

A red stepped line graphic consisting of three horizontal segments of decreasing length, each connected by a vertical segment, creating a staircase effect that frames the title from the left and top.

Marcos and Martial Law in the Philippines

Edited by

DAVID A. ROSENBERG

THE FIRST BALANCED ASSESSMENT OF THE
MARCOS REGIME

**MARCOS AND MARTIAL LAW
IN THE PHILIPPINES**

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EDITED BY

David A. Rosenberg

Cornell University Press

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Contents

Preface	9
Introduction: Creating a "New Society"	13
DAVID A. ROSENBERG	
1. Ideology and Practice in the "New Society"	32
JOSE VELOSO ABUEVA	
2. Constitutionality and Judicial Politics	85
ROLANDO V. DEL CARMEN	
3. Land Reform: Emancipation or Counterinsurgency?	113
BENEDICT J. KERKVLIT	
4. Liberty versus Loyalty: The Transformation of Philippine News Media under Martial Law	145
DAVID A. ROSENBERG	
5. The Political Economy of Refeudalization	180
ROBERT B. STAUFFER	
Appendixes	219
1. Statement of President Ferdinand E. Marcos on the Declaration of Martial Law	219
2. Proclamation No. 1081, Proclaiming a State of Martial Law in the Philippines	225
3. General Order No. 1, That President Ferdinand E. Marcos Will Govern the Nation and Direct the Operation of the Entire Government	241
4. General Order No. 3, On the Continuous Operation of All Government Instrumentalities under Their Present Officers and Employees; On Limitations on the Jurisdiction of the Judiciary	242
5. General Order No. 8, On the Creation of Military Tribunals	244

6. General Order No. 12, On the Jurisdictions of Civil Courts and Military Tribunals	244
7. Proclamation No. 1102, Announcing the Ratification by the Filipino People of the Constitution Proposed by the 1971 Constitutional Convention	248
8. Proclamation No. 1103, Declaring that the Interim National Assembly Provided for in Article XVII (Transitory Provisions) of the New Constitution Be Not Convened	250
9. Transitory Powers and Prerogatives of the President as Provided in Article XVII, Sec. 3, of the New Constitution	251
10. Proclamation No. 1104, Declaring the Continuation of Martial Law	252
11. Report of the National Committee for the Restoration of Civil Liberties in the Philippines	253
12. A Statement of the Civil Liberties Union of the Philippines on the State of the Nation after Three Years of Martial Law	286
13. Philippine Church-State Relations since Martial Law	298
14. Chronology of Church-State Conflicts in the Philippines, from September 21, 1972, to February 4, 1975	303
Index	311

A popular government, without popular information or the means of acquiring it, is but the prologue to a farce or a tragedy; or perhaps both. Knowledge will forever govern ignorance. And a people who mean to be their own governors must arm themselves with the power knowledge gives.

—James Madison, letter to W. T. Barry,
August 4, 1822

Preface

This book examines the decline of constitutional democracy and the rise of authoritarian government in the Philippines under the martial law administration of President Ferdinand E. Marcos. We, its contributing authors, have attempted several tasks: to explain how and why martial law was imposed; to present a documentary record of this political transformation; to provide a preliminary assessment of the early years of the New Society program of Mr. Marcos; to examine the wider historical and theoretical significance of this transition to authoritarian government; and to inquire further into the problem of establishing a legitimate political order in a developing country.

We, two Filipinos and three Americans, attempt to achieve these objectives by presenting detailed case studies on several major aspects of this political transformation, concentrating on the period from 1970 to 1975. The record has been updated where appropriate to include information available on significant events occurring through May 1978. Our perspectives and evaluations vary, but all are substantiated by extensive research and thoughtful analysis. Earlier versions of these essays were circulated individually in manuscript form or as short articles in professional journals. They have since been revised and extended to ensure overall coherence and comprehensiveness and to make them accessible to readers with a general interest in world affairs and developing countries as well as to those with a particular interest in Philippine politics. We believe that these essays, taken together, provide the first major attempt at a thorough, scholarly analysis of the decline of constitutional democracy and the rise of authoritarian government in the Philippines.

