PC-CAFGU-CPLA. Armed robberies are a daily occurrence in the center of Tabuk and the main road going to Tuguegarao and Isabela, where the PC and CAFGU maintain checkpoints.

Throughout its long history of revolutionary work in Kalinga, the NPA has earned the respect of the tribal chiefs for its efforts in helping to solve the tribal wars. It stands on the principle that there should be a clear distinction drawn between tribal war and class war and that all the armed combatants on either side of the ongoing war should be excluded from the bodong. In this way, the unnecessary complication of tribal politics by the armed class conflict is avoided.

During its first congress, the KBC passed a resolution excluding the NPA from the bodong while not excluding the AFP-CAFGU-CPLA. This move is bound to exacerbate tribal conflicts, in view of the increasing terrorist, extortion and criminal activities of the AFP-CAFGU-CPLA. Several tribal wars were caused directly by CAFGU abuses, and some tribes are joining the CAFGU to arm themselves against other tribes with whom they are in conflict.

The KBC resolution thus plays into the military counter-insurgency scheme known as KKK (Kalingas Kill Kalingas).

Adjunct of counter-insurgency campaign

Far from being "neutral," the COPE organizations and "peace zones" are used to pressure and trap the revolutionary forces and people into giving up or laying aside the armed struggle.

The local COPE structures are enlisted by the military and civilian officials to support campaigns for the surrender of NPA members or to engage

in "socio-economic" or "social welfare" projects in areas adjacent to or within the guerilla bases and zones. These projects, in which COPE works closely with Malacanang's Peace Commission, are designed to win over the "soft support" of the revolutionary movement.

In April 1990, the regional Party committee received a proposal from the KBC asking for safe conduct for those taking part in a so-called "Immunization for Peace" project in the municipalities of Balbalan and Pinukpok (suspected by the AFP as being strongholds of the NPA). After giving immunization, the group would deliver "peace" lectures, ostensibly to educate the people on the evils of tribal war.

Analyzing the proposal, the Party found many things questionable about it. One was why these two places had been chosen for the immunization program when no serious health problems existed there (unlike in Tinglayan, where there was an epidemic), and legal health institutions as well as barrio health teams were providing effective medical services to the people.

Suspicious, too, was the KBC's insistence that the program be administered by the department of health and other organizations associated with COPE, when the existing local health network was capable and fully functioning. Also, why single out the two municipalities for a "peace" lecture when tribal war is almost non-existent in these two areas, unlike in Tinglayan, Tanudan and Lubuagan?

COPE also engages in divisive schemes against the revolutionary movement. "Local truces" and "local agreements" are used to fragment the revolutionary forces. Perceived differences between the national leadership of the NDF (seen by the COPE as more "moderate") and the regional or provincial leaderships are exploited. This it did in Sagada, when COPE attempted to pit the national NDF against the CPDF; and once again in Kalinga, when it "petitioned" the national NDF to overrule the objections of the regional leadership to the "immunization for peace" program.

It also becomes increasingly clear that one of COPE's objectives in building "peace zones" is to put the revolutionary forces in a defensive position against the continued military campaigns of the AFP.

In COPE's "peace zones," the military/police forces are allowed to exercise police functions, but the revolutionary forces are supposed to move out and halt not only their armed activities but also their political activities. The revolutionary movement is kept out, while the entire apparatus of repression which gave rise to the revolutionary armed struggle is maintained.

Little wonder that Fidel Ramos and the Aquino regime are warming up to COPE's proposal for "peace zones." These perform a distinct service to the counter-insurgency program of the US-Aquino regime. The supposedly "neutral" COPE organizations serve as adjuncts of the civilian apparatus of the regime, in effect becoming part of the civilian component of the counter-insurgency.

