**An Analysis of the Anti-Terrorism Law in the Light of Zizek’s Concept of Ideology**

**Background of the Study**

In matters of crafting the law, there is a sort of problem in law-making among the legislative body. As specified in the constitution, one qualification is their “ability to read and write.”[[1]](#footnote-1) This marks a questionable disposition particularly in their practice; they reveal deficiencies and inconsistencies in the validity of their claims since there occurs an insufficient training to political affairs. This does not mean that they are incompetent in their assigned position. However, it is a matter of their means to weigh the pros and cons of their proposed bill. Specifically, in terms of constructing their judgments, they have centered it out of their personal belief without proper justifications.

Tracing into the nature of law-making in the Philippines, the legislative body has oftentimes failed to take into account the limitations and restrictions so as to prevent abuse and misuse of their political activities. Firstly, there should never be a passing of ex-post facto law. Here, the legislators have no right to make an act done before the passage of the law; aggravate a crime or makes it greater when it was committed; change the punishment & inflict a greater punishment than what the law annexed to the crime when committed; and alter rules of evidence. As evident into the incident of the War on Drugs, the accused must be given the opportunity to justify himself in the court proceedings. Thus, legislators cannot interfere to the level of grievances of the accused individual. Secondly, no bill of attainder shall be passed. It is in this restriction of the legislator to renounce from inflicting punishments to anyone without judicial trial. This is in connection with the ex-post facto law but it is much detailed in its scope. Thirdly, there should be no law impairing the obligations of contract among two parties. The agreement provided by two parties whether oral and written is limited between them. It does not purport the interference of the legislators regarding the matters of the obligation of contract. Fourthly, no law shall be granted a title of royalty or nobility to anyone. In the case of the Philippines, it adopts a republican and democratic type of government not monarchial. A government official cannot pass unto their children their assigned position. It is not a monarchial type of government that their successors can acquire their position in matters of throne. It specifically testifies the context of Article 2 Section 26 of the 1987 Constitution, “The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.”[[2]](#footnote-2) Fifthly, no law shall be passed increasing the appellate jurisdiction of the Supreme Court as provided in the Constitution without its advice and concurrence. The legislators have no right to decrease the power or authority from the Supreme Court as deemed to be the uppermost court of the land. It lies within them to exercise their full authority in increasing their way to make an official decision about who is right in the cases served upon them. Lastly, there is no law granting any tax exemption without the concurrence of a majority of all members of Congress. It is for everybody to note that paying of taxes is linked with the ability to shoulder the tax. For this reason, it asserts that every citizen implores differences in paying of taxes in such a way that it is everyone’s advantage. Thus, legislators must remain impartial in accordance with their function as law-makers as well as empowered by renunciation of personal interests in terms of their decisions.

Then again, in this present time, the legislative body is greatly challenged by the passing of this new law known as Anti-Terrorism Law. Indeed, many critics has given their sentiments especially the ordinary ones. They show their dismays, angers and dissatisfactions to this law. To contest this controversial law, one of the current representative of Sorsogon which is Chiz Ezcudero has a different way to interpret the law and he stated that, “As with any law that you initially liked turns into a bad law, then you go to Congress and you make known your position or opinion so that Congress will be convinced to either amend, repeal or abrogate the law in its entirety.”[[3]](#footnote-3) What he is trying to arrive at this point is there exists opposing poles in the transformation of a bill into a law. Law will always be a law notwithstanding of the underlying uncertainties it possesses.

In line with the former discussion, it allows this research to enliven the minds of the people to set off their biases and prejudices in the Anti-Terrorism law since they decipher the term terror with a negative connotation. Additionally, this refrains the people to critically investigate the two sides of understanding the Anti-Terrorism Law. As a final point, this bring into fruition Zizek’s concept of ideology to edify the nature and scope of the Anti-Terrorism Law.

**Statement of the Problem**

In the present time, the ambiguous presentation of the law-makers continuously provide existential distress among Filipinos particularly teachers. In that case, this research argues that in the absence of unified meaning in the Anti-Terrorism law, the masses can still find a clearer interpretation of this respective law. To answer the identified general statement of the problem, the researcher determines the specific problems of the study stated as follows:

(1) What is Slavoj Zizek’s concept of ideology?

(2) What are the problems being confronted by the teachers in their understanding of the Anti-Terrorism Law?

(3) How can Zizek’s concept of ideology be able to assess the Anti-Terrorism Law?

**Research Methodology**

This research employed a qualitative type of research in analyzing Zizek’s concept of ideology from an existential-phenomenological perspective. This theoretical position describes the experiences of the teachers regarding the dilemmas they will experience in the Anti-Terrorism Law. This assisted the teacher's tendency to discover their potential as a human person in exposing their authentic selves. Additionally, the researcher employed secondary sources such as digital and archival resources that deals with the subject matter. Lastly, the data gathering utilized is in the form of an interview for faculty members of Ilocos Sur Polytechnic State College.

To have a clearer understanding, the research is divided into several parts:

Chapter one indicated the background of the study, statement of the problem, the significance of the study, scope and limitation, research methodology, and related literature;

Chapter two introduced and discussed Zizek’s concept of ideology;

Chapter three presented the main discussion of the paper corresponding to the problems being confronted by the Filipino people in their understanding of the Anti-Terrorism Law;

Chapter four assessed the Anti-Terrorism Law utilizing Zizek’s concept of ideology; and

Chapter five comprised the conclusion and possible recommendations about the topic.

**Scope and Limitation of the Study**

The debatable issue on the interpretation of the Anti-Terrorism Law offers undesirable impact to the perspective of teachers. Henceforth, this research primarily concentrates on Zizek’s concept of ideology to the elucidation of the Anti-Terrorism Law with teachers in the main campus of Ilocos Sur Polytechnic State College.

