

batingaw

ISSUE 4

News, Views and Analysis from Migrante Melbourne

BATINGAW; BELL; HERALD; The New Voice of Filipino Migrants in Australia

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by George Kotsakis

Chairperson - Migrante Melbourne

Tyrants past and present

Have a happy Father's Day. In these times when death and misery form an unholy alliance, Filipino dads deserve a simple pat on the back reminding them that their effort to make ends meet have not gone unnoticed wherever they are in this world.

We mark as well the 34th year when Martial Law was declared, this day 21st of September, in the Philippines. Marcos, in his lust for absolute power, used military might to suppress opposition that have been building up against his autocracy.

It took Filipinos 15 odd years, thousands arrested, detained, tortured, lives taken, and million more lives wrecked before they liberated themselves from dictatorial oppression. The 1986 EDSA people's power action was a denouement of over a decade of a mass protest movement expressed through street demonstrations, critical writing, strikes and even guerilla action. Free from the yoke of a tyrant, Filipinos started to believe in themselves again and renew the hope for a better society. Political prisoners long held incommunicado were free again to express their views in shaping Filipino society. There were no more pretences, no malice, nothing being held back. Filipinos were starting over.

Four presidents later, we are back to square one. Massive and rampant graft and corruption combined with iron rule, an ignominious Marcos legacy, is worst than ever. Power is being usurped by the central government at every turn. Election fraud, malversation of funds, total sell-off of Filipinos abroad as super 'atsays' (domestic helpers), control of the lower and upper Houses of Congress, pay offs; threats and murders taint this current administration.

At present there are 752 political killings and 184 forced disappearances (*Karapatan, 17 Sept Bulatlat.com*) attributed to the current President Gloria Arroyo since she took office. Arroyo has beaten the Marcos dictatorship record for human rights violations including the brutal attacks against segments of the population critical of her regime.

Pres. Arroyo did not openly declare martial law, ostensibly to avoid Marcos' error. Instead she aggressively ordered an all-out war against alleged terrorists to her "good governance". She rewarded top government positions to a select group of loyal generals; thus creat-

ing a government which has all the hallmark of a Marcos military-civilian junta. She has renewed the campaign for a charter change with far worse features than that previously promoted by Marcos. She has left her citizens and 'kababayan' (compatriots) overseas in every economic and political crisis at the mercy of wolves.

Marcos put his opposition in jail. Arroyo simply branded them terrorists and let them become statistics of brutal killings in her all-out war on terror. Millions of civilians trapped in the quicksand of poverty are also in danger of being caught and killed in the crossfire of this all-out war. Daily, the statistics of the dead keeps rising.

Despite sharp criticism and rebuke by various governments, parliamentarians and prestigious international groups, the Arroyo regime is unyielding in its militaristic stance. With implied US support, she continuously defies the demand to protect her people. Instead she has opened up the Philippines to the rapacity of big monopoly capital. She let her country be run over. So long as she continues to cling to the coattail of the main superpower - the US - the Philippines will never be free.

Arroyo's power springs from how well she plays the puppet to the main superpower.

Where are the basic industries that she was supposed to build? Where are the infrastructure she was supposed to develop as the bases for a robust economy? What will happen to an already huge unemployment she has exacerbated if and when the over 10 million overseas workers are forced to go home? What would become of the Philippines if suddenly the overseas workers are not able to remit their hard-earned money to feed the coffers of the Philippines and their relatives? Like all her predecessors - she has abandoned the reconstruction of the Philippines to become a self-sufficient and reasonably governed country. Did her claims of economic growth and health, reflect on improved welfare of impoverished Filipinos?

Filipinos are patient to a point. It has taken 15 years to be free of Marcos' dictatorship. This time it will be different. Filipinos have matured politically to know not to rely on the promises of traditional politicians, businessmen or actors. This time they will rise up in the most steadfast and organised manner emulating the martyrs and heroes who have sacrificed their lives to improve the political and economic condition of the Filipino nation.



From left to right: George Kotsakis of Migrante Melbourne, May Kotsakis of PASA, Senator Gavin Marshall, Representative Joel Virador of Phil House of Congress, Angelina Ladera of KMU, State MP Jenny Mikakos, Jun Cabanos of CEPU, State MP Lily D'Ambrosio, Reyvi Marinas of Migrante Melbourne.

Human rights campaign gain grounds in Australia

Philippine Representative Joel Virador of Bayan Muna and Angelina Ladera of KMU arrived in Melbourne on July 30 for a speaking tour. Among the organisers of their tour are Migrante Melbourne and Philippines Australia Solidarity Association (PASA) in Melbourne; Philippine Australia Union Link (PAUL), Migrante Sydney and Action For Peace and Development in the Philippines (APDP) in Sydney; Migrante Perth in Perth and various labour unions in Victoria, NSW, SA, Queensland and WA.