There is another reason for the Aquino regime's favorable attitude towards COPE's "peace zones" -- it no longer has the capability to wage sustained counter-insurgency operations simultaneously at many points throughout the country. This is due to the effects of the continuing and intensifying divisions within the AFP and, in the past few months, the economic squeeze brought about by the July 16 earthquake and Persian Gulf

crisis, combined with the regime's refusal to relieve the country of its tremendous debt service burden.

Knowing they can no longer crush the revolutionary forces by 1992, the Aquino regime and the AFP High Command now toy with the idea of "limited" and "localized" ceasefires -- the same idea in COPE's concept of "peace zones."

A revolutionary approach

The revolutionary forces should expose the "peace zones" as a counter-revolutionary and anti-people scheme of the reactionary classes to delay the resolution of the fundamental problems of Philippine society and to divide the revolutionary movement. They should continue to affirm and propagate the revolutionary line that only by solving the root causes of the armed conflict can a just, liberating and lasting peace be achieved.

At the same time, they should project a revolutionary approach to the question of "peace zones" -- not only to expose the real motives and pro-reactionary bias of the "peace zone" proponents of COPE but also to place the issue of "peace zones" in the proper framework.

The revolutionary movement does not engage in war for war's sake but with the ultimate objective of ending all wars which are brought about by the exploitative and oppressive social system and the evils arising from it. In their conduct of war, revolutionaries adhere to the principle of defending and protecting the interests of the masses and to a strict code of discipline, as well as respect international humanitarian laws on war.

Revolutionaries place the highest value on human lives and the people's welfare. Moreover, they know that material resources are necessary for the building of a just, independent, democratic and prosperous society. It is US imperialism and its local puppets who have a deadly arsenal that can level villages to rubble, wipe out plant and animal life in wide swaths of the countryside and kill thousands in an instant. They are the ones who have no compunction about using weapons of mass destruction, as they graphically showed in Vietnam and as they are about to do in the Persian Gulf. They are the ones who violate the civilized conduct of war.

It is necessary, at certain times and in certain situations, to designate neutral and demilitarized zones -- genuine peace zones -- where the armed conflict is regulated or kept out. This serves as a concrete way of lessening the intensity of the war or curbing its escalation to extremely destructive proportions. Such peace zones can be places where hospitals, schools, churches and neutral evacuation centers are located. In large territories with large populations, they can be established to meet specific situations or conditions, such as in areas devastated by a natural calamity. They can also be enforced for a short duration to facilitate the exchange or turn-over of prisoners or the safe passage of medical personnel across battle lines.

In these cases, there are strong humanitarian reasons for declaring peace zones where armed combatants from both sides should not engage in hostilities. Even now, there have been instances where the NPA has observed such a practice.

The management of the peace zone cannot be entrusted to self-proclaimed mediators, such as the COPE, its counterparts or similar organizations.

Political authority within it should be vested in a neutral political entity, such as an international body or a joint committee with an equal number of representatives from the Philippine government (GRP), NDF and a mutually agreed third party which can be a neutral international or local organization.

Only thus can genuine pluralism and the political freedoms of any party or organization in furtherance of their legitimate interests be protected inside the peace zone. The attempt to use the peace zone or its administrative bodies in order to pressure the revolutionary forces to surrender or to suppress their political activities is a violation of its neutrality and should be rejected.

Such a peace zone cannot also be set up by the mere unilateral declaration of a group or organization claiming to represent the people. It must be the result of a clear agreement between the GRP and NDF, since they are the decisive parties in the matter.

Though local in scope, the creation of the peace zone should have the approval of the central authorities of both GRP and NDF. This ensures that the peace zone is not used as an instrument to sow intrigues or divisions within the revolutionary movement as well as that the AFP High Command does not override the agreements made at the local levels.

Of course, US imperialism and the fascist chieftains of the AFP will surely reject and resist any measure that ties their hands in further intensifying the war and in employing the most massive force possible to crush the revolutionary movement.

But, as the revolutionary armed struggle and the entire revolutionary movement advance to higher levels, the space for such peace zones can be created. The increasing inability of the reactionary state to sustain an "unwinnable" war both economically and politically will eventually force it into making some concessions to the revolutionary forces and people.