**Significance of the Study**

This study bridges the gap between Zizek’s concept of ideology as well as the problematic idea of the Anti-Terrorism Law to the teachers of Ilocos Sur Polytechnic State College. Moreover, the result of the study contributes to the following:

**Teachers**. This research serves as a guide to the clarification of the Anti-Terrorism Law which is assimilated with their discussions.

**Students/Learners**. This increases awareness of the meaning of ideology which may contribute in their rediscovery of the Anti-Terrorism Law.

**Future Researchers**. This aids in supplementary consciousness in answering the dilemma provided by Anti-Terrorism in a philosophical manner.

**CHAPTER 2**

**SLAVOJ ZIZEK’S CONCEPT OF IDEOLOGY**

This chapter delves greatly in Lacanian psychoanalysis so as to comprehend social realities. Particularly, this opens up a new approach in understanding ideology in relation to Marx’s theory in connection to the Lacanian psychoanalysis through critiquing the old way of understanding societal affairs.

**Social Symptom**

Zizek introduces the concept of ideology through looking into the meaning of the symptom. This symptom elucidates the prevailing feature of the bourgeoisie in the capitalist society. To show this, Zizek pointed out:

The problem is that in their social activity itself, in what they are doing, they are acting as if money, in its material reality, is the immediate embodiment of wealth as such. They are fetishists in practice, not in theory. What they ' do not know', what they misrecognize, is the fact that in their social reality itself, in their social activity - in the act of commodity exchange - they are guided by the fetishistic illusion.[[4]](#footnote-4)

Zizek’s contention above has an underlying message through which it looks into the interpretative method of explaining the consciousness of the bourgeoisie rests upon the unconscious. It is just likened to the idea that when a person thinks that a problem is highly dependent on the outward aspect alone, he fails to realize that it emerges from the innermost core that is awaiting to be put into surface.

He himself continues by critiquing the idea of Marx pertaining to his theory of political economy. He incorporated the idea of the Universal and the particular in terms of the further illustration of Marx’s theory. The idea here is the highlight of freedom (universal) of the workers to sell their labor (particular) has an opposite feature which is inequality originating from those who owns the means of production. That is, there is the presence of contradiction in reclaiming freedom of the proletariat since it is an unavoidable phenomenon that such exclusion will be in the equation. There is no capitalism without freedom and slavery that comes into the picture. This is a justified claim since Zizek himself critically scrutinize the idea that “… people no longer believe in ideological truth; they do not take ideological propositions seriously. The fundamental level of ideology, however, is not that of an illusion masking the real state of things but that of an (unconscious) fantasy structuring our social reality itself.”[[5]](#footnote-5)

Additionally, even so that a society has not yet attained the capitalist system, still there is a contradiction that will about to exist. It will otherwise result into the same idea wherein the workers who works for the owners of production will be abused. How about in the case of production and exchange value, is there still a rise of exploitation or it is just an illusion?

The exchange value as an end-result of the labor will always and in every way implicit. Such task is coupled with a monetary outcome which benefits the worker. But, in terms of the equivalence of their tasks, there will always exploitation when the owner will not provide the right exchange value in accordance to the labor of the workers. As Zizek has also added into his critical examination on this question, un-equivalence occurs even when the system if operating in perfect harmony with its fundamental principles.

Another observation Zizek has taken into the line of thinking of Marx is the possibility of Utopian society in which the relationship of exchange-value is universalized and production for the market predominates highlighting the rights of the proletariat. That is universalism will prevail over the Marx’s symptom without any negation. However, this perfection is an imperfection in a sense. Zizek argues that this symptom surmounts the human existence. Even in the communistic society of China, there is an impossibility that contradiction will be out of the idea. Here, the clashing of the two universals (freedom and oppression) will generate a social order.

**Commodity Fetishism**

Generally, commodity fetishism’s main argument involves the value of a particular thing is subjected to a monetary exchange. However, for Zizek he reveals another perspective in understanding this term in which it signifies failure to recognize between the network of the structure into its effects. In analogical presentation, suppose to say a water element, it attempts to present itself as a single entity, yet this water is only an effect of the relationship between a hydrogen and oxygen. Applying it into Marx’s concept of commodity, labor time which is an element of commodity represents itself as a result of the network of relation between the worker and the object of action. That is why, we fail to see the value of a commodity since an individual only focuses on the monetary effect (quantity) rather than the quality.

The misrecognition of the network of relations also implies a logical analysis of its expression of value. To be precise, commodity X cannot fully express its value with commodity Y and vice versa. For example, a painting cannot be as such without its background so as to a background cannot express itself with the absence of a foreground. This sets forth into another angle of understanding the network of relations of Marx wherein Zizek has stipulated that an object or an entity has its identity with an alienation present into it. It is in the same way that this discussion of commodity fetishism in the section of social symptom wherein the contradictions carry out the value of a thing.

From the aforementioned discussion, Zizek has elaborated Marx’s commodity fetishism in a more subtle manner. In capitalistic societies, what we have is a plenty of relations between commodities. Therefore, there exists a concept of freedom between an entity to another since they can perform their tasks. There is no set of domination present herein rather there is a contract specifying their functions as a master and as a worker. However, there is still fetishism not in the commodities solitarily but in the individual relationship since one person’s task can be determined by the other person.

Thus, Zizek’s formulation has identified the social relationship between one into another as another symptom to Marx’s theory. That is to say, there is underlying force between the psychoanalysis in understanding commodity fetishism. That there is a fetishism that is more problematic than the commodities itself.

