

**The QUEST FOR LEGITIMACY : PRESIDENT MARCOS'  
REGIME IN THE PHILIPPINES 1972-79**

**BHAGABAN BEHERA**

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## PREFACE

Commenting on the Philippines, the sedate and well-informed Far Eastern Economic Review observed in 1977:

"Politics in the Philippines begins and ends with President Ferdinand E. Marcos. There is no parliament, only a rubber stamp assembly. There is no judicial body to review presidential decrees, the only legislation under Martial Law.

"Yet Marcos does not rule by terror... and Philippines are not a conglomeration of illiterate and un-politicised tribes people. Quite the opposite. How, then, has Marcos managed to acquire all the levers of political powers to a degree unknown even in most socialist states?".

This extract cited at some length puts into a very sharp focus in its proper socio-historical context the central theme of the present dissertation - Marcos' Quest for the Legitimization of his Martial Law Regime.

When Marcos declared martial law in September 1972 he was heading towards the end of his second term and was ineligible for re-election. At that time a constitutional convention was in deliberation and Marcos' action looked very much like a coup designed to perpetuate himself in power. At the same time it cannot be denied that the Philippine political fabric then was being stretched and pulled in every direction. Aside from corruption and political vendetta, heated political debates raged across the nation. This nationwide ferment had necessitated the convention of constitutional meet and high hopes had been aroused about far reaching changes in the system. Declaration of martial law dashed these hopes to ground.

Ever since it has been a major challenge for Marcos to seek and attain legitimization for his martial law regime.

Martial law was imposed over the Philippines on 22 September 1972. To begin with, Marcos announced that:

country was confronted with "threat from lawless elements who are moved by a common or similar ideological conviction, design, strategy and goal and enjoying the active moral and material support of a foreign power ... who are staging, undertaking and waging an armed insurrection and rebellion ... to supplant our existing political, social, economic and legal order with an entirely new one whose form of government ... and whose political, social, economic, legal and moral precepts are based on the Marxist-Leninist-Maoist teachings and beliefs".

These general terms lumped together endemic rural insurgency, Moslem separatism in the southern provinces and the rightist threat of coup d'etat, Marcos judged the situation sufficiently grave to assume total power and personal responsibility. He justified his action by claiming that it was more important to save the country than a particular form of government. He promised - perhaps more as reassurance than a declaration of intent - that he would endeavour to create a "New Society" after restoring law and order through benign authoritarianism.

It may be added that from the beginning Marcos had made it clear that this was no temporary or stop-gap arrangement. His grandiose conception of imposition of martial law was that of 'beginning of the process of ushering in revolution from the right' - to replace outdated anglosaxon concepts of freedom and Americanized democracy'.

It is not easy to aptly describe the martial law regime of Marcos from 1972 to 1981. It is difficult to place it into a conventional-ideological category. It was a regime supported by the army and probably could not have been maintained without it. But in the strictest sense of the word, it was not a military regime. Again, although the martial law has been lifted, in substance, very little has been changed. President Marcos continues to rule by decrees but seeks to justify his policies and actions by refer<sup>re</sup>nces to popular mandate and introducing reforms.

In order to legitimise his rule, President Marcos has followed certain innovative style of politics. The present study seeks to narrate and evaluate his efforts in this direction. After reviewing ~~the~~ historical background, subsequent chapters examine ~~his~~ political manipulation in domestic field and in the domain of foreign policy. Special attention is devoted to the political developments during these eight odd years - referenda, such publicised relaxations on the curbs of judiciary, 'reprieves' granted to political opponents and detainees, and 'concessions' made to the critical press and the church. In his bid to strengthen and exhibit his mass base, Marcos has claimed manifold success in the field of economic development, in coping with insurgency in south and in formulation of a foreign policy which has

reduced the Philippines' dependence on the United States. He hopes that these claims would go a long way towards legitimizing his personal authoritarian regime.

It is perhaps necessary to point out that the problem of achieving domestic legitimacy is quite different from improving Philippines' international image. The present dissertation concerns itself only with the problem of legitimacy on the domestic context.

## ACKNOWLEDGEMENT

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*Bhagaban Behra*



## CHAPTER I

## THE BACKGROUND

The Philippines is an archipelago of over 7,000 islands spread between the Pacific Ocean and the South China sea. It covers an area of almost 300,000 square kilometres and has a population of 48 million. Its strategic situation is quite obvious. The commercial viability combined with geo-strategic situation has attracted the maritime powers since early times. The Spaniards and the Americans in turn imposed domination and their imprint on the socio-political and economic life of the country which can be discerned today.<sup>1</sup>

The Spaniards during the period of their rule achieved the 'national integration' of the Philippine islands and much is made of this by Western historians. However, it should not be overlooked that in the absence of the Spaniards, Islam might have provided the cementing bond. Christian proselytization and hispanization, it can be argued, only sowed the seeds of future discord. The raging Moro secessionist insurgency in the Mindanao region may be cited as an illustration. It would be useful to keep in mind that despite their adopting the Christian faith and Spanish mores, the Filipinos offered continuous resistance to their colonial masters throughout their rule. It may be suggested

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<sup>1</sup> See Renato Constantino, Identity and Consciousness: The Philippine Experience (Quezon City, 1970) and The Past Revisited (Manila, 1975).

that while the Filipinos were no strangers to autocratic oppressive rule, they had also inherited their own inspiring tradition of violent dissent and resistance.

