

## **Freedom Parks: The Portals To Defeat Covid Tyranny and Restore Democracy**

By Nicanor Perlas

22 November 2021

Our recent public seminar on Freedom Parks totally resonated with our viewers. Thousands viewed and are still viewing the public broadcast on Facebook.<sup>1</sup> More important, many now want to move from knowledge to action, from Truth to Freedom.

A significant number want more detailed guidance on how to go about using their Freedom Parks to stage their rallies against the Covid tyranny and the *de facto* medical martial law that has settled in our beloved Philippines. This article is in service of that outcry for change that has increasingly come from people who are realizing that we are in the middle of a global scamdemic that threatens the democracies of the world.

### **BATAS PAMBANSA BILANG 880 (BP 880)<sup>2</sup>**

The description of this law is revealing: "AN ACT ENSURING THE FREE EXERCISE BY THE PEOPLE OF THEIR RIGHT PEACEABLY TO ASSEMBLE AND PETITION THE GOVERNMENT FOR OTHER PURPOSES". (Caps in the original.)

The title says it all. This law empowers the people to freely exercise their right to peacefully gather together and petition the government for whatever issues they may have.

The Declaration of Policy for this law (Section 2) is even clearer and more explicit.

"The constitutional right of the people **peaceably to assemble** and **petition the government for a redress of grievances** is essential and **vital to the strength and stability of the State**. To this end, the State shall ensure the free exercise of such right without prejudice to the rights of others to life, liberty, and equal protection of the law." (Emphasis added.)

It is clear that the makers of this law understood the importance of peaceful assembly both to protect the rights of its people to point out mistakes of government, among others. In addition, the law recognizes the key importance of citizen involvement in this form to advance the vitality and stability of the State! In short, this law advances true democracy, which from its Greek origins, *demos kratos*, means power of the people.

**In a democracy real power resides in the people and the people create the State to serve its purposes.**<sup>3</sup> True democracy is destroyed when the State makes people

---

<sup>1</sup> We also uploaded that Episode in our CCH channel in Rumble in case Facebook takes down the video. <https://rumble.com/vpkh6z-cch1333-zoom-public-seminar-series-episode-12-freedom-parks.html>

<sup>2</sup> Download this law at this link: [https://lawphil.net/statutes/bataspam/bp1985/bp\\_880\\_1985.html](https://lawphil.net/statutes/bataspam/bp1985/bp_880_1985.html)

<sup>3</sup> See Article II, Section 1, which states: "The Philippines is a democratic and republican State. Sovereignty resides in the people and all government authority emanates from them."

fearful and submissive and enacts illegal mandates that result in tyranny against the people. We are currently in the middle of that tyranny: the Covid tyranny.

After the usual definition of terms (please read them) that one finds in a law, BP 880 immediately goes to the mechanism that will implement is stated Declaration of Policy. This can be found in Section 4 of BP 880, which states:

"A written permit shall be required for any person or persons to organize and hold a public assembly in a public place. However, **no permit shall be required if the public assembly shall be done or made in a freedom park duly established by law**  
...

The law is very clear. No permit is needed if one is going to protest in a formally designated Freedom Park. So, if the police try to interfere with your peaceful assembly in a Freedom Park, do not allow them to disrupt your activity. As we shall see below, the police can be put in jail if they violate the provisions of BP 880.

Now comes the famous section of BP 880, which directly deals with the creation of Freedom Parks.

"Section 15. Freedom parks - **Every city and municipality in the country shall within six months after the effectivity of this Act establish or designate at least one suitable "freedom park"** or mall in their respective jurisdictions which, as far as practicable, shall be centrally located within the poblacion **where demonstrations and meetings may be held at any time without the need of any prior permit.**

"In the cities and municipalities of Metropolitan Manila, the respective mayors shall establish the freedom parks within the period of six months from the effectivity of this Act."

### **Is It Still Valid Today?**

This is a powerful law. But is it still valid today?

BP 880 was passed in 1985. The Batasang Pambansa, as the legislative body was then called, was convened during the martial law days of dictator Ferdinand Marcos that started on 21 September 1972. People Power removed Marcos in 1986 after almost 14 years. Approximately one year later, the Filipino people approved the 1987 Constitution in a plebiscite.

The answer to the validity question comes from the 1987 Constitution itself and a 2006 Supreme Court decision. And the answers from both are a resounding and even more powerful "Yes!" See below for a demonstration of this.

## PEACEFUL ASSEMBLY IN THE 1987 CONSTITUTION<sup>4</sup>

Let us take a look at how the 1987 Constitution characterized the right to free assembly and peaceful protest. **Article III** of our Constitution is the Article that spells out the "Bill of Rights" of Filipinos. Here is **Section 4** of our rights to peaceful assembly.

**"No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances."** (Emphasis added.)

Our Constitution powerfully defends our right to free assembly and makes it very clear that, with this right to free assembly, also comes the freedom to express, including in words, their petition to government for "**redress of grievances**".