The objective of the tour was to raise the awareness of the Australian public on the continuing human rights violations in the Philippines and to gather support on the campaign for the respect of human rights in the Philippines. Since January 2001 when President Arroyo ascended into presidency, more than 740 civilians have been killed. In most cases, the Philippine military and police force are the alleged perpetrators.

Representative Virador and Ladera met with Federal and State Parliamentarians in Victoria, Canberra, New South Wales and Queensland. They also met with community organisations, church groups, school personnel and students and many unions and workers groups in six states and territory.

Representative Virador went back to the Philippines on August 9 after successful meetings with parliamentarians and several speaking engagement. After many requests from various unions and groups who wanted to hear Angelina's sharing, we extended her tour for another 3 weeks and included Western Australia in the itinerary.

Ladera left Perth for the Philippines last August 30 exhausted but very pleased on the success of their tour. The campaign gathered plenty of support from different groups. The supports range from participating in the campaign such as writing letters, statements and leaflets; sending delegations to the Philippines; financial support to defray the cost of the tour and financial support to labour organisers in the Philippines.

The tour helped in raising the Philippine human rights campaign to a higher level with the supplement of the recent Amnesty International report and the Uniting Church of Australia report on the killings in the Philippines. You can get copies of these reports on their websites or you may contact Migrante Melbourne email - melbourne@migrante.org.au or Philippine Australia Solidarity Association for a copy.

HUMAN RIGHTS

Speech by Senator Gavin Marsall on the human rights situation in the Philippines

I am taking this opportunity in the adjournment debate tonight to alert the Senate to a report launched at Parliament House yesterday. The report, entitled *Getting away with murder: impunity for those targeting church workers in the Philippines*, was produced by the Uniting Church in Australia's Justice and International Mission Unit. This report serves to highlight the numerous cases of murders and death threats perpetrated against the citizens of the Philippines and provides a detailed description of 14 cases of Uniting Church of Christ members who have been murdered in the past two years.

The Philippines has a well-documented past of political unrest, with the suppression of workers, unionists, social justice advocates, political activists and, indeed, church members. I, along with many other Australians, can vividly recall the toppling of the disgraced Marcos regime. Following that, most of us could have easily assumed that democracy is alive and well in the Philippines; however, this is simply not the case. Since Gloria Arroyo came to power in January 2001, over 600 civilians, including trade union leaders, environmentalists, lawyers, municipal councillors and journalists, have been killed. As this report reveals, amongst the dead are pastors, priests and lay members of the various churches in the Philippines. In addition to this, many more activists have had threats made against them or assassination attempts made on their lives.

The common factor in all of these cases is that the victims have been outspoken on issues of poverty and justice. They have advocated for poor and oppressed people in the Philippines, for workers' rights, for civil liberties and for human rights, and some have been directly critical of the government. Most notably and perhaps most tragically, the common link between these deaths is that they could have been prevented through government intervention. In almost all of these cases, the prime suspects are government military intelligence units. As a consequence, very few of them have been adequately investigated and the perpetrators of these heinous crimes have not been brought to justice.

These themes are corroborated by Amnesty International, who on Tuesday released their report into human rights abuses in the Philippines. The Amnesty International report states that:

The common features in the methodology of the attacks, leftist profile of the victims, and an apparent culture of impunity shielding the perpetrators, has led Amnesty International to believe that the killings are not an unconnected series of criminal murders, armed robberies or other unlawful killings. Rather they constitute a pattern of politically targeted extrajudicial executions taking place within the broader context of a continuing counter-insurgency campaign. The organisation remains gravely concerned at repeated credible reports that members of the security forces have been directly involved in the attacks, or else have tolerated, acquiesced to, or been complicit in them.

Human rights abuses in the Philippines are further backed up

by other international organisations. Despite being a signatory to a number of international treaties protecting human rights and having the protection of human rights enshrined in legislation, this report affirms that since President Arroyo came to power:

... a national human rights organisation has documented 4,207 cases of human rights violations, which include killings, enforced disappearances, illegal arrests and unlawful detention, indiscriminate firings and forcible evacuation.

In launching the report, Reverend Gregor Henderson, President of the Uniting Church in Australia, remarked that it was with a great sadness and solidarity with which he presented the report. He informed us of his visit last year to an indigenous village in the highlands of the Philippines which, prior to his visit, had suffered from two weeks of occupation by the Filipino army. During his time there the reverend had met with 14 members of the village who had told him of the suffering and devastation they had experienced at the hands of the army who, in an attempt to force out Communist guerrillas, had shot at civilians and had forced them to be relocated.