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US-AQUINO REGIME FIRMS UP US BASES STAY

The US-Aquino regime's conspiracy and deception continued as the talks on US bases in the Philippines resumed this month. The second round of talks between the RP and US negotiating panels, now called the Philippine-American Cooperation Talks (PACT), has further firmed up the US-Aquino regime's scheme to extend the stay of US military bases in the Philippines beyond September 1991.

Despite the Aquino government's nationalist rhetoric, it has guaranteed the extension of the bases lease through a scheme of "gradual phase-out" or "orderly withdrawal" of the US military bases and a conversion plan for the bases which will allow the US "continued access" to the Subic naval and Clark airbase facilities by way of a combination of joint-use and commercial arrangements.

Days before the start of the second round of talks, a draft of the proposed RP-US Treaty of Friendship and Cooperation was leaked to the media. In the said draft, which was never categorically denied by the Aquino

government, the Philippine would push for the take-over of Clark airbase and the four other smaller US military facilities in the country by September 1991 and the gradual phase-out of Subic naval base. The draft would also allow a continued and indefinite US access to Clark airbase and Subic naval facilities through a commercial lease arrangement in the future.

This jibes with the statement from US Congressman Stephen Solarz that the United States government is amenable to a 10-year phase-out (the more appropriate term is "phase-down") of the US military bases in the Philippines after the current bases agreement expires on September 16, 1991. The United States, however, according to Solarz, wants continued military access to the facilities in the Philippines and will remain a military power in the Asia-Pacific region. He warned that the flow of economic aid to the Philippines will stop if the US bases are suddenly pulled out.

As if on cue, President Aquino, on the eve of the start of the second round of talks, called for an "orderly withdrawal" of the US bases in the country after September 1991. This arrangement is merely intended to disguise or cover up the extension of the stay of the US bases beyond 1991. If the US government really wants it, it can effect the orderly withdrawal of its forces in the Philippines in so short a time before 1991, as proven by the speed with which it was able to deploy a substantial military force in Saudi Arabia and the Persian Gulf within the span of two months.

At the opening of the four-day zarzuela on the US bases, US Chief negotiator, Richard Armitage, called for a 10-year transition period for the phase-down of US military facilities in the country. Willfully disregarding the current patriotic demands of the Filipino people as well as the provision of the 1987 Aquino Constitution, Armitage arrogantly proposed instead that voters of the 21st century "decide whether or not they believe a continued US presence will be helpful."

The US pronouncement regarding the phase-down or reduction of US forces in the Philippines is no big deal. It is part of the long-term plan of the US government to reduce its overseas military facilities in the light of current world realities.

First, a substantial cut in military expenditures is being asked by the US Congress to reduce the huge budgetary deficits. Second, the permanent presence of large US military forces overseas can no longer be justified by the Bush Administration in the wake of the so-called end of the Cold War and easing of tension in the world. Third, advances in military technology no longer require the presence of huge military forces outside mainland USA as shown by the speed with which US military forces from bases in the USA were sent to the Persian Gulf last month.

The reduction of US military forces in the Philippines does not mean a major change in the US strategy in the Asia-Pacific region. The United States still wants to maintain its military presence in the Philippines and other countries in the Asia-Pacific at the level that will enable it to exercise its strategic role as "global policeman" to ensure its political and economic hegemony in the region at a time when it is buffeted and being weakened by grave economic difficulties.

Moreover, while the US may have established a major foothold in the Persian Gulf through the stationing of its huge military force in Saudi Arabia, the US still needs the facilities in Subic and Clark Field as a

backup service and support line for the US interventionist forces in the Persian Gulf when war breaks out.