An important result of the Spanish rule in the Philippine islands was the emergence of the "Ilustrado" class. Members of this aristocratic landowning class became the harbingers of national pride to the Philippines and played an important role subsequently during the revolution and the political life of the country. Even to this day, they have a virtual monopoly of political power in the Philippines.

The control of the Philippine islands passed over to the United States after the Spanish-American War of 1898 and necessitated the reorganization of governmental machinery. ( It may be pointed out that an abortive attempt was made during the revolutionary period to establish a democratic form of government without a break in the underlying Aguinaldo centralism.)

Characteristic features of the government during the American period may be summarized as emphasis on stable government, independence and protection from interference. For achievement of these objectives, popular participation in the government was relegated to the background. Consequently, the democratic experiment undertaken in the initial years suffered setbacks. The only significant step taken in the direction of self-government was the Commonwealth Act of 1935 under which the President of the

Philippines was given an autonomous role. He was to be elected for a single term of six years and was to deal with extraordinary circumstances like invasion, insurrection and rebellion with the help of the army.<sup>2</sup>

Japanese invasion saw the collapse of this US military and political establishment in the Philippines. The panicked departure of big landlords in the wake of the Japanese occupation allowed radical, nationalist guerrillas to set in motion an agrarian (Huk) rebellion throughout the Luzon Province. It should not be forgotten that these partisans had succeeded in liberating most of the country except Manila before the arrival of General Mac Arthur. The popularity of the present day insurgents agitating for agrarian reform is derived to some extent from this nationalist image of their predecessors.

The Japanese occupation ended with their defeat at the hands of the Americans, and the Philippines were granted independence on 4 July 1946. While political life was intense, in the post-war Philippines factional interests overrode national interests. The Philippine politics in post-war years was often derogatorily, but not incorrectly, referred to as pork barrel politics.

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2 Refer Theodore G. F. Young, Between Two Empires: The Ordeal of the Philippines 1929-1946 (Manila, 1969).

The two prominent nationalist parties - the Naciolista and the Liberal - were no more than shifting coalitions of regional-local factions. Voters owed their loyalty to the commanding local personality and voted according to family ties and social debt. The balance of power among various contending factions has aptly been described as the democracy of the stalemate.<sup>3</sup> Policy decisions became the lowest common denominators acceptable to most factions to the detriment of innovative solutions of controversial problems.<sup>3</sup>

The agrarian question and insurgency loomed large as the central issue in the Philippine politics in the years after World War II on the grant of independence. The most important development in this context was the outbreak of the Huk rebellion in the central Philippines. The Hukbuhay came into existence in 1942 as an anti-Japanese nationalist group. The Americans sought the support of the Huks in the struggle against the Japanese. However, years afterwards, their revolutionary discontent was turned against their own government which was considered a collaborator of the Americans. With the failure of successive governments in Manila to redress

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3 For an interesting account see Carl H. Lande, Leaders, Factions and Parties: The Structure of Philippine Politics (New Haven, 1965), particularly pp. 119-20.

the grievances of peasantry, the leadership of this movement gradually passed into communist hands.<sup>4</sup>

The back of the Huk rebellion was broken by the charismatic Ramon Magsaysay who, first as Defence Secretary, and later as President captured popular imagination, restored army morale and for a brief period even focussed attention on the plight of the common man. Magsaysay died in an aircrash in 1957, but much before <sup>this</sup> his early promise had faded. As has been aptly remarked by a scholar:

".... Magsaysay failed to alter the gap between the elite and the people. Where Magsaysay succeeded was in fostering the the illusion that Government had come closer to the people.... The fact remains that there was no significant amelioration in the barrios in spite of the much trumpeted rural service and development programmes of the administration".<sup>5</sup>

Macapagal followed Magsaysay as the next elected President of the Philippines. He was responsible for the Land Reform Code of 1963. This Code abolished the system of share-crop tenancy and, to that extent, introduced the agricultural leasehold system which sought to give the ownership of the land to the tillers. But the well meaning programmes in reconstructing the Philippines'

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4 This phase in the contemporary history of the Philippines has been well studied in Eduardo Lachica, Huk: Philippine Agrarian Society in Revolt (Manila, 1971).