**Totalitarian laughter**

As Zizek has incessantly critique the concepts behind the theory of Marx, in this section, he still recognizes such as important to explain the idea of the totalitarian laughter. Yet, to have some form of irony (laughter), is to go beyond the interpretation of Marx. Zizek has interpreted it that an excessive commitment to Good may in itself become the greatest Evil: real Evil is any kind of fanatical dogmatism, especially that exerted in the name of the supreme Good. This transition of idea noticeably gives an impression of laughter which disrupts and destabilizes the dogma of (the ruling system) and the hold it has on us. It is likened into the thesis in which a devotee who becomes too obsessed to become Good, turns out to be bad. Since a great amount of dogmatic belief can invert itself to be evil particularly for those who have interpreted religion in a different light. This does not injunct the notion that goodness will always results into a bad one. It is only applicable for extreme cases in which the mindset of people is they reasoned out their idea of good to their particular aims.

Going back to the exhortation of the Good turning into evil, it has been added the idea of “…the incarnation of dogmatic belief who does not laugh, is rather a tragic figure: outdated, a kind of living dead, a remnant of the past, certainly not a person representing the existing social and political powers.”[[6]](#footnote-6) This simply refers to the opening of the possibility that not all the time an individual conforms to the ruling system who have the authority to impose what is right and wrong. The opposite attitude if man has taken within the depths this attitude of blind obedience is known as cynical ideology since man has the propensity to conform with the society’s rules.

In summary, it involves the dialectical inversion of individual fetishism into cynical ideology. Cynical ideology has a debilitating factor of employing psychoanalysis in analyzing the society nowadays. If ideology is deemed to be symptomatic, then it laid out a critical examination of what is happening not only in reference to the rules set by authority. In the next section, this stoic attitude towards ideology only makes it have an even more prevailing to people, since they are overly distanced from the idea of critical analysis.

**Cynicism as a form of ideology**

Zizek’s discussion has established the emergence of the symptom until such time that it upholds the unconscious reality. To remain ideological, Zizek himself has permeated the unconscious fantasy. Here, it gives rise to cynicism which is an underlying principle of ideology, an ideological fantasy that conceals the true meaning of ideology.

Ideology as can be seen in the naked eye is a masked or obscured form of truth. It is for this reason that there should be a critical-ideological approach to be adopted. This leads to the unfolding of truth- to see the distorted reality as it presents to the body. This is what the Frankfurt School have shown, to directly see that reality cannot reproduce itself-a perplexed ideology. Every people cannot go away with it since it is imprinted in its very essence. As a counter-argument to Marx’s line of thought of ‘they know what they are doing, but they are still doing it,’ Zizek has inverted it through adjudicating they know what they are doing and they are cynically aware of it. To show this, ideology is to lose itself in order to fully unfold its potentialities. This misconstruction is crucial since it mirrors the whole spectrum of what reality is all about which is rooted in the unconscious condition.

As equivalent to Zizek’s postulation, Sloterdijk thesis has sets forward ideology’s leading mode of functioning as ‘cynical,’ which renders classic critical-ideological procedure. Cynical thinking is accepting the false reality, a reality hidden in the ideological universal. So, knowing this proposition, what now is the sense of critiquing the concept of ideology? Indeed, this is by having the instinct to live with it, to face as such as a misrepresented reality. This was further illuminated in Sloterdijk cynicism. Here, it represents the rejection of the culture in a sort of irony and sarcasm exposing the brutality and abuse of power. Insofar that it throws the negativities, it somewhat sees the truth as it is. In the context of politics, it expresses the unmasked social realities especially the selfish reasons they portray through the masses.

Cynicism is clear t through its aim of finding the truth as the truth. However, one must take into account that ideology is not anymore finding to see the black spots of a particular entity like finding the symptom devised by Marx. Ideology is an alethe-ic expression of itself towards the realities of the then and now. That is to say, to see the dysfunctionalities it has to every concerned individual. The move from symptomatic understanding of ideology is not to give immediate response to the problem posed even in the time of Marx but it allows one to be aware of the symptom as necessary to human development.

As a final point, Zizek on his entire critique on the concept of ideology have been looking into the similar structure between symptom and psychoanalysis in understanding ideology. The symptom is Marx’s thought on commodity and psychoanalysis speaks about the unconscious forces lying in ideology. Zizek himself based this argument in the existence of the triadic principle of Lacan’s psychoanalysis on his latent content, manifest content and form. In the latent content, there are symbols that is behind the dream-thoughts while the manifest content illustrates dream as to how it presents itself. The form specifically points out the mechanism of condensation and displacement. In the content of dreams, condensation signifies the combination of several themes or concepts into a dream symbol. Displacement, on the other hand, resides in the reorganization of an impulse to another into a less threatening material. In Zizek’s reinterpretation of commodity, one must go beyond the exchange value (manifest content) of a particular work into the symbols of work which is the labor time (latent content). Going back to the discussion there is a transitional critique of symptom into individual fetishism into cynical understanding of ideology. The symptom which lies on the domineering feature of the bourgeoisie characteristics, the individual fetishism which does not rely on the commodity rather in the network of relations behind man and cynical understanding to be fully be critically ideological in the matters of socio-economic and socio-political status of the people.

**CHAPTER 3**

**THE PROBLEMS CONFRONTED BY THE TEACHERS IN UNDERSTANDING THE ANTI-TERRORISM LAW**

This chapter highlights the entirety of the Anti-Terrorism law. It also further reviews the role and function of the Anti-Terrorist Council as well as the penalization of the accused person and the officials involved in the said criminal act. In the latter part, it tries to connect the meaning of the Anti-Terrorism Law to the problems confronted by the teachers in understanding this law.

**Anti-Terrorism Law**

To be able to comprehend the anti-terrorism law, anyone should start into the meaning of terrorism. Terrorism, as stated in the Section 4 of the said law which can be seen in the Official Gazette, is

committed by any person who within or outside the Philippines regardless of the execution has engages in acts intended to cause death or serious 20 bodily injury to any person, or endangers a person’s life; engages in acts intended to cause extensive damage or destruction to a government or public facility, public place or private property; engages in acts intended to cause extensive interference with, damage or destruction to critical infrastructure; develops, manufactures, possesses, acquires, transports, supplies or uses weapons, explosives or of biological, nuclear, radiological or chemical weapons; and release of dangerous substances, or causing fire, floods or explosions…[[7]](#footnote-7)

It is clear that terrorism has mentioned harmful activity of any individual causing harm to somebody else; there is also an involvement of dangerous weapons so as to inflict pain to the other person. However, it has also included here that terrorism should not be equated to advocacy, protest, dissent, stoppage of work, industrial or mass action, and other similar exercises of civil and political rights which does not jeopardize the lives of people.