In the previous talks, the Aquino government was unequivocally told by Armitage that the US can no longer afford to pay additional cash for the continued stay of its bases and followed this up by scolding the Philippine negotiating panel for engaging in "cash-register" diplomacy. This time, vainly avoiding stamping a dollar sign on the second round of negotiations, the Aquino government focused its haggling with the US panel on the non-cash compensation -- veterans' rights and benefits, debt relief, trade concessions, aid management, as well as cooperation and assistance in such areas as health, education, environment, science and technology.

All these will be incorporated in a so-called RP-US Treaty of Friendship, Cooperation and Security which will include the provisions for the continued US military presence in the Philippines after 1991. Through this proposed treaty, the Aquino regime has chosen to continue anchoring the country's economic development as well as defense and security on the continued US military presence, further perpetuating US neocolonial rule in the Philippines.

Continuing efforts to undermine anti-bases movement

As in the previous talks last May, the Aquino regime once again tried to suppress the rising tide of anti-bases sentiments in the country by violently dispersing the anti-bases rallies held by thousands of patriotic Filipinos before and during the second round of talks. It even went to the extent of stopping the TV showing of a documentary film on the US bases.

The Aquino government's Movie and Television Review and Classification Board, which has proven itself in the past as the nemesis of press freedom and free expression, disapproved the showing of the bases film on the pretext that it was "overwhelmingly anti-bases and anti-American." It even shamelessly defended its act on the grounds that the film was "injurious to the prestige of the Republic of the Philippines and its people." Further showing its unpatriotic and pro-US bases stand, the Board warned that the showing of the film will only jeopardize the on-going negotiations for a new bases treaty.

To further bolster the Aquino regime's "orderly withdrawal" scheme on the bases, the results of a survey supposedly conducted among the Catholic bishops in the Philippines was announced in the media, showing that majority of the bishops support the gradual phaseout of the US bases in the Philippines.

At the same time, pro-bases forces have also used the Persian Gulf crisis and subsequent return of Filipino overseas workers as another alibi for extending the stay of the bases, arguing that its closure will aggravate the unemployment problem and the severe economic crisis that the country is experiencing.

After adjourning last September 21, another round of talks was scheduled before the end of October. Desperate for immediate relief -- foreign aid and new loans -- in the face of the country's grave economic crisis, Mrs. Aquino said that she wants a new treaty by January next year to cover the stay of the US bases after September 1991.

Despite its declaration of putting national sovereignty and national interest above everything, the Aquino government continues to serve the interests of US imperialism and to ignore the patriotic demands of the Filipino people for the dismantling of US bases on Philippine soil. The Aquino government would rather bypass this historic opportunity to truly assert Philippine sovereignty. Instead, it has opted to make this treasonous act of extending the stay of the US bases as the shameful hallmark of its rule.

The patriotic act of finally putting an end to US military presence in the Philippines and liberating the country from foreign domination falls on the shoulders of all anti-imperialist and democratic forces in the country. The Filipino people must steadfastly assert the country's national sovereignty and independence by launching bigger and more powerful mass actions against the stay of the US bases in combination with greater armed offensives against US imperialism and against the traitor Aquino regime. Today's generation of Filipinos should rejoice and stand proud for being given this noble opportunity and task at this crucial juncture of Philippine history.

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REVOLUTIONARY PENAL CODE AND JUDICIAL SYSTEM IN NEGROS

(The crafting of a penal code and judicial system is an important part of setting up and consolidating the revolutionary organs of political power in more and wider areas throughout the country.

As revolutionary governments are built on a broader scope and at higher levels, the simple rules which used to guide the people's courts as they meet from time to time are no longer adequate. It becomes imperative for the revolutionary forces to maintain a standard and regular penal code and judicial system.