The most heart wrenching story Reverend Henderson relayed to the members and senators who were present at the launch yesterday was that of a nine-year-old from the same village. This young boy told the story of how during the occupation a soldier had stood over him with a rifle pointed at his head. The Filipino soldier told the boy that he may as well kill him immediately because if he grew up he would turn into a communist guerrilla and they would kill him then anyway. The soldier then forced the boy to dig a grave in the ground with his bare hands—a grave that would be for himself, his father and his mother. Fortunately for this young boy, a military officer intervened and his life was saved. But this story serves to highlight the sad and tragic threats that the poor and oppressed people of the Philippines face daily at the hands of the military.

As I indicated earlier, the report documents cases of murder in the Philippines. Amongst them is the case of Reverend Edison Lapuz. Reverend Lapuz was an advocate in both the church and his local community. His pastoral work exposed him to the issues facing the marginalised in the community. At the time of his death he was the convenor of a civil liberties group made up of lawyers. This group focused on investigating cases of murders and human rights abuses, with the goal of pursuing legal avenues to resolve them.

His involvement in this group brought him to the attention of the local military authorities and the police, who surveilled his activities. Prior to his death, the commanding officer of the local military detachment visited the home

HUMAN RIGHTS WATCH

of Reverend Lapuz's father on several occasions to find out information on the whereabouts of Reverend Lapuz. Reverend Lapuz was murdered on 12 May 2005. He and a friend were shot by two masked assailants who later fled on motorbikes. No-one has ever been arrested for this murder.

Tragically, this story is typical of the other 13 cases compiled in the report and so many other cases of murder in the Philippines. From the cases cited in the report, its authors have come to conclude that the most likely perpetrators are the security forces in the Philippines. This conclusion is supported by the Commission on Human Rights in the Philippines itself.

In response to the recurrent murders, President Arroyo has made numerous public statements condemning them. However, there is not yet any evidence of action. This lack of tangible evidence of a commitment from the government to protecting human rights has resulted in the report concluding that the killings have received tacit approval from the government of the Philippines.

What can we learn from a report like this? The report identifies a need for strong institutional reform. It calls for an adequate witness protection program and a properly resourced human rights commission within the Philippines. We as senators also need to look at the role that Australia plays in providing support to the Philippines. The Philippines is currently the sixth largest recipient of Australian development assistance. In the last financial year Australia provided the Philippines with over \$21 million in official development assistance. As an economic donor to the country we have an obligation to ensure that our financial assistance to the Philippines does not support or promote these atrocities in any way whatsoever.

We also have a moral obligation to continually raise our concerns with the government of the Philippines. The report goes further, and recommends that Australia offer financial assistance to the Philippines government that is conditionally directed to the Commission on Human Rights of the Philippines. It also suggests that Australia provide assistance to NGOs that are working to promote the protection of human rights in the Philippines. These are positive recommendations that we as leaders in the region should heed.

In summing up, I would like to congratulate the authors of this report. Whilst the release of a report like this is always marked with sadness and regret, I congratulate Ms Caz Coleman, Dr Mark Zirnsak and Ms Kerryn Clarke for bringing these abuses to the attention of the Australian community. I would also like to take this opportunity to acknowledge that the launch of the report was attended by His Excellency Ernesto de Leon, the Philippine Ambassador to Australia. I welcome the ambassador's willingness to listen to our concerns on this issue and I am grateful for his enthusiasm for meeting with members of the Australian community. He has been gracious enough to agree to meet with me tomorrow morning. I embrace this as an opportunity to further discuss my concerns about breaches of human rights in this region.

Australia and the rest of the international community have a moral obligation to make sure that democracy in the Philippines does not die. President Arroyo has to act to stop the political persecution and physical attacks upon people who advocate for civil liberties and human rights. I encourage her to continue with her statements and back this up with positive, reinforced action. I encourage all Australians to show their opposition to the ongoing attacks on democracy and human rights in the Philippines. I commend this report to the Senate. I seek leave to table the report.

Leave granted.

Tinig ni Juan de la Cruz

Charo Pompa-Marinias

Wala ng mas hihigit pang ligaya
kung kapiling sariling pamilya.
Kahit sa hirap at ginhawa'y magkasama.
Sa unos ng buhay at pagsubok
May kalayaang natatamasa sa bawat pag
inog.

Ngunit bakit kay lupit naman
Nitong takbo ng buhay sa lupang sinilangan.
Kahit pa magsumikap, mahirap umangat
Tahakin kaginhawahang sapat.

Ako'y nagising sa matagal na pagkahimlay
Sa ruok ng pighati kalagayan ng buhay.
Mga makapangyarihan sa pwesto
Patuloy sa pang aabuso, kinukurakot kaban
ng yaman.
Ano pang mangyayari sa mga mamamayan?