While our objective has been to provide as complete an analysis

as possible, this book is not an exhaustive or definitive treatment of the subject. As is noted in the introduction, there are some important issues that remain clouded by conjecture and contention. Yet it is our hope that this book, by stimulating others to think about the Marcos years, will speed the process of filling in the remaining gaps in our knowledge of this period, rather than merely make it evident that gaps exist. In the meantime, we contribute this book and its knowledge, mindful of James Madison's insight that "a people who mean to be their own governors must arm themselves with the power knowledge gives."

This book had its origin in a panel, "Martial Law in the Philippines," held at the 1974 meetings of the Association for Asian Studies. We acknowledge a debt of gratitude to the organizer and moderator of that session, Professor Michael Onorato. We are grateful to Middlebury College for its research support at several critical stages of this project. We also thank the following for permission to publish materials which appeared under different titles in earlier versions in their journals: *Asian Survey* for Rolando del Carmen, "The Supreme Court and Judicial Politics under Martial Law in the Philippines" Vol. 13, No. 11 (November 1973), and *Pacific Affairs* for Benedict J. Kerkvliet, "Land Reform in the Philippines since the Marcos Coup" (Fall 1974), and for David A. Rosenberg, "Civil Liberties and Martial Law in the Philippines" (Winter 1974-75).

Middlebury, Vermont

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MARCOS AND MARTIAL LAW
IN THE PHILIPPINES

Introduction: Creating a "New Society"

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On September 21, 1972, the Philippines ended its long experiment with Western-style democracy. President Ferdinand E. Marcos proclaimed martial law throughout the country and began a drastic transformation of Philippine political institutions. He rapidly began to dismantle the superstructure of constitutional government that had been transplanted to the Philippines under American colonial rule. Congress was dissolved, civil liberties were sharply curtailed, and the constitution of 1935 was replaced. A "New Society" was proposed by President Marcos, to be implemented by a new style of government, "constitutional authoritarianism."

The declaration of martial law was not widely noted outside the Philippines. Other events in Asia during 1972 competed for international attention: the intensification of the Vietnam War, President Richard Nixon's highly publicized visit to Peking, and yet another declaration of martial law, by President Park Chung Hee in South Korea. However, the political upheavals in the Philippines raise several questions that deserve much closer scrutiny than they have so far been accorded.

To begin with, the political transformation of the Philippines provides an opportunity to reexamine many long-standing beliefs about the nature of Philippine politics. The Philippines was once popularly regarded as the "showcase of democracy in the Orient." Its political process was also described by scholars as "an amiable, profitable, and socially undisruptive competition for office among the gentry," chiefly characterized by "smooth, interpersonal bargaining." Freedoms of speech, press, and association were aggressively asserted. The country was governed by alternating political parties determined through periodic general elections. The Philippines was

not without its problems of graft and corruption or social and economic injustices; nevertheless, it had a relatively well-justified claim to representative government and a democratic political ethos. Indeed, shortly before the declaration of martial law, a study by the Rand Corporation reported that the Philippine political system appeared to be stable and responsive; that the economy was performing well; that crime and violence were concentrated in only a few areas; and that dissident groups were not a serious threat to the country. Why, then, was martial law deemed necessary? What justification was there for the elimination of democratic political institutions nurtured over three generations of Philippine history? Did democracy "fail" in the Philippines? Or were the popular beliefs and scholarly observations simply inaccurate?

Martial law also provides a suitable vehicle for reassessing Philippine politics in the context of Southeast Asian culture. The Philippines has long been regarded as an exceptional case in Southeast Asia. It was not noticeably affected by Hindu or Confucian ideas. It never had a monarchy or any extensive, centralized city-states. It was colonized not once, but twice—by Spain and the United States—over three and a half centuries. The Spanish colonial legacy made the Philippines the only Christian country in Asia. The American colonial legacy left English as the first national language. Political independence was accepted, without violence, by an established indigenous elite that had emerged under a paternalistic American colonial rule. These accommodations to colonial rule have made the Philippines perhaps the most Westernized among Asian nations. Indeed, some scholarly texts on Southeast Asia even excluded the Philippines from consideration, despite its obvious geographic and ethnolinguistic affinities, because of these exceptional circumstances.