Ang Bayan reproduces below the product of revolutionary efforts in this field in the island of Negros. In making this revolutionary penal code and judicial system -- the first in the entire country -- the comrades in the region took the following principles into consideration:

- \ Any person suspected of being a counter-revolutionary or criminal has the right to be tried in accordance with due process. The people's court should determine whether there is sufficient evidence (whether circumstantial or prima facie) to warrant filing a case;*
- \ The accused is presumed innocent until proven guilty;*
- \ He has the right to defend himself and ask for legal counsel;*
- \ He has the right to appeal the case; and*
- \ The punishment meted out should be commensurate to the nature and gravity of the crime.*

We encourage readers to send in their comments, criticisms and suggestions on the document. We hope that this pioneering effort in Negros will serve to hasten the formulation of a revolutionary penal code and judicial system for the whole country. -- Editorial Board)

People's Court

The people's court is an institution which is an integral part of the people's revolutionary government. It has the power to interpret the revolutionary laws and mete out punishment to counter-revolutionaries and criminals who are proven guilty.

The people's court is composed of nine members. Three come from the Communist Party and New People's Army and six from the mass organizations. The six are divided among the mass organizations and the support group.

These nine members form the jury. They elect among themselves the presiding officer and deputy presiding officer.

When there is a regular people's court, the members can become permanent.

The members should have the following qualifications: knowledge of the law and court/judicial process; of good moral character and in good standing for a period of two years; 21 years old or older.

The presiding officer and his deputy should be good at conducting meetings to facilitate the process of sifting through the arguments and counter-arguments presented by both sides.

For reasons of delicadeza, persons related to the accused within the first degree of consanguinity cannot sit in the jury or act as judges.

The members of the court are chosen in a meeting attended by representatives of the Party, mass organizations and support group of the middle forces.

The executive committee of the Party branch appoints the three representatives from the Party and NPA. These members may be drawn from the militia unit. It also chooses the representative from the support group.

The organizing committee or council of the revolutionary mass organizations appoints their representative.

Apart from the nine judges, the prosecutors (not more than three), defense counsels (not more than three), clerks of court (two) and court sheriffs (two) form part of the people's court.

The clerk of court takes down the minutes of the court proceedings and keeps the file of court records.

The court sheriff maintains order during the trial.

Rights of the accused

The accused has the right to choose his defense counsel on condition that: (1) there is no security problem involving the one chosen; and (2) he has a knowledge of revolutionary laws and judicial processes. If no counsel is chosen, the court can appoint one; it should make sure he is capable of

defending the accused.

The accused may choose his prosecutors.

The accused may act as his own counsel and the accuser may serve as prosecutor.

Court procedures

In general, court hearings are open: meaning, anyone can attend so long as it does not cause a security problem.

The court may decide to hold a closed-door hearing in cases where there is a danger to security or the accused asks for it. The latter is often done when the case is scandalous in nature.

Members of the immediate family, court officials, witnesses and others designated by the court may attend closed-door hearings.

The accused can be tried in absentia if: (1) a danger to security does not permit bringing the accused before the court; or (2) the accused refuses to attend the trial, flees and/or takes refuge with the enemy, making it difficult to arrest him.

Guiding principles

The basic principle guiding the jury/judges, prosecutors, counsel, witnesses, defendant and complainant is discussion of the case on the basis of actual events and facts, using our code of discipline and rules of conduct as the standard, and seeking the truth from facts.

Whoever violates this basic principle by lying or covering up the truth should be held liable, and a competent body can mete out a commensurate punishment or fine.

The right to appeal

The person convicted of being a counter-revolutionary or criminal may appeal his case, if he can present a firm basis for reopening it.

Also given the right to appeal on behalf of the one convicted are members of his immediate family, sympathizers and whoever recognizes and places himself under the authority of the penal code and judicial system of the revolutionary movement.

The period of appeal is determined by the Party district committee. This period starts once the sentence is handed down.

A death sentence may be immediately implemented if there is imminent danger. It can be said that there is imminent danger if the enemy discovers or raids the area of detention, there is an exchange of fire, and it is not possible to transfer the prisoner to another place.

Evasion of sentence

Fleeing from the place of detention or non-fulfillment of liabilities such as fines constitutes evasion of sentence.