In continuation to the section above, the said law has remarked the penalty of those who committed such act for almost twelve years. Similarly, people who proposed, incited, provide material to any terrorist, have knowledge of the commission of any crimes in the Section 4 will take the same penalty. However, those who have conspiracy to commit terrorism, recruit, become a member of terrorist activities, organizes a travel for individuals to recruit someone and be a foreign terrorist will be penalized for life imprisonment with the absence of parole and the privilege of the amended revised penal code of 2013.

To the case of a public official who have committed such act, he has to be reprimanded of administrative offenses, grave misconduct or disloyalty of the Republic of the Philippines, dismissal of service, cancellation of civil service eligibility, loss of retirement benefits and disqualification for running of office for election. On the one hand, in terms of investigating those who are suspected for such grave act, the Anti-Terrorism Law allows recording of communication to any agent or military personnel to further oversight those people who committed such act. However, it undergoes processes to conduct this recording. An ex-parte application will be filed to the Court of Appeals for allowing recording of communication to happen; it follows the assistance to the telecommunication service providers, internet service providers for the data to be gathered and which will be further investigated by the NTC. In the Court of Appeals, there should be a filing of a written ex-parte application made by military personnel or agent and was given an authority by the Anti- Terrorism Council. Afterwards, there is an oath between the witness and the court in-charge but there should be an occurrence of a probable cause to say that a person has committed, is being committed and has to commit such act. The content of the document of the Court of Appeals are stated as the identity of the person or persons involved in such act, the identity of the military personnel who undergoes the surveillance, the offense to be given to those who are committing, has committed and about to commit such act and the length that this authorization will be carried out by the CA for a period of 60 days from the day of the passing of the applicant to the Court of Appeals. There is an extension of 30 days as approved by Anti-Terrorism Council. Those who are in custody of the recordings of the said act shall be put into written document not later than 48 hours, sealed in an envelope and has joined affidavit of the applicant and his team. However, if there is any person who deletes, removes, incinerates and destroys the said recordings can be penalized for 10 years imprisonment.

In the basis of designating individuals, groups, associations and organizations who will be deemed as terrorist, the Anti-Terrorism Council adopted the United Nations Security Resolution No. 1373. Further jurisdictions shall be applied in matters of designation as specified by the ATC. In connection to this, the designation will materialize in such manner that there is a probable cause to claim such act and be penalized with reference to the level of crime they have committed. To avoid any sort of prejudice, any persons who are suspected has the right to be heard where judicial trial will take place. Having been proved the probable cause as sufficient in form and substance, there is a proscription to take place to forbid such terrorist activity. The Court shall give seventy-two hours to confirm such claim that a person, group, organization, or association is declared as a terrorist. After the declaration, the court shall conduct hearings for almost six months to decide if the respective proscription is to be made permanent, permanent proscription shows no preliminary order issued, a preliminary order should be lifted in the case of the applicant to prove such claim that a person or persons are to be labeled as such. Once that the proscription has been made permanent, it shall be circulated in newspaper and be valid for three years. A review shall be made if situations if there are such another point of corroboration to be made. It shall also be open for jurisdictions and supranational jurisdictions outside the country which will be collaborated by the Department of Foreign Affairs to the Anti-Terrorism Council which will be supervised by the National Intelligence Coordinating Agency to decide if such designation cannot be resolved by the Anti-Terrorism Council.

In detecting any individual without a judicial warrant of arrest, military personnel authorized by the Anti-Terrorism Council has to be taken into a custody the person who committed such act by military personnel and be penalized as rendered by the given penalties stated awhile back. The case of detention is strictly given within fourteen days and an extension of ten days if there is further detention to complete the investigation, further detention to prevent another form of terrorism, and to look into those things as a source of delay of the investigation.

Among the military personnel who has taken a custody of a person suspected of such act, should inform the judge in a written form stating the time, manner or date of arrest, location of detained suspects and the physical and mental condition of the detained suspects.[[8]](#footnote-8) Then, the military personnel as well ought to inform the detained person of his rights and is given an access to counsel, or any people to visit him. If the military personnel have failed to inform the judge as well as to the head of the said unit will be penalized for almost 10 years imprisonment.

Furthermore, the rights of the detained person to be specified by military personnel centers on the nature and cause of his arrest, right to remain silent, and if he cannot afford such legal counsel, he will be given such for free either legal assistance unit of the Integrated Bar of the Philippines and Public Attorney’s Office; informed of the causes of his detention; he is given an access to communicate with his legal counsel at any time; he can freely and privately communicate with his family and friends and to be visited by them; and he can be given the authority to be given an access to medical services.[[9]](#footnote-9)

To further secure and protect the detention process, an official logbook is to be made. It is also a means for the lawyer to investigate this document for reasonable restrictions inside the facility. The content of the official logbook shall be given as the “name, description and address of the detained person; the date and exact time of his initial admission for custodial arrest and detention; the name and address of the physician or physicians who examined him/her physically and medically; the state of his health and physical condition at the time of his/her initial admission for custodial detention; the date and time of each removed of the detained person from his/her cell for interrogation or three physicians who physically and medically examined him/her after each interrogation; a summary of the physical and medical findings on the detained person after each of such interrogation; the names and addresses of his/her family members and nearest relatives, if any and if available; the names and addresses of persons, who visit the detamed person; the date and time of each of such visit; the date and time of each request of the detained person to communicate and confer with his/her legal counsel or counsels; the date and time of each visit, and date and time of each departure of his/her legal counsel or counsels; and all other important events bearing on and all relevant details regarding the treatment of the detained person while under custodial arrest and detention.[[10]](#footnote-10) To fully attest such, there is a provided certified true copy of the entries of the logbook for reasonable restrictions as well. Failure to comply with these set of information, the law enforcement custodian unit will be penalized for ten years imprisonment.