Silang mga panginoong maylupa'y
nagpapakasasa
Gahaman sa yaman, bunda't sa kasaganaan.
Habang nakalugmok sa kahirapan
Mga manggagawang kababayan
Patuloy sa panawagan para sa sapat na
sahod man lang.

Kaming mahihirap, magsasaka at
manggagawa
Kami ang lakas paggawa, yaman ng bansa
Pinapahirapan, inaapi, inaabuso
Ng mga gahamang kapitalista at berdugo sa
pwesto.

Sa aming pagtutulungang magkaisa
Ipanawagan ang daing, kahilinga'y dinggin
Simple lang naman, bakit manhid ang inyong
pakiramdam
Bagkus paa'y kinakadena, bibig binubusahan
Buhay kinitil nagreklamo lang naman!
Hindi kami armado para patayin nyo!
Sa baril na panakot kami'y walang laban sa
inyo. Kami'y taong bayan, sibilyan,
Pilipinong mamamayan
Tanging pagbabago ang hangad sa lipunan.

Kalayaan nakamtan sandaang taon ang
nakaraan
Ngunit balat- kayo lang ito ng pamahalaan.
Kaya't sa nalalapit na panahon, araw, at
oras Taas noo, hawak kamay, kapit-bisig sa
pagkilos.

Taong bayan sama-samang magkakaisa
Walang takot, maghihigmagsik.
Ipaglalaban, ibabangon niyurak na
karapatan!
Tungo sa isang tunay na makatao at
makalipunang pagbabago.

MIGRANTE STATEMENT

ON THE 34TH ANNIVERSARY OF MARTIAL LAW

NEVER AGAIN! Martial Law: Then and Now

On September 21, 1972, Ferdinand Marcos declared Martial Law after suspending the writ of habeas corpus. The dictator then plunged the Philippines into one of its darkest eras. Political persecution, enforced disappearances and extrajudicial killings were the order of the day.

Marcos ordered the arbitrary arrest and detention of around 120,000 people, the extra-judicial execution of 1,500 activists, and the enforced disappearance of 769 individuals.

On the surface, everything was business as usual. But in the end, in an outpouring of rage, a social volcano erupted to oust the dictator in the EDSA people power uprising.

Today, it's as if a dark cloud has returned, as the Gloria Macapagal-Arroyo regime violates the moral sense of every decent being, as her administration continues to suppress legitimate political dissent and threaten the citizens' civil and political rights, as well as the fundamental human right to life.

The freedoms of speech, assembly and of the press are curtailed. The government continues to gag media outlets perceived to be opposing the regime and warning those reporters who report the sentiments of the political opposition. Rallies and other forms of protest are actively being suppressed. Despite being declared unconstitutional, the executive continues to practice prior restraint on officials called for by the legislative bodies as witnesses to corruption scandals.

Battered by accusations of cheating her way into power and corruption scandals, Arroyo allowed the Philippines to be the 'second front' in the 'war against terror' to

justify political killings which has given the Philippines the notorious distinction of being a dangerous place for journalists, church workers, trade unionists, human rights activists, peasant leaders, community workers, or simply being sympathetic to the opposition.

As of September 2006, more than 750 civilians have been recorded by a human rights alliance as having been killed for political reasons. The numbers go higher almost daily. From January 2001 to June 2005, some 4,207 cases of human rights violations believed to be committed by state security forces were reported. The cases affected 232,796 individuals, 24,299 families and 237 communities throughout the country.

The sheer number is staggering and points to a systematic elimination of leftist activists and the political opposition. These are being done with impunity and encouraged by the government's apparent inability to pursue the killers. It is undoubtedly a human rights catastrophe that awaits condemnation and action.

A military general accused of masterminding several murders was promoted several times by Arroyo. An Armed Forces of the Philippines (AFP) admiral is now ambassador to Australia, who has denied that the Arroyo government's responsibility for the killings. Former military men are hogging high-level civilian portfolios. The shadow of Martial Law is hanging over Filipinos.

In this light, we will continue to be vigilant and demand an end to the killings and an end to the Arroyo Repressive Regime! We say: NEVER AGAIN to Martial Law! Filipinos, Australian people and government, stop supporting the Arroyo dictatorship! Stop the killings in the Philippines! Justice for all victims of state repression! Uphold human rights!

WHAT YOU CAN DO

Join protest actions to condemn the political killings in the Philippines.

Hold discussion groups and other educational activities to discuss the state of human rights in the Philippines. You may invite representatives from Migrant in your specific states to speak on Philippine issues.

Write letters to the editor of Philippine and Australian newspapers, call broadcast stations and other media outlets to condemn the human rights violations under the aegis of the Arroyo government.

