

‘My arrest was providential’

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ON February 24, University of the Philippines sociology professor and Inquirer columnist Randy David became among the the first cases of warrantless arrests under the state of emergency declared by Gloria Macapagal-Arroyo by virtue of Proclamation No. 1017.

Along with Akbayan party-list president Ronald Llamas, lawyer Argee Guevarra, and 23 others, David was arrested following the violent dispersal of Laban ng Masa members marching towards the Edsa Shrine in Ortigas to join the Edsa celebrations that day.

They were brought to Camp Karingal in Quezon City and were charged with violation of Batas Pambansa 880 (Public Assembly Act) and inciting to sedition. But they were eventually released at around 7 p.m. that night without posting bail as their cases will have to undergo “further investigation.” (Lawyers say it was a face-saving move on the part of the prosecutor as the charges were without basis.)

A veteran street parliamentarian during the heady days of the Marcos dictatorship, David acknowledges being unable to join rallies and demonstrations of late, attributing this to the fact that he now officially calls himself a “senior citizen.”

But February 24 was a special occasion that no amount of gray hair or aching bone would prevent David from attending. It was, after all, the week commemorating 20 years of Edsa 1, the first people power revolt that finally deposed Marcos.

Seeing how a phalanx of anti-riot policemen had blocked their way, with orders for them to disperse within five minutes, David became worried that many might get hurt. His knowledge of crowd behavior, he said, alerted him to the dangers of a stampede. He asked for a dialogue with Gen. Nicasio Radovan Jr. To his surprise though, he was apprehended in the middle of negotiations with the police officials.

To his further surprise, his captors invoked Proclamation No. 1017 as basis for his arrest.

“What’s that?” David blurted out as it was the first time he had heard of such a decree. “Nobody could tell me what it is. Obviously, not one of them has read, much less gotten hold of a copy of Proclamation 1017.”

At Camp Karingal, David disclosed that a Col. Lipana even had to ask for a copy of the proclamation from one of the lawyers who came to assist them.

Recalling the events leading to his arrest and detention, David said he was appalled to see how the police assumed at once blanket authority of a draconian measure, in the process losing their civility. “*Lumabas ang pagkabangis,*” as he described it.

By the time they were brought to the police camp, there were already about 30 people being detained. “They even thanked us, thinking we were there to visit them,” related David.

The detainees were from Bagong Silang in Caloocan, many were women and children, the youngest

of whom was only seven years old. David learned that they were arrested in Greenhills for a traffic violation — they were onboard a jeepney enroute to the Edsa Shrine that was out of line.

When David and his group were finally allowed to go, he thought all of those detained, which by then had grown to 85, were also being set free. He found out that they had instead been herded to the camp's firing range.

"Most were children from the slums who hadn't eaten since the time they were brought in," David said.

Right then, it dawned on David that he too was part of a privileged class. And it even became a source of embarrassment for him that the 20 or so lawyers, including professors of the UP College of Law, had come offering their services to him.

"After six to seven hours in detention, we were already set to be released. But the others had not been even started to be processed," he narrated. "Worse, the policemen were violating the rights of the children by having them fingerprinted, taken mugshots of, and charged like they were not aware that the minors are protected by the United Nations Convention on the Rights of the Child."

Fortunately, lawyer Eric Mallonga of the Child Justice League and David's wife, Karina, who is chair of the Civil Service Commission (CSC), were there to remind the police of such things.

David says he is thankful for the mistake in his arrest as he was "able to see how the poor are being treated."

"It's sad that you need to have a face, name, title, money to have access to justice," he lamented. "My experience is nothing compared to what the poor majority in this country endures in an unjust, unequal, and insecure society, of which the Philippines under Arroyo is only a symbol of. Sadly, it is the kind of society that all of us, including the intelligentsia and the mass media, have allowed."

P.S.

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