Two things, among others, stand out in Article III, Section 4, regarding our right to free assembly and speech.

First, the 1987 Constitution uses the same phrase, "**redress of grievances,**" that are also the words found in Section 2 of BP 880, its "Declaration of Policy". In effect, the 1987 Constitution did not repeal BP 880. On the contrary, BP 880 can now be *de facto* considered **the enabling law** that makes operational Chapter III, Section 4 of the 1987 Constitution cited above. (The 2006 Supreme Court decision below affirms this.)

Second, and even more profound and definitive, note the language. The 1987 Constitution immediately states in Section 4: "No law shall be passed abridging..." the said rights.

**The implications here are staggering.** No law can amend this Section of the Constitution. None. This is a permanent right that legislators cannot change. If Congress passes a law that goes against Section 4 in particular, that law is illegal! If the President issues an Executive Order or a Proclamation that contradicts this Section 4 of the Constitution, executive issuance is illegal. If a governor or mayor issues an order violating Section 4, that order is illegal. If the Administrator of a public place issues prohibitions against specific activities in a Freedom Park, those prohibitions are illegal!

We must all remember, the Constitution of the Philippines is known as the "Saligang Batas." It is the fundamental law of the land. Anything other law that contradicts is illegal and therefore void.

This is clearly spelled out in the legal doctrine of the "hierarchy of laws."<sup>5</sup> The highest law of the land is the Constitution. Next is Congressional law. The third rank in this hierarchy is the issuances from the Executive Branch, especially the Office of the President and LGU chief executives. The lowest in this hierarchy will be those laws of administrators governing behavior especially in a Freedom Park.

---

<sup>4</sup> See <https://www.icj.org/wp-content/uploads/2013/01/Philippines-Constitution-1987-eng.pdf>

<sup>5</sup> [https://covidcalltohumanity.org/aiovg\\_videos/know-your-rights-a-legal-explanation-by-atty-aaron-soguilon/](https://covidcalltohumanity.org/aiovg_videos/know-your-rights-a-legal-explanation-by-atty-aaron-soguilon/)

The Constitution is the supreme law of the land. **Do not believe a lowly bureaucrat who is trying to scare you to put facemasks and practice social distancing in a Freedom Park.** That would be the worst irony of all. By obeying orders like that, you all are basically becoming obedient slaves in, of all places, a Freedom Park!

We are rallying in a Freedom Park to express "grievances" against a State that has become totalitarian, unscientific, unreasonable, and fraudulent. The Constitution allows us freedom of "expression" as expressed in Section 4 above. Resisting an unscientific scam (of facemasks, face shields, and social distancing) is definitely one of those expressions that are protected by our Constitution.

It is very rare for the 1987 Constitution to say "No law" can be passed. Section 4 is one of those parts of the Constitution where the "no law" condition is affirmed. Why did the makers of the 1987 Constitution do this?

Most likely, it is due to the fact that the 1987 Constitution is a **FREEDOM CONSTITUTION**. The Philippines had just liberated itself from more than 13 years of dictatorship. The framers of the Constitution wanted to make sure there would be no repeat of martial law, which not only suppressed but also killed Filipinos who would dare assemble and speak out against martial law!

Here is an advise for would-be dictators. Create a perfect ground for martial law. Do not allow people to assembly and expresses their grievances. Then you will control them. This is exactly what the current prevailing Covid tyranny is doing.

**THIS IS WHY WE ALL HAVE TO STOP BEING SLAVES. WE HAVE TO QUESTION AND PROTEST AGAINST THE INCREASING COVID TYRANNY AROUND US!**

#### **SUPREME COURT EN BANC DECISION [G.R. NO. 169838, April 25, 2006]<sup>6</sup>**

The Constitution strengthened BP 880 for all time against attacks with all kinds of eroding laws. The 2006 Supreme Court decision not only further **affirmed BP 880**. It also gave teeth to BP 880 in an amazing and extraordinary way.

After citing Section 15 of BP 880 discussed above, the Supreme Court wrote:

"If this is so [that hardly any Freedom Parks have been established], the degree of observance of B.P. No. 880's mandate that every city and municipality set aside a freedom park within six months from its effectivity in 1985, or 20 years ago, would be **pathetic and regrettable**. The matter appears to have been taken for granted amidst the swell of freedom that rose from the peaceful revolution of 1986."  
[Emphasis added.]

---

<sup>6</sup> [https://lawphil.net/judjuris/juri2006/apr2006/gr\\_169838\\_2006.html](https://lawphil.net/judjuris/juri2006/apr2006/gr_169838_2006.html)

It is clear here that the Supreme Court is very disappointed with the performance of Local Government Units (LGUs) with respect to carrying out the directives of BP 880. Otherwise it would not use the words, "pathetic and regrettable".

Now comes the most amazing decision that powerfully supports Freedom Parks and even expands its application.

