



## APPENDIX 4.6

### MARCOS DIARY ENTRY, 15 SEPTEMBER 1971

Besides his meeting with Justice Fred Ruiz Castro, of interest here is Marcos's implicit claim of a (tenuous) link of the Plaza Miranda bombing of 21 August 1971 to Sen. Benigno "Ninoy" Aquino Jr. Marcos's legal craftiness is also on show here: he notes that detainees can be moved from an area where the suspension of the privilege of the writ of habeas corpus has been lifted to one where the suspension remains in effect, thus allowing longer detention without charge.

*Source*

Presidential Commission on Good Government Files (through Meynardo Mendoza and the National Historical Commission of the Philippines), Roll No. 5, File Nos. 1643-45.

11:20 PM

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Sept. 15, 1971  
WednesdayMALACAÑAN PALACE  
MANILA

The principal suspect is missing or hiding. This was the lead of the answers of the investigating agencies (The InPD, the NBI and the C13) whom I called to a conference covered by media because of the repeated im-  
patience of the opposition and the media for the refusal of these agencies to disclose their evidence.

But as InPD chief, Gen. Tamarayo and NBI Director Jolly Bugarin said, premature revelations may prejudice the solution of the case.

And they admitted that they have the evidence with respect to the principal suspect. Of course they are referring to Lynn Brata, the brother-in-law of Sen. Aquino.

They also admitted that while some witnesses were arrested by the InPD under the ordinary powers of the police (since they cannot exercise the privilege of arrest under the suspension of the writ of habeas corpus) those same witnesses were turned over to the C13 inasmuch as they made admissions which showed the probability that the crime of rebellion was committed. The InPD chief was referring to Maguino and Dravalogay.

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Sept. 15th (Brit)

## MALACAÑAN PALACE

MANILA

Justice Fred Ruiz Castro, taking lunch with Sen. Ray at the request of the former, suggested that I successively lift the suspension of the privilege of the writ of habeas corpus first in the Visayas then in Mindanao. He believes that this will make the decision in the Supreme Court unanimous. While he insisted that this was his own idea, Sen. Ray is of the belief and I agree with him that this is the idea of the justices as a whole.

Anyway, he says that the court is convinced there is a rebellion but not in the entire Philippines. And while it is true that the 18 hour rule of detention would prevail over the areas in which the suspension is lifted, the detained person can be brought to an area where the suspension has not been lifted, namely Luzon.

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## MALACAÑAN PALACE

MANILA

A survey of the Ilocos area shows only 25% are in favor of the suspension, 50% are against but only 13 favor that the suspension is limited to rebellion and does not cover other crimes.

62% believe that the tensions are due to the manner of reporting of media.

I attach the report from the Executive Secretary in Envelope 13 with other papers. And another by Primiton Pall.

**15 SEPTEMBER 1971**

The principal suspect is missing or hiding. This was the lead of the answers of the investigating agencies (The MPD, the NBI and the CIS) whom I called to a conference at 8:00 P.M. covered by media because of the repeated impatience of the opposition and the media for the refusal of these agencies to disclose their evidence.

But as MPD chief, Gen. Tamayo and NBI Director Jolly Bugarin said, premature revelations may prejudice the solution of the case.

And they admitted that they have the evidence with respect to the principal suspect.

Of course they are referring to Lyn Oreta, the brother-in-law of Sen. Aquino.

They also admitted that while some witnesses were arrested by the MPD under the ordinary powers of the police (since they cannot or are not authorized to arrest under the suspension of the privilege of the writ of habeas corpus) those same witnesses were turned over to the CIS inasmuch as they made admissions which showed the probability that the crime of rebellion was committed. The MPD chief was referring to Magsino and Manalaysay.

Justice Fred Ruiz Castro, taking lunch with Sen. Roy at the request of the former, suggested that I successively lift the suspension of the privilege of the writ of habeas corpus first in the Visayas then in Mindanao. He believes that this will make the decision in the Supreme Court unanimous. While he insisted that this was his own idea, Sen. Roy is of the belief and I agree with him that this is the idea of the justices as a whole.

Anyway, he says that the court is convinced there is a rebellion but not in the entire Philippines. And while it is true that the 18 hours rule of detention would prevail over the areas in which the suspension is lifted, the detained persons can be brought to an area where the suspension has not been lifted, namely Luzon.

A survey of the Manila area shows only 25% are in favor of the suspension, 50% are against but only 13 know that the suspension is limited to rebellion and does not cover other crimes.

62% believe that the tensions are due to the manner of reporting of media.

I attach the report from the Executive Secretary in Envelope IX-D with other papers.

And another of Princeton Poll.