In the process of investigation or interrogation pertaining to the detained individual, there should never be torture or any form of degradation. Anyone who allows such case to grow will be penalized by the law. In addition, to those who have committed the acts of torture will not be a leeway to any court proceedings or investigation.

The person who are accused of such terrorist activity which cannot travel to any place. The person-in-charge of this criminal act shall issue a precautionary hold departure order upon determination of the probable cause of the accused individual who laid an effort to escape from his action. As included to the precautionary hold departure order, the personal details, the passport number, and photograph of the accused.

If in such cases that the accused has no strong evidence to say that he is guilty of such has the opportunity to bail. Also, he is given the recommendation to travel within the municipality he lives when the case remains to be pending. For this reason, the person who is held liable for the accused shall inform the Department of Justice and the Bureau of Internal Revenue for the said case. Failure to notify the said governmental departments are subject to violations of the rules of the Court.

For another condition of the weak evidence to the accused individual, he is given a house arrest as ordered by the court without the usage of any mode of communications such as cellphones, e-mails computers and so forth. In contrast, if the evidence is too strong, the court immediately without any hesitation to issue a precautionary hold departure order and give it to the Department of Foreign Affairs for the termination of the passport of the accused.

With regards to the discussion on financing the acts of terrorist activities, the Anti-Terrorist Council are hereby authorized to examine the funds or any sort of finances for such act and reprimanded in relation to the Republic Act No. 10168; and finances to whom the person has a probable cause to say that a person is committing, trying to commit and has committed such act.

The Anti-Money Laundering Council to resolve the issue therein of the said financer of the terrorist activities are granted the means to seek for help for other departments to provide a wide-range of investigation pertaining to such act. In relation to the previous explanation, for the essence of looking into banking of monetary aspects of such act, it creates a way for the Anti-Money Laundering Council to critically instigates on the banking institutions with no presence of court order. This causes the Court who is in control of the designation or proscription of an individual, to freeze any sort of cases of “any property or funds that are in any way related to financing of terrorism as defined and penalized under Republic Act No. 10168, or any violation of Sections 4, 5, 6, 7, 8, 9, 10, 11 or 12 of this act; property or funds of any person or persons in relation to whom there is probable cause to behave that such person or persons are committing or attempting or conspiring to commit, or participating in or facilitating the financing of the aforementioned sections of this Act.”[[11]](#footnote-11) However, if there is a person who is unauthorized to conduct such examination of finances shall be effected to four years of imprisonment.

Such freezing of finances should not exceed for twenty days of examination. There shall be an extension of six months to further investigate the finances. Such lying is not permissible in court proceedings in way of financial matters as stipulated by this said section. In such cases also that any bank employee who did not give an authorization to view such bank transactions are directed to four years of imprisonment.

To the person who acts as a witness of the proceedings of this terrorist act, the Court establishes immunity and protection which is governed in the law entitled as “The Witness Protection, Security and Benefits Act.” Penalty will be given to those who will disclose the previous act such as military personnel, agent, judicial officer or civil servant for a period of ten years. In the same way, if any public officer who is in-charge of the case has become negligent, misbehaved, or inexcusable of his act towards the accused individual shall be given a punishment for ten years imprisonment.

On the subject of conferring false testimonies, evidences or documents of terrorism has been made, are to be penalized for six years. In such situations where there is a presence of punishments in this law, the right to speedy trial still be the priority.

The most important part of this section is the context of the Anti-Terrorism Council. As enforced, the members of the Anti-Terrorism Council comprises of “ the Executive Secretary, who shall be the Chairperson: the National Security Adviser who shall be the Vice Chairperson; and the Secretary of Foreign Affairs; the Secretary of National Defense; the Secretary of the Interior and Local Government; the Secretary of Finance; the Secretary of Justice; the Secretary of Information and Communications Technology; and the Executive Director of the Anti-Money Laundering Council (AMLC) Secretariat as its other 20 members.”[[12]](#footnote-12) In terms of the vital purpose of this council, it seeks to implement the policies and laws related to the law as well as to safeguard the Filipino people in the threats caused by terrorism.

As to other members of the Anti-Terrorism Council, it has underscored the National Intelligence Coordinating Agency as the secretary of the said council responsible for the entire proceedings. Aside from that, the Anti-Terrorist Council-Program Management Center is the approved member of the Council to be the coordinating program management in the effectivity of the said law.

So as to cease violation of rights of an individual pertaining to this law, the Commission on Human Rights will be the sole proprietor of inciting these rights as given in the Constitution. Going back to the penalization of such accused individual of terrorist acts, the Court cannot insist to endeavor for extraordinary rendition through which an accused individual without legal process can transfer the right of detention to another country. To any country outside the Philippines through the extraterritorial application of the law and Philippines is a signatory of the law emphasizes a Filipino citizen and national which can be penalized by such act outside the borders of the country, individuals who commit such act is outside the borders of the country but has committed the act before going outside the borders, individuals outside the borders of the country commit such act on board in a Philippine airship or ship, individuals who committed the act on in an embassy, consulate or diplomatic premises belonging to the Philippine government, individuals who are physically outside the borders of the country committed the act among Filipino citizens where their ethnicity is a factor of the act, individuals who are physically outside the borders of the country has committed the act contrary to the Philippine government.[[13]](#footnote-13)

To fully implement the Anti-Terrorism law, a Joint Congressional Oversight Committee is to be crafted. These are composed of twelve members where the head of the said committee is the Committee on Public Order of the Senate and the members coming from the House of Representatives and additional of five members from both chambers. They are exclusively responsible for a motion among the military personnel or agents and the members of the Anti-Terrorism Council to submit reports and annual reports pertaining to the whole proceedings of the act.