Wear black ribbons or buttons that read: Stop the killings in the Philippines! Justice for all victims of state repression! Uphold human rights! (individually or in combination)

Appeal to church groups, trade unions, community organisations and other formations and individuals to support the campaign against the human rights violations in the Philippines. Write letters to international human rights organisations and ask them to speak out against the political killings and for justice.

Victorian Trades Hall Council welcomes Philippines activists

Philippine Representative Joel Virador of Bayan Muna and union leader Angelina Ladera addressed the VTHC Executive last Friday 11 August to explain the human rights situation in the Philippines. Ladera told of the extrajudicial killings that have taken place since the election of the Macapagal-Arroyo Government in 2001.

Representative Virador and Ladera was in Melbourne on an international solidarity tour co-organised by Migrante to highlight the worsening human rights situation in the country.

Over 700 people in the Philippines have been killed since President Gloria Arroyo came to power in 2001. The victims are people who have made some kind of case against the government include trade unionists, human rights advocates, priests and church workers, journalists, lawyers and community leaders. The Philippines is considered to be the second most dangerous country for journalists after Iraq. To date, 47 media practitioners have already been killed since Arroyo came to power.

Representative Virador is one of the five members of the House of Representatives to take refuge in the Parliament after being charged with rebellion against the government for calling for the President's impeachment. The five stayed in the Parliament for over two months before the attempt to arrest them was withdrawn. Ladera is a member of KMU Labor Center, the Philippines leading labour organisation.

Uniting Church launched 'Getting Away with Murder' Report



The Uniting Church in Australia has formally launched at the Parliament House in Canberra a report "*Getting Away with Murder: Impunity for those targeting Church Workers in the Philippines*" attended by Senator Lyn Allison, Senator Ursula Stephens, Senator Grant Chapman, Tanya Plibersek, MP, Senator Gavin Marshall, Anna Burke MP and Chris Pearce MP and a representative from the Australian Department of Foreign Affairs and Trade, Philippines emisary to Australia Ernesto De Leon; Ma. Lourdes Salcedo Atty. Leandro Lachica of the Embassy of the Philippines.

The report details the state's systematic oppression of progressive members of the church through the murder and execution of 14 Ministers and members of the United Church of Christ in the Philippines in the last two years alone.

The Philippines currently receives the fifth largest share of Australia's overseas aid budget and there are close working ties between Australian security forces and those of the Philippines.

The report recommends that the Australian Government should:

- Constantly monitor military support to the Philippines to ensure that Australia is not contributing to human rights abuses being carried out by members of the Armed Forces of the Philippines.
- Offer the Philippines direct financial and technical assistance to the Commission on Human Rights in the Philippines so it can effectively investigate the current spate of murders;
- Encourage the Government of the Philippines to develop an effective witness protection program, so that witnesses to murders are able to testify without fear for their safety;
- Provide aid money for human rights education in the Philippines

The full report can be downloaded at <http://jim.victas.uca.org.au/philippines>

WA peak union to send human rights delegation to the Philippines

The Trades and Labour Council (Unions WA) intends to send a fact-finding delegation to the Philippines to gather information on the assassinations of over 700 and abductions of at least 187 civilians.

Unions WA resolved on Tuesday 19 September to request the ACTU to send a delegation of union and community representatives to the Philippines to investigate these human rights violations and abuse of workers. It also resolved to initiate a peaceful protest action on 16th November as part of an International Day of Protest against the human rights abuses of the Arroyo government and commemorate the killing of farm workers and supporters by the members of the Armed Forces of the Philippines.

This development follows this week's military abduction of 3 Anakpawis (Toiling Masses Party) members from Malolos, Bulacan, the assassination of another Bayan Muna (Country First Party) leader from Agusan province and the abduction of 11 members of Teatro Obrero, by the military from rehearsals on September 13.

Amnesty International's (AI) report "*Philippines: Political Killings, Human Rights and the Peace Process*" released on August 13 referring to a clear pattern of execution of civil libertarians, cause-oriented and progressive groups - documents 4,207 human rights violation cases in the Philippines since 2001 and these cases include killings, enforced disappearances, illegal arrests, indiscriminate firings and forcible evacuations.

AI and the Phil. Commission on Human Rights have pointed out that most of the perpetrators of these violations, killings and abductions are the security forces in the Philippines with the tacit approval of the Arroyo government.

Arroyo and military chiefs have continued to deny any culpability for these human rights violations and killings amidst condemnation and calls for redress for the victims and their families by the UN Committee on Human Rights (UNHRC), the US National Guild of Lawyers, The Asian Committee on Human Rights, the World Council of Churches, the Inter-Parliamentary Union, the US State Department, the Uniting Church of Australia, international human rights groups and other transnational bodies.