Leaving the place of detention without permission but for valid reasons and returning immediately within two days is not considered an evasion of sentence. However, returning on the third day is considered an escape from detention.

Leaving without permission for three successive times, even if return is made within one or two days, is considered to be an escape from detention.

Those proven to have escaped will be given an additional sentence and punishment. This will be handed down by the court which decides on the case of the convicted person or any similar organ.

If the one convicted escapes, he should immediately be captured. If he eludes arrest, he may be the subject of a shoot-to-kill order when the crime he has committed is grave. The shoot-to-kill order is issued by the Party branch, section committee, district committee and other leading organs.

A death penalty should not be meted out to one who escapes from detention and is rearrested but who has not previously been sentenced to death.

In case of evasion of fines by the one sentenced, a corresponding amount of his properties can be confiscated. But if the fine adversely affects the economic condition of his family, the additional punishment can take other forms. For example, his period of detention may be lengthened.

A detained defendant who escapes while on trial should be rearrested immediately. His escape will be used as an aggravating circumstance. If he cannot be immediately rearrested, he should be tried in absentia.

Arrest procedures

It is our policy that when arresting a person whom we do not intend to execute, we should avoid binding him, forcing him to lie prostrate on the ground, or holding a gun to him, except if he is dangerous and shows an intent to resist arrest, he is accused of a serious crime, or he is a diehard element who has been sentenced to death. The use of methods of arrest designed to prevent resistance or shock, particularly of those not sentenced to death, should be maximized. Threats, physical abuse or torture should be avoided because this is harmful to the political objectives and content of our work.

If there is great risk involved in arresting a suspected counter-revolutionary or criminal, a special team can be set up or the help of the NPA should be sought.

In case the suspect resists arrest, members of the arresting team may use their guns on him if there is actual danger to their lives. They may resort to killing him only if he has already been sentenced to death.

If the one resisting arrest is an ordinary criminal who has not received a death sentence, it is better to let him alone rather than to kill him. A way of arresting him on another occasion should be found.

An arrest order can be implemented during the pre-trial period when there is prima facie evidence and a competent body issues the order.

An arrest order from a competent body can also be implemented after the trial.

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BOLD NPA ACTIONS IN NORTHERN LUZON

The NPA in norther Luzon dealt heavy blows to the AFP in a number of tactical offensives during the first half of 1990, according to reports sent by AB correspondents in the region.

An NPA platoon ambushed an 89-member combined force of the 129th and 130th PC Company in Bokiaywan, Hungduan, Ifugao last February 24. It was a close and fierce encounter, with only 300 meters separating the two sides as they exchanged heavy gunfire.

A total of 26 enemy troops were killed and 24 wounded. The NPA was able to confiscate one mortar, one M60, six rifles and 200 bullets.

On April 14, the NPA raided the headquarters of the Alpha Coy of the 65th IB-PA in Bgy. Maowanan, Rizal, Cagayan. The camp was burned down.

Eighteen enemy soldiers were slain, including the company commander, while 14 others were wounded, among them a JUSMAG official serving as adviser to the local troops.

The Red fighters seized three M16s and lots of ammunition.

On May 14, the regional guerilla unit attacked a combined force of CAFGUs and the 54th IB-PA in Malitlitaw, Claveria. Ten army soldiers and CAFGU members were killed, and ten high-powered rifles fell into NPA hands.

Meanwhile, in Cagayan and Kalinga-Apayao, the NPA launched a series of punitive actions last May and June against several logging companies which had refused to heed revolutionary demands to pay revolutionary taxes and put a stop to the rampant cutting of trees in the area. The NPA destroyed P110 million worth of their equipment and other properties.

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Note from the Editorial Board

We wish to thank the NPA Regional Operational Command of Negros for sending us the data which were used in the article on NPA tactical offensives in the island (AB, August 1990). The reports were inadvertently credited to Paghimakas, revolutionary publication in Negros.