"Considering that the existence of such freedom parks is an essential part of the law's system of regulation of the people's exercise of their right to peacefully assemble and petition, the Court is constrained to rule that after thirty (30) days from the finality of this Decision, **no prior permit may be required for the exercise of such right in any public park or plaza of a city or municipality until that city or municipality shall have complied with Section 15 of the law. For without such alternative forum, to deny the permit would in effect be to deny the right.** Advance notices should, however, be given to the authorities to ensure proper coordination and orderly proceedings."

This is a striking directive to all LGUs. Since practically all LGUs were violating BP 880, the Supreme Court decided "no prior permit may be required for the exercise of such right in any public park or plaza of a city or municipality". In effect, the Supreme Court forced mayors to follow the law. If said mayors refuse, all public parks or plaza in the town or city will automatically become Freedom Parks.

**In short, all public parks or plazas of all cities and municipalities of the Philippines are now to be considered Freedom Parks.** No permits are needed to exercise the Constitutional right to free assembly and expression. This will be the case until such time that a city or town will formally designate the existence of a Freedom Park.

The implications of this Supreme Court decision are massive. Practically all such public places in the country are *de facto* Freedom Parks. There is no need to go to the city or town mayor to ask permission and get a permit to protest or rally. The only requirement is to inform the appropriate authority, the mayor or the properly designated head of a public park or plaza or freedom park, that one's group will be using the park for purposes of a peaceful rally.

## **OTHER IMPORTANT DETAILS TO KNOW**

In our recent encounter with the police and other security forces of the city and the Quezon Memorial Circle (QMC),<sup>7</sup> these "law enforcers" massively violated BP 880. Here are their violations as spelled out in Section 13 of BP 880 or the "prohibited acts" section.

- "Obstructing, impeding, disrupting or otherwise denying the exercise of the right to peaceful assembly;"
- "the carrying of firearms by members of the law enforcement unit;"

---

<sup>7</sup> <https://covidcalltohumanity.org/2021/11/18/pract-rally-against-mandatory-vaccination-successful-despite-verbal-clash-with-security-and-police-force-at-venue/>

- "the interfering with or intentionally disturbing the holding of a public assembly by the use of a motor vehicle, its horns and loud sound systems."

There is also this prohibited act in Section 9 of BP880. "Non-interference by law enforcement authorities - Law enforcement agencies shall not interfere with the holding of a public assembly. However, to adequately ensure public safety, a law enforcement contingent under the command of a responsible police officer may be detailed and **stationed in a place at least one hundred (100) meter (sic!) away from the area of activity** ready to maintain peace and order at all times."

The "law enforcers" came towards us and disrupted our rally. They did not retain the 100 meter limit. That will only happen again if these so-called "law enforcers" want to be sued and be sentenced to jail for violating our rights in a Freedom Park. They will be in jail for as short as one or as long as 6 years, depending on their violations. (See Section 14 of BP 880.

In that first PRACT rally, we recognized that these security forces were mere robots, unthinkingly obeying illegal orders. We did not file a case against them for violating BP 880. But this will not be the case next time the police and related instruments of the State confront us.

We will give them copies of the law. We will document their violation. We will charge them before a Court of law.

Before conducting a rally in a Freedom Park, kindly read both BP 880 and the Supreme Court decision thoroughly. Be prepared to give copies of these laws to ignorant and uneducated police and other "law enforcers". We need to be thoroughly grounded on the laws of the land.

## **A CALL TO ACTION**

By law and Constitutional right, **Freedom Parks are now available all over the Philippines**. This means that any group, no matter how big or small, has now a venue to express their grievances against government. The police cannot stop you. They cannot harass you. They can be sentenced to jail if they disturb your peaceful assembly.

This discovery is timely. From the thousands of comments that we have been receiving in our various social platforms and website, many of you are ready to express your search for truth and freedom into concrete action. Nothing is as liberating as when you finally get rid of your fear, take your courage in hand, form a group, take action and go out to a Freedom Park to express your grievances against Covid tyranny. You will then feel that you all have conquered your fear and have rescued a major part of your own humanity.

Not only this, you will feel empowered to be part of a massive decentralized movement to take back our democracy, our freedom, our rights, our relationships, and all other things that are of value to us, but, which Covid tyranny has snatched from us.

Finally when we activate our stand in a Freedom Park, we then embolden others to make a similar stand. Imagine if we all do this around the country.

First, we do this as soon as we, in our own specific places, awaken with others and test out our right for expression and health in a de facto freedom park. We do not initially have to coordinate with the efforts of others.

However, after we have tried a few rallies and we have become more confident about our strength to fight for the truth, freedom and a just society, then, imagine, linking up our actions with others all over the country. Totalitarianism is centralized. They will not know how to handle a massive coordinated network of decentralized action where increasingly dozens, hundreds, then, thousands are waking up and consciously resisting Covid tyranny.

What an awakening! What a force! What an emergence against global, national, and local tyranny! What timing! For if this does not happen, we will all be dragged into a bottomless pit of perversion emanating from a continuously morphing Covid tyranny.

However, if we prevail, then we would have created the powerful seeds of true democracy and people involvement that we are all longing to experience in our lifetime.