ACTU President Sharan Burrow in an August meeting with KMU (Philippine peak union body) executive member Angelina Ladera - who herself is on the hit list of the Armed Forces of the Philippines expressed concern at the \$21m development assistance provided by the Australian govt to Arroyo last year. She said the ACTU will examine if this money is being used by Arroyo to finance its military attacks and human rights violations against civilians and workers.

Australian Senator Gavin Marshall in federal parliament has said that the common factor in these (human rights) cases is that the victims have been outspoken on issues of poverty and justice, advocating for poor and oppressed people, for civil liberties and human rights and some directly critical of the government. Senator Marshall points out that these deaths could have been prevented through government intervention and the prime suspects are government military intelligence units.

In a move supported by ex-Philippine President and Army Chief Fidel Ramos, Arroyo however has rejected Amnesty International's request to include independent observers in the recently established Melo Commission which is investigating these human rights violations and murders.

Anibeth Desierto, Migrante Melbourne

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About Batingaw

Batingaw is a bi-monthly newsletter expressing views, news and analysis from Migrante Melbourne. An important aspect of developing this newsletter is an intimate knowledge of and close involvement in all aspects of the Philippine and Australian struggles for justice, democracy and fair-go.

Contributing to Batingaw:

Articles, photographs, cartoons, clippings, comments or a few lines are all very welcome. All material should be sent electronically to: melbourne@migrante.org.au. Readers are encouraged to contribute whatever they can by sending donations to the above address.

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Action in support of Toyota Philippines workers

On September 12th an international day of protest action was called by the International Metalworkers Federation to demand the reinstatement of 136 workers and union delegates illegally sacked by Toyota Philippines.

Their sacking goes back to March 2001, when the company dismissed 227 unionists and suspended 64 others for demonstrating against the refusal to negotiate a collective agreement with the union, the Toyota Motor Philippines Corporation Workers Association. 136 of the original group are still fighting to get their jobs back.

The subsequent strike was violently broken up by police and security guards, and shots were fired by the police at another workers' demonstration just last month.

The Supreme Court of the Philippines and the International Labour Organisation has each ordered Toyota to reinstate the workers and negotiate with the union, but the company has refused to do so. The company's tactic has been to challenge the right of the union to be the sole bargaining agent for the workers, even though this has been affirmed by majority vote of the rank and file and twice certified by the Department of Labour and Employment in the Philippines. (Interesting to note that Filipino workers living under a militarized, corrupt and autocratic regime get a democratic majority-rules vote on this issue, while Australian workers have no such rights).

After stringing out the dispute by various challenges and appeals, the Toyota bosses trotted out a more compliant "union", the Toyota Motor Philippines Corporation Labor Organisation and eventually this outfit secured certification to "represent" Toyota workers. As well as actions in the Philippines, there have been demonstrations at Toyota sites in Japan, South Africa and Brazil, while thousands of Australian Toyota workers have signed a petition circulated by the AMWU.

The AMWU organised rallies in all capital cities across Australia.

In Melbourne, the International Day of Action took place by holding a rally outside the Japanese Consulate in the city, attended by a good number of rank and file unionists, AMWU delegates and officials, members of other unions and community supporters. The rally pledged further practical support for the Filipino workers and expressed solidarity with their struggle. A delegation delivered a petition to the Consulate calling on the Japanese government to honour their endorsement of International Labor Organisation conventions and force Toyota to recognise the legitimate union and negotiate with it.

Actions such as these, even though small, are important in exposing the global agenda of big multinational corporations such as Toyota. They just love to operate in an environment where there are few legal restraints on their greed and power over workers. The last thing they want to see is any sign of international solidarity that could frustrate their ambitions.

-contributed-



Father Dear

by Katrina Kotsakis

The way his nose twists in the sun
The way his eyes shine when he's done
When he finished every stressful thing
It's hard to listen when he sings
No worries care free and cool
It's not hard to realise that Dads rule

To find a dollar on the ground
To find his love all around
Admired and loved, cherished and rare
To the world, his soul will be bare
Because each dad is unique in his own quirky way
So funny he looks, when asleep he lay