5 John Cherian, The Presidency of Ramon Magsaysay 1953-1957, unpublished doctoral dissertation, School of International Studies, Jawaharlal Nehru University, (New Delhi, 1978), p.204.

socio-economic life could not be implemented due to the opposition of the powerful vested interests as also lack of funds.<sup>6</sup>

The 1969 Presidential election witnessed the defeat of President Macapagal seeking a second term. In fact, his defeat was not entirely unexpected due to the increasing difficulties of the administration and its failure in coping with the major challenges - poverty, corruption, insurgency, land reforms and inflation.

President Ferdinand Marcos began with the support of the reform movement but limitations of this approach had long been obvious. Agricultural and land reforms legislated during the presidencies of Magsaysay and Macapagal could not be properly implemented and thus failed to bring about the desired results. The influence of various interest groups was too strong for their proper implementation. More drastic measures became inevitable by the time Marcos thought of contending for a second term to the highest office of the land.

Marcos' second term was marked by civil unrest with violent protests against corruption, the governmental support for US policy in Vietnam and the high rate of

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6 For details see Diasdado Macapagal, A Stone for the Edifice (Quezon City, 1968); Onofre D. Corpuz, The Philippines (Englewood Cliffs, N.J., 1970). There is extremely useful coverage of the Philippines during the Marcos years in the annual numbers of Far Eastern Economic Review (Hong Kong).

inflation, particularly the rise of oil prices. Violence in various forms including the activities of Communists in the north and Muslims in the south and the persistent religious war between the Muslims and the Christians particularly in Mindanao and Sulu aggravated the situation further.<sup>7</sup>

The anarchical situation that pervaded the country in general and Manila in particular between January 1971 and September 1972 was primarily caused by the long neglected social forces - Communist organisations and Marcos' mistakes and over-confidence. There was bitter power struggle between President Marcos and the great 'ruling families', particularly the Lopez's in 1970-72. The wide gulf existing between the rich and the poor posed a serious problem and it needed immediate attention. Earlier the students had demonstrated against the general price rise and demanded that President Marcos should not seek a third term.

Constitutionally barred from running the third term, slowly and steadily Marcos began taking steps to continue in power. In 1971, he suspended the privilege of Habeas Corpus after a bomb explosion at the Plaza Miranda. Finally, amidst what many thought to be planted reports

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7 Puhpeah Pant, "Communal Violence and Secessionist Insurgency in the Philippines", IDSA Journal (New Delhi), vol.5, no.4, April 1973, pp.528-42.

about assassination plots and communist conspiracies, martial law was imposed on the Philippines on 22 September 1972.

"To save the Republic" and "to form a New Society" were declared objectives according to the martial law proclamation. Marcos stated that he wanted to make a surgical operation on the old society. His aim was to weed out corruption, liquidate anti-social elements and give a new shape to the Philippine society. Marcos has written subsequently regarding this decision to impose martial law:

"The compelling necessity arose out of the seven grave threats to the existence of the Republic. These were the Communist rebellion, the rightist conspiracy, the Muslim secessionist movement, the rampant corruption on all levels of society, the criminal and criminal-political syndicates (including the private armies), the deteriorating economy and the increasing social injustice". 8

While 'justifying' his action, Marcos also sought to point out its uniqueness:

"Our martial law is unique in that it is based on the supremacy of the civilian authority over the military, and the complete submission to the decision of the Supreme Court and, most important of all, the will of the people". 9

It is in light of these remarks that Marcos' quest for legitimacy should be studied and assessed.

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③ Ferdinand E. Marcos, The Democratic Revolution in the Philippines (Englewood Cliffs, N.J., 1974), p.184

9 Ibid.



## CHAPTER II

POLITICAL MANIPULATIONS : REFERENDA AND ELECTIONS  
1972-81

From the outset Marcos has sought to create the impression that his regime enjoys popular support. He has adopted the strategy of organising frequent referenda to seek a personal mandate or an approval of his policies. The first such 'democratic' exercise was embarked upon only months after the declaration of martial law. The Philippines martial law regime announced on 20 December 1972 the temporary lifting of censorship and other restrictions on media 'to allow free and open debate on the proposed constitution to be submitted to a nationwide plebiscite on 15 January 1973'.<sup>1</sup>

Information Secretary Tatad disclosed a little later that President Marcos had asked 34,000 village assemblies throughout the Philippines to meet between 10 and 15 January 1973 and vote on whether they approved of the martial law reforms. The assemblies, the basic political units in the Philippines, also would be asked whether they would like to see Philippines Congress meet for its regular session beginning 22 January 1973.<sup>2</sup>

Marcos received a resounding vote of confidence for his martial law policies in the nationwide referendum which

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1 New Straits Times (Kuala Lumpur), 21 December 1972.