On the other hand, the Philippines shares several very basic characteristics with the rest of Southeast Asia. The basic unit of society is the kinship group. The overwhelming majority of the population lives in relatively isolated rural areas. Like many Asian nations, it remained a diverse collection of ethnolinguistic regions until colonial rule imposed uniform authority within territorial boundaries. As elsewhere in Southeast Asia, there was frequent resistance to colonial rule in the Philippines; indeed, Filipino nationalists were the first in Asia to declare their independence from Western colonial

rule. Since the Jones Act of 1916 which promised "eventual independence," the dynamics of the Filipino nationalist movement have worked at a more moderate pace than elsewhere in the region, largely owing to the influence of a benevolent American colonial policy. The turn to authoritarian government, however, suggests that the Philippines' particular colonial experience has not enabled it to avoid common Southeast Asian problems. Increasingly, the Philippines resembles its Southeast Asian neighbors in their attempts to find a legitimate and effective political order. It is no longer the exceptional case in Southeast Asia.

The turn to authoritarian government in the Philippines also raises questions that have special significance for the United States. U.S. colonial rule and commonwealth tutelage in the Philippines represent the most determined and most extensive attempt to export American ideals and institutions to another country. This was true from the very beginning of American civil government of the newly annexed territory. The instructions of President William McKinley to the Second Philippine Commission, headed by William Howard Taft, made this clear:

The people of the islands should be made plainly to understand, that there are certain great principles of government which have been made the basis of our maintenance of individual freedom, and of which they have, unfortunately, been denied the experience possessed by us; that there are also certain practical rules of government which we have found to be essential to the preservation of these great principles of liberty and law, and that these principles and these rules of government must be established and maintained in their islands for the sake of their liberty and happiness, however much they may conflict with the customs of law and procedure with which they are familiar.¹

McKinley's instructions became guiding principles for American colonial rule. The political vocabulary, electoral practices, system of party government, jurisprudence, doctrines of constitutionalism, and theories of administrative management all reflected an American origin, according to one prominent Filipino historian, O. D. Corpuz. The same was largely true of the Philippine market economy. But more than these, observes Corpuz, the United States exported its language, its ideas of education, its manufactures, and other less

1. From Appendix III of Dean Worcester, *The Philippines, Past and Present* (New York: Macmillan, 1930).

tangible but equally significant aspects of its way of life, such as reading materials, consumption and purchasing preferences, dress fashions, movies, and, to a great extent, a hierarchy of social values.²

Given this intensive and extensive Americanization of the Philippines, how does one explain the rapid dismantling of these long-nurtured institutions? Some have argued that the transplant never took hold in the first place or that the imported American institutions never worked as expected in Philippine political culture. Hence, in this view, martial law only dispelled the naïve pretense that American-style government could or should work in the Philippines. It also created the opportunity for Filipinos to shake off their lingering "colonial mentality" and seek a genuine national identity based on indigenous culture. Others argue that American influence is stronger than ever; that neocolonialism has increased Philippine dependence on the United States; and, indeed, that several public agencies and private enterprises of the United States had an instrumental role in implementing the martial law regime. Which view is correct? Does martial law represent a defeat for American ideals abroad or a victory for American interests at home?

Finally, the transition to authoritarian government in the Philippines also provides a test case for many important theoretical questions. Is President Marcos correct when he argues, as many Third World leaders have, that the loss of civil liberties and representative government is the necessary price that must be paid by developing countries to achieve political stability and economic growth? How does the case of the Philippines illuminate the following issues: In general, what internal and external conditions lead to the creation of an authoritarian regime such as the Philippines under martial law? To what extent does an authoritarian political system depend on external sources of support for its maintenance in power? Is this type of government more or less likely to implement socioeconomic reforms than a competitive, democratic one?

Explanations of Martial Law

In response to all these questions about Philippine martial law, participants and other observers have offered a range of interpretations wide enough to permit a taxonomy of opinion.

2. O. D. Corpuz, *The Philippines* (Englewood Cliffs, N.J.: Prentice-Hall, 1965), p. 69.