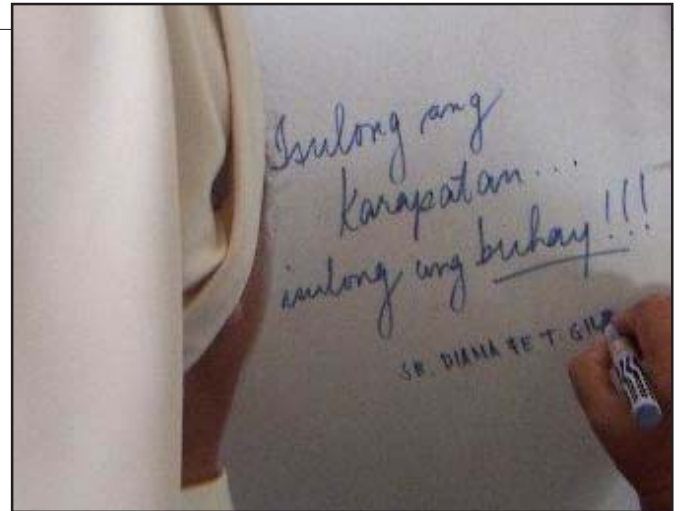
It's the way they kiss your forehead each night before you sleep
Way they try to scare you on the phone with a voice so deep
The way they tickle you until you're drenched in tears
The way they comfort you when you face your fears
The way their nostrils flare when their mad
The way they clean the house when their sad

Papa, father, pop, tatang, dad
Itay, padre, either way he is still your dad
It's just so hard to imagine life without him
And I need to be sure how much I love him
He loves me so and to not feel his love I'd be numb
I love my dad and also because he loves my mum.

REFLECTIONS

Sovereign power over life

By Reyvi Mariñas



“What is involved in the stripping back of rights and the diminution of life to a bare minimum must be understood once more.”

The work of Giorgio Agamben in *Homo Sacer: Sovereign Power and Bare Life* (1998) and its sequel *State of Exception* (2005) reminds us of a sacred life as “one who can be killed and not yet sacrificed” – a paradox where one can see the sovereign exerting control over the collective ‘naked life’ of all individuals. In particular, this unusual extension of power, or the so-called ‘state of exception’ has become the working paradigm of governments across the twentieth and into the twenty-first centuries.

In the context of human rights situation in the Philippines, this new paradigm is clearly manifested on the way the current Macapagal-Arroyo administration, in the midst of what it perceived to be a state of emergency, has authorised the deliberate use of terror as a “legitimate and highly effective tool of unconventional warfare” (Tuazon, 2006) through extra-judicial killings of many individuals from caused-oriented and left-leaning groups, the continuing threat of arrest and detention of progressive legislators and the unilateral suspension of the internationally-recognised peace accord between the government and armed revolutionary group.

In this short piece, I aim to theorise the current political crisis in the Philippines in a philosophical context. My discussion will reflect on the work of an Italian philosopher Giorgio Agamben on sovereignty and ‘state of exception’ (suspension of law in a state of emergency). This short reflection will conclude that if such important ideals like justice, peace and democracy have a future meaning other than as a vehicle of a new and unprecedented ‘fascism’, these ideals must be re-invented and re-imagined continuously, so that they may again become part of the essence of humanity.

Since 11 September 2001, the ‘war on terror’ had been the rhetoric of many governments around the world and the US and its allies had been at the forefront of this battle. One of the main paradox about the ‘war on terror’ is that *this* war is not merely targeted against other states (in a traditional sense); but against an enemy, an invincible en-

emy that cannot be found anywhere or elsewhere. In the Philippines, the rhetoric of ‘war on terror’ has been reconstructed into an internal security plan called ‘Operation Plan Bantay Laya’ (or Oplan Freedom Watch) that draws-up a virtual ‘orders of battles’ (or hit lists) against the so-called ‘enemy of the state’ (mainly anyone who opposes the status quo).

Here, there is no such distinction between a combatant and non-combatant (civilian), a principle that is deeply entrenched in international human rights and humanitarian law. What is simply happening is that human persons are stripped of their rights, their very ‘right to live’, who may be killed or ‘treated’ in any manner, without questions of ‘human dignity’ or the ‘sacredness of life’ ever imagined. The sacred person (*homo sacer*) has now been separated from the polity, from law and politics, such that they are ‘merely’ lives to be managed and wasted.

The moral and legal questions of what occurs in the Philippines today simply make no sense, unless one has to understand the concept of ‘state of exception’. Agamben argues that the ‘state of exception’ represents the very paradigm of modern sovereignty. The law begins with decision, and the sovereign (like the king or the modern-day president) is the figure who embodies this contingent by reserving the right to decide on the law’s suspension in the state of emergency - the ‘exception’ (2005, p.36). At an ordinary legal level, the position of the sovereign is that figure with the law (or the Constitution) who retains the capacity to decide on the ‘exception’ that suspends the rights of persons and normal functioning of the law.