To those people who are accused of such act as having the status of an elderly, pregnant, persons with disability, women and children are given due consideration of the law in a sense of interrogation or detention. In contrast, the Bureau of Jail and Penology and Bureau of Corrections have the authority to the appropriate preparation and conduct of assessment tools and interventions for the accused individual of the act. In relation to the manner of proceedings, the Supreme Court has duly authorized special courts as anti-terror courts in correspondence to the proceedings. Along with the proceedings, it allows mode of testimonies like the use of video and other sources as authorized by the Supreme Court. The Department of Justice, Anti-Terrorism Council, Military Personnel ensures the promulgation of the rules and regulations of the law within the period of nine days after the effectualness of the said law. If in such a way that the law has been stated as unconstitutional, the other parts of the law which are not touched will stay the same.

The Human Security Act of 2007 as implemented in the time of Arroyo is hereby repealed. In contrary to this idea, in terms of the pending cases of this security act preceding to repeal this act, will still remain as valid.

As a final point, the entirety of the law shall remain effective after fifteen days of its publication in the Official Gazette and its circulation to two general newspapers as stipulated in the law.

**Problems Encountered by Teachers in Understanding the Anti-Terrorism Law**

The most prevailing answer that the teachers have identified as a struggle of understanding the law is the fear that anyone can label you as a terrorist without due process and the freedom of speech is tarnished. They have attributed as such by not being able to re-analyze the context of the law. In the same way, they have a negative implication towards the term “terrorist.” Yet, they fail to realize that they pointed out only a glimpse of the term as such. Following the description of the said law, terrorism should not be equated to advocacy, protest, dissent, stoppage of work, industrial or mass action, and other similar exercises of civil and political rights which does not jeopardize the lives of people. Another response from one teacher has given that “its condition (Anti-Terrorism Law) is too vague and broad to the point that it may be abused especially those who have in power.” He has a point in his argumentation since in the War on Drugs, the armed forces have their total control in the attempt to seize people who have and have not committed such act. This is an implied fact to anyone that requires re-affirmation to the part of the police officers and the institutions in-charge of these cases.

Insofar, most of the teachers has viewed the law as a just law on the other side of the equation since it “curb out terrorism that is long address in this country and there is a procedure that is legal so it protects the citizen and weed out those anti-government; and prevents the biased impression towards the elites who have romanticize the term freedom.” One interviewee has also included that the “media has manipulated the truth behind the law which implies a bad image towards the minds of the Filipino people.”

So, from the given statements of the teachers, it clearly pictures out the positive and negative effects of the anti-terrorism law among the Filipino people. These contrasting poles in understanding a law cannot be repudiated since laws has its implicit negative effects.

However, in judiciously investigating the contents of the currently signed law, it discusses the scope, limitation, functions and penalization of those what’s who’s, why’s and how’s of the case. This stimulates the minds of the people to re-read and re-examine the context of the law to bracket one’s prejudices and biases of the law. Rather thinking the fear and frustrations carried by the law, it should maximize the knowledge of the people not to fully confined themselves in their personal beliefs and opinions.

Hitherto, this chapter has discovered the clear presentation of the Anti-Terrorism Law. It has also given a deeper understanding of the sentiments of the people regarding the law where they bring about two angles of looking into the law. The positive effects which provides security and protection to the people and the negative effects which override the rights of the individual as well as the abuse of power among public officials in office. Thus, it offers a possibility of being aware that there will always be different ways of interpreting a law in the part of the government and the Filipino people.

**CHAPTER 4**

**ASSESSING THE ANTI-TERRORISM LAW IN ZIZEK’S CONCEPT OF IDEOLOGY**

This chapter seeks to assess the anti-terrorism law in Zizek’s concept of ideology. In that way, it leads one to a lens of critical theorist perspective to encapsulate a better understanding of the law.

**The Anti-Terrorism Law in the Context of the Social Symptom**

The social symptom as stipulated by Zizek that Marx fail to realize is he stressed on the problem of the bourgeoisie who provides a certain kind of exploitation in the work of the proletariat. However, Zizek himself admits that this symptom is necessary in understanding social realities. In the example given in the second chapter, freedom cannot exist solely on its own if inequality is not included in the equation. That is what makes it a reality. Another point he adds in the discussion is that there exists underlying problem in a particular thing. It is for the reason that an individual focuses on the outside but does not see that a problem before it comes to the outward, it is to be found in the inside which is the ideological character Zizek is telling the people.

Relating the context of social symptom in understanding the anti-terrorism law, the main problem lies on the limited perception and critical analysis in the perspective of the Filipino people. This cannot be blown away since it is deeply imbibed in their minds that what is right is what they believe on. It is good in the part of the teachers interviewed that they are able to weigh on the positive and the negative implication of the law. In the part of the positive they think on the possibility of the law as a means to give security and protection in the people while on the negative side the teachers believed that there is a curtailment of the due process or freedom of speech and abuse of power. In contrary, what is stated therein in the anti-terrorism law is it thinks that rights of an individual are the topmost priority. When abuse of power dominates the rights of an individual, there is a parallel effect on the part of the Anti-Terrorism Council, agent, police officer, civil servant, and others who violated such rules and regulations. However, there is a possibility that abuse of power enters into the rule of law since as what Zizek is stressing, the “unconscious reality triumphs social reality.” This is very true especially to the self-consciousness of every individual.

Thus, this section of the discussion implies that ideology remains in the unconscious level of the individual whether in the accused terrorist, persons in-charge of the case, the ordinary people. So, even if the anti-terrorism is a just law, it can never be erased in their rationale that it is a problematic law.

