

[EXECUTIVE ORDER NO. 167, May 05, 1987]

REPEALING PRESIDENTIAL DECREES NOS. 1835 AND 1975, AND REVIVING REPUBLIC ACT NO. 1700 ENTITLED "AN ACT TO OUTLAW THE COMMUNIST PARTY OF THE PHILIPPINES AND SIMILAR ASSOCIATIONS, PENALIZING MEMBERSHIP THEREIN AND FOR OTHER PURPOSES."

WHEREAS, the former Congress of the Philippines enacted Republic Act No. 1700 entitled "An Act to Outlaw the Communist Party of the Philippines and Similar Associations, Penalizing Membership Therein and for Other Purposes";

WHEREAS, said Republic Act was superseded by Presidential Decree No. 885, entitled "Outlawing Subversive Organizations, Penalizing Membership Therein and For Other Purposes," and in turn Presidential Decree 885 was amended by Presidential Decree No. 1736;

WHEREAS, Presidential Decree No. 885, as amended by Presidential Decree No. 1736, was likewise superseded by Presidential Decree No. 1835 entitled, "Codifying The Various Laws on Anti-Subversion and Increasing the Penalties for Membership in Subversive Organization," which in turn was amended by Presidential Decree No. 1975;

WHEREAS, the above-mentioned Decrees unduly restricts the constitutional right to form associations;

WHEREAS, there is therefore need to repeal Presidential Decree Nos. 1835 and 1975;

WHEREAS, the Supreme Court in the case of People vs. Ferrer (8 SCRA 382) has, however, found the Communist Party of the Philippines to be an illegal association working for the overthrow of the Philippine Government by armed struggle and establish a communist form of government;

WHEREAS, the repeal of the above-mentioned Decrees would leave a vacuum in the sense that membership is subversive organizations like the Communist Party of the Philippines would no longer be punishable, thereby posing a grave danger to the stability and existence of the Government; and

WHEREAS, considering the foregoing premises, it is likewise imperative to revive Republic Act No. 1700.

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SECTION 1. Presidential Decrees Nos. 1835 and 1975 are hereby repealed.