In his work on the concept of state of exception, Agamben has drawn upon Walter Benjamin, an early twentieth century German philosopher. Benjamin observed that "the 'state of emergency' in which we live is not the exception but the rule" (2003, p. 392). Benjamin was writing in Paris in 1940, when the Nazi party in Germany came into power, which eventually exerted its total domination in Europe. It was precisely during this time where the state of emergency has the appearance of both a norm and a rule *per se*. The situation in the Philippines may, in many respects, represent an event that embodies the continuing state of exception by which both Benjamin and Agamben characterised our epoch. Whether it is the right to detain someone without a charge, or the president's recent proclamation of state of emergency in the Philippines (eg Proclamation No. 1017) by unconstitutional means, there is indeed a transformation of the role of the state and its relation to its citizen.

What is involved in the stripping back of rights and the diminution of life to a bare minimum must be understood once more. It is not simply the growth of authoritarian law which is at issue, but also the reduction of citizen to a mere life to be controlled, wasted and killed. In fact, according to the Hobbesian notion of sovereign power, it is the idea that the sovereign is instituted by the people to protect the basic life, freedom and dignity of its subject to whom the citizenry has given up its very right to life on the basis of greater security and protection of the Leviathan. It is, in fact, to the contrary that present governments suppress the basic freedom and rights of its people in return.

The current situation in the Philippines is part of the same movement toward the state of emergency as the normal state as elsewhere. In the US, one would see the crack down on 'illegal immigrants', the indefinite detention of the so-called 'enemy combatants' at Camp Delta in Guantanamo Bay, Cuba, and Abu Ghraib Prison in Iraq, where hundreds

and thousands of detainees are tortured, humiliated and held *incommunicado* without proper charge or court trial. In Australia, a series of draconian anti-terrorism legislation were passed, which many legal commentators claim to impede on our basic rights and civil liberties.

It is tempting to give the name 'fascism' to such rhetoric and such forms of governance in the Philippines today and other countries around the world. It would seem that the rise of fascism in the 1940s had continuously emerged up to the present day. Benjamin, at the time, expressed disdain for those who felt shock that 'such things' could still occur in the twentieth century, and the same sentiment holds today. Perhaps, however, an entirely new democratic space is yet to be found - a sort of Derridian notion of 'arrival' or 'democracy to come', that would become a premise for us to think of the role of government and the protection of its people in the common struggle for peace, justice and human rights. Surely, it would only be a matter of time.

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Migrante Melbourne is a voluntary community organisation of Filipino and Filipino-Australian migrants and workers promoting and upholding their welfare, human rights and workers' rights. It also deepens members' awareness of the root reasons of the Filipino *higra* to over 180 countries and settlement issues in their adopted homelands.

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Events Calendar

21 September 2006: International Day of Action

Filipinos and activists around the world will be holding various activities to commemorate the proclamation of Martial Law by Marcos on September 21 1972 and to protest against the unabated Human Rights Violations in the Philippines under the current government.

30 September - 01 October 2006: Summer Butterfly

Clocktower Centre, 750 Mount Alexander Road corner Pascoe Vale Rd, Moonee Ponds.
Matinee shows at 2.30 and Gala shows at 6.30 on both days. Cost of tickets is \$25.00 or \$22.00 for 10 or more tickets. Ring Danny Fernandez for booking and inquiries at 9369 3158.

21 - 22 October 2006: Latin America & Asia Pacific Solidarity Gathering

This gathering is being organised to bring together many social elements from the vast geographical and culturally diverse areas of Latin America and the Asia-Pacific Region and to create a space for people from many different worlds to meet, building bridges and be inspired to increase their resolve in the struggle for justice and peace.

16 November 2006: Global Day of Action

Different organisations worldwide are organising various actions on this day to commemorate the Massacre at Hacienda Luisita where the members of the Philippine armed forces and the police with guns and machine guns indiscriminately attacked protesting workers. Seven farm workers and supporters died on the spot and hundreds were wounded.

In Melbourne: 6.30 p.m. at the VTHC Old Council Chamber - Documentary Film showing featuring the plight of the farm workers at Hacienda Lusita and the day of the massacre. 8.00 p.m. - lantern parade then a vigil after.

30 November 2006 - National Day of Action against Howard's Industrial Relations

Following the success of the June 30-July 1 nationwide union protests against the Howard government's proposed anti-union laws, in which up to 350,000 people participated, the ACTU executive has called a national day of protest action on Thursday, November 30. Migrante Melbourne is in support of the National Day of Protest and will be marching along with the unions and communities. MCG, 11.00 A.M.

10 December 2006: International Human Rights Day

A family activity is being organised by Migrante Melbourne, PASA and Gabriela Australia to commemorate the International Human Rights Day. The activities will include, kite and balloon flying, performances and BBQ -salo-salo. Everyone is welcome.

10 February 2007: Migrante Melbourne's "Tipanan"

6.30 p.m., Laverton Civic Centre
A celebration and a venue for the whole family to dance, eat, perform, watch and enjoy together.



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