**Commodity Fetishism in the Standpoint of the Anti-Terrorism Law**

Commodity fetishism is one of the symptoms formulated by Marx in his time. In Zizek’s revalidation of the term ‘fetishism,’ he tries to assort it with the network of relations among entities. Here, the problem does not count on the commodity itself. It is point in fact which is dependent in individual relations itself. In Zizek’s rebuilding of the Master-Servant relationship, their network of relations consists of a problematic notion already but it seems to be a natural way in the part of the two and they got used into it. However, Zizek discloses that a master’s essence can be fully manifested in the servant and vice versa which therefore hides the problem in a way.

This understanding of individual fetishism now can be closely related in the relationship of the government and the people with the framework of the Anti-Terrorism Law. The government’s function in passing the law is misinterpreted by the people and many people have protested not knowing the real story of the law. As stipulated by one of the interviewed teachers, “agita celebrities nga dadduma very shallow kung mag-isip.” What he is wishing to convey to the people is they being neutral in understanding the law. They just take on what they believed but it is not supported with facts and evidences. This is in the part of the people- they cannot mirror the positive effects of the law.

Consequently, this individual fetishism is not really seen in the naked eye especially in the part of the people. For this reason, the latent content of understanding the Anti-Terrorism law must turn into a manifest content in such a way that the whole range of reality is not only a foretaste to the minds of the narrow-minded citizens. Alas, it is a fact that any individual cannot convince people to believe on the positive outcome of the law. Yet, at least they just be able to listen and decipher the other side of the law so that authentic understanding will take place.

**Totalitarian Laughter: Its Application on the Anti-Terrorism Law**

Generally, totalitarian thinking is a mindset of the Good that can be seen in thinking of Marx. There is nothing wrong with it. Zizek is only laying an effort to add laughter, a form of irony, in the understanding of ideology. There comes a chance that the fetishism towards the good can produce a bad end-result. Take for instance, in so much love for somebody, it can generate into a blind form of love when the lover has taken on the foul words of his partner. This is the irony that Zizek is giving a weight to everyone.

Towards the application of totalitarian laughter in the Anti-Terrorism law, there is this likelihood that this fixation of the government in formulating the law can cover the ultimate problem of the country which is the COVID-19 pandemic. This is the note of the opposition (minority group) in the passing of the law. But, applying the concept of totalitarian laughter as a whole, there is a dialectical overturn towards the understanding of the Anti-Terrorism Law. If people also focus on the COVID-19 situation, then how can it be that the three branches of the government will perform their function? Most likely, the government still holds unto the position in enforcing, crafting and interpreting the law. In the basis of the ordinary people, if they also become stagnant in the pandemic, then how can they eat three times in a week?

What this totalitarian laughter is telling the people is not to be preoccupied in a particular situation. Importantly, as what was asserted in Chapter 3, “the media is manipulating the minds of the ordinary people.” This does not take into account that people easily believe into false ideas since they reason out that what was seen in the media is a factual idea. So, it further suggests that the people should be aware of researching so that they will not simply assume that what they think they are doing is right. It is associated to the exhortation of Marx, “they know very well what they are doing, but still, they are doing it.” This must be deconstructed in such a way that mutual understanding will take into the surface.

**Cynicism as a Form of Ideology in the Anti-Terrorism Law**

Cynical thinking, in its nature and content, is accepting the false reality of ideology as it were. There is then a transformation of understanding ideology not in the midst of conscious phenomenon rather it starts by being aware of the unconscious aspect of reality. For this reason, it allows the opening up of truth from the obscured aspect that is outwardly manifested by an individual. This is now the maximization of critical-ideological approach that Zizek is highlighting in his understanding of ideology. It is not to fully debunk the idea of previous philosophers rather to give people a distinctive approach in understanding social realities.

The Anti-Terrorism law as a cynical thinking appeals to people as respecting the different interpretation of the people so as to engender mutual understanding. From the viewpoint of the media as well as in opposition both in the government and the people, they have integrated in their line of thought that the law has been backed up with hidden agendas such as abusing the power of the executive branch in the full implementation of the law. On the other side, from those who are in favor of the law, they have fully absorbed the law as a just law in matters of the security of the people against terrorist activities. This can be verified in the explanation of Representative Lucy Torres-Gomez saying that, “I urge you all to read the bill first-hand and not rely on second-hand opinions of others, who may have been influenced by those who twisted the interpretation of actual sections of the bill to suit their accusations.”[[14]](#footnote-14) She tries to ask the people to comprehend the said law, not by merely looking into the pitfalls and shortcomings coming from hearsays.

After all, cynical thinking is difficult to achieve especially when an individual is too much drawn within his personal belief. The belief that he cannot accept other’s point of view in matters that it is in contradiction to his thinking. However, if there is a constant process of listening in the part of the broad-minded people, then it can create a possibility to the leading feature of the bare-ness of truth.

This chapter in a great extent linked the concept of social symptom, commodity fetishism into individual fetishism, totalitarian laughter and cynicism as a form of ideology in further expansion of the Anti-Terrorism law. It has found out that social symptom rests on the unconscious level of understanding the Anti-Terrorism Law not on the superficial level that we see in the naked eye. Individual fetishism is the ongoing contradiction between the government and the people in understanding the Anti-Terrorism Law. Totalitarian laughter which looks into the dialectical inversion of reality from the perspective of the government in contrary to the people’s perspective and vice versa. The last element of ideological character in Zizek’s perspective is the cynicism as a form of ideology to employ a sense of respect from the different views of people in the context of the Anti-Terrorism Law.

**Summary, Conclusion and Recommendation**

**Summary**

One of the controversial issues in this present time is the newly-signed and passed law is the Anti-Terrorism Law. This has been evident since many youth, public officials and television personalities have opposed to this law.

In the first sub-problem, it has expounded the concept of ideology in the philosophical discourse of Slavoj Zizek. It introduces the concept of ideology through critiquing the concepts of Marx in his social symptom, commodity fetishism, totalitarian laughter and cynicism as a form of ideology. Zizek has enhanced more on these concepts by saying that the bourgeoisie is not the problem rather the problem underlies in the unconscious reality. He also stipulated that alienation in the proletariat’s essence is not the entire problem since capitalism cannot take place without the proletariat itself. In the context of totalitarian laughter, being good is an effective attitude and yet there must be a presence of irony to balance the calculation. The last concept which is cynicism is the increased awareness of the unconscious reality since in a long time most philosophers have failed to check out this element; they simply focus their attention in the conscious level of understanding.

In the second sub-problem, it describes the problems confronted by teachers in understanding the Anti-Terrorism Law. However, the researcher presented first the nature, scope and limitation of the Anti-Terrorism Law. Along the discussion, the researcher merges the Anti-Terrorism Law in the understanding of the teachers in the Anti-Terrorism Law to have a larger scale of looking into this social reality.

In the last sub-problem, it assesses the Anti-Terrorism Law as a whole in Zizek’s reinterpretation of the concept of ideology. It tries to relate the concept of social symptom, commodity fetishism, totalitarian laughter and cynical ideology. Consequently, it provides a critical theorist lens in understanding the Anti-Terrorism Law.

Overall, the extensive and comprehensive discussion gives light to a critical understanding of the Anti-Terrorism Law. A critical understanding in which the controversial issue becomes a safe to be tackled since it attempts to give clarifications to the fears and negative sentiments of the people. This also foster opening of ideas to those in opposition to create a sense of mutual understanding.

**Conclusion**

The researcher totally affirms the presentation of Zizek in his concept of ideology to assess the polemic aspect of the Anti-Terrorism Law. However, throughout the course of the discussion there exists some inconsistencies and shortcomings toward his idea. Firstly, in his interest to deconstruct the ideological character of Marx, he still cannot go away to Marx’s tradition since in the first place it is the foundation of his work the Sublime of Ideology. Lastly, due to the fact that he employed the Lacanian psychoanalysis it is difficult to pinpoint his own interpretation all over his perspective on ideology.

As a result, the researcher has come up with her proposed analysis in understanding ideology. Firstly, there should be this affirmation that ideology can be unconscious and conscious since these two aspects goes hand-in-hand in understanding the realities of the social, economic and political world. Lastly, even if Zizek affirms the ideology of Lacanian psychoanalysis, he should be able to create his ideological paradigm. In that case, philosophical discourse will take place if there is an added theory or concept. It is almost related in the wordings of Emerita Quito on her *Phenomenology: Edmund Husserl and Edith Stein*, “…philosophy becomes futile and ineffective if there is no new way of understanding it…”[[15]](#footnote-15)

So, in connection to the Anti-Terrorism Law, there will be a larger representation if there is a deconstruction of Zizek’s concept of ideology in understanding the context of this law. In that case, it opens up to a more thought-provoking discussion in philosophical discourse.

**Recommendation**

Philosophy is irrefutably a discipline in theory and practice particularly in this contemporary era that it draws into different sub-branches like that of the critical-social theory. This critical-social theory ascertains “…its ability to see the inherent relation between thought and action.”[[16]](#footnote-16) In this case, it therefore heightens the general aim of philosophy in putting into practice the rational aspect of living.

With regards to Zizek’s concept of ideology, its imminence as a discourse analysis allows to capture the relationship of ‘critique’ as the fundamental feature of critical-social theory. It is for this reason that the researcher during the course of examining the masterpiece of Zizek, there is an exposition of drawbacks and uncertainties in Zizek’s ideological notion. In his reinterpretation of the knowledge on the term ‘symptom,’ there comes a problem wherein he contends this term as deeply engrained in the unconscious understanding of people. This unconscious understanding needs to be processed in such a way that it is to be clearly apparent in the naked eye. Another line of thinking, his argumentation on Marx’s commodity fetishism, the presence of totalitarian laughter in the line of the Good and cynicism in Sloterdijk’s cynicism, employs a re-appropriation only of the theories.

Corresponding to the previous explanation, this allows the future researchers to (1) provide a divergent perspective in Zizek’s line of thinking on the unconscious reality by way of making a comparative analysis of Lacanian psychoanalysis on the unconscious and its integration to the conscious reality; and (2) a creation of critical paradigm of ideology in his attempt to unpack the problematic side of the social realities in the contemporary era. Like this, it can further illuminate, elaborate, and attest the Anti-Terrorism Law. It is because the Anti-Terrorism Law has its unique feature as a law and there must be a strong theory that will critically assess and evaluate its provision as a law.

In the part of the Anti-Terrorism Law, its arguable ideas seem to prompt petitions to repeal its implementation. A petition headed by the retired Supreme Court Associate Justice Antonio Carpio, and other legal experts from the University of the Philippines Law has filed their 11th petition for certiorari and prohibition of the Anti-Terrorism Law.[[17]](#footnote-17) It is stated therein their declaration that the Anti-Terrorism Law is unconstitutional since it violates several constitutional rights of an individual. In another means to express opposition to the Anti-Terrorism Law, the National Union of Journalists of the Philippines (NUJP) and others have said that: “… the Terror Law is anathema to democracy. For all Filipinos who cherish liberty, there can only be one response: Resistance!”[[18]](#footnote-18) This means that they are dismayed by the signing of the then bill into a law and its curtailment of the freedom of speech as given in the Constitution. These complaints give rise to further recommendations in the complete implementation of the said law. Though, it is a natural way to contest this controversial law, this is a challenging message to the members of the government to increase their understanding in the other side of the law.

Overall, this indubitable inquiry leaves an open-ended element in the minds of the future researchers. It gives them a manner of bridging the inadequacies posed by Zizek’s concept of ideology and the Anti-Terrorism Law.

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