2 Ibid., 3 January 1973.

ended on 15 January 1973.<sup>3</sup> This was followed by a Presidential proclamation on 17 January ratifying a new constitution which named Marcos President of the Philippines for the next seven years and concurrently Prime Minister. Marcos announced to a cheering crowd at Malacanang palace that the new constitution was in effect 'establishing a parliamentary form of government with himself as head of the interim government'.

Promulgation of the new constitution was followed by the dissolution of the Philippines Congress which was scheduled to begin its annual session on 22 January. The Philippines President maintained that more than 15 million Filipinos had voted overwhelmingly for a suspension of the scheduled congressional election in November 1973 in favour of a political moratorium for the next seven years.<sup>4</sup>

However, this much publicised popular vote of confidence did not silence opposition to Marcos. Posters opposing President Marcos' martial law regime started reappearing on the walls of Manila and the police alleged that communists were holding clandestine anti-administration meetings.<sup>5</sup> Such expressions of dissent did not apparently cause much concern to the government, for on 13 May,

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3 Times of India (New Delhi), 17 January 1973.

4 The Statesman (New Delhi), 18 January 1973.

5 Working People's Daily (Rangoon), 6 May 1973.

President Marcos announced plans to relax martial law, censorship of Philippine newspapers, radio and television networks. "We should avoid censorship as much as possible", he said, and added "we may have reached the stage when we can allow the newspapermen to take care of themselves and police themselves". There were other signs of 'softening' too. Philippine Defence Secretary Juan Ponce Enrile ordered the release of about 700 persons detained under martial law on 21 September. (Military officials had earlier stated that 8,000 persons including politicians, students and common criminals, originally were arrested under martial law).<sup>6</sup> These gestures, however, failed to placate dissenters and Marcos, who had so far faced only limited and fragmented opposition to his takeover of the country under martial law, was confronted by an at least formally united resistance movement. Representatives of the Communist Party of the Philippines, of Moelem rebels from the southern island of Mindanao and of Catholic and other non-communist underground groups met in secret at locations in and around Manila. These representatives constituted a "preparatory committee" to work out a lasting coalition. The planned alliance was tentatively labelled the National Democratic Front.<sup>7</sup>

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6 International Herald Tribune (Paris), 22-23 September 1973.

7 Ibid.

In an unprecedented move among religious sectors in the Philippines, a group of 113 protestant pastors and catholic priests rose in protest against President Marcos' system of the controlled media. Describing the New Society as a complete paradox, the group led by Fr. Benigno Mayo S.J., from the Catholic sector, and Pastor Cirilo Rigos, from the Protestant group said:

"In theory the Filipinos are told they are at least free to speak their minds with the assurance that it is their decisions which will be followed. But how can they truly decide when they do not have the means of knowing all the facts on which they can render their decision? News is managed, the truth is either suppressed or distorted, public opinion is being manipulated everyday, and what is being fed to them is screened by authorities". 8

To the consternation of many conservative bishops the Roman Catholic Church became an increasingly important focus of resistance to the martial law government of President Marcos. In its most extreme form, this resistance was expressed in support for programmes of armed revolution, including that of a communist underground movement that took its inspiration from Chairman Mao Zedong. A handful of priests and young Catholic laymen actually joined the communists. Others, belonging to a group called Christians for National Liberation, were said to be planning guerrilla activities on their own.

The Government reacted by viewing social action programmes of the church on behalf of peasants, plantation workers and urban squatter colonies as potential sources of subversion. Churches and converts were raided by military units and small number of priests and nuns were also detained for interrogation.<sup>9</sup>

Mounting opposition and articulation of antagonism constrained Marcos to once again seek and show off his grass roots support. Filipinos were accordingly asked to decide 'the fate of President Ferdinand Marcos and all other officials' at the national referendum on 30 January by the Chairman of the Watchdog Commission on Elections (COMELEC) on 3 January 1975. COMELEC Chief, Leonardo B. Perez, assured the Filipinos, who had been living for more than two years under martial law, that they would have "complete freedom" to express their views on the conduct of Marcos and all other government officials including the military. On 12 January President Marcos ordered a month-long postponement of the national referendum. In a speech on radio and television the President set 27 February as the new date to "provide sufficient time for our people to inform themselves on the issues and exercise their mature judgement".<sup>10</sup>

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<sup>9</sup> New Straits Times (Kuala Lumpur), 13 November 1973.

<sup>10</sup> Mainichi Daily News, 3 January; The Times (London), 13 January; Patriot (New Delhi), 12 January 1975.

Meanwhile government sought to manipulate public opinion in its favour by announcing long awaited 'corrective' measures. A group of 72 military personnel were 'sacked' for abuses and misconduct, according to a Defence Department announcement on 16 January 1975.<sup>11</sup>

Earlier, peace talks between the Philippines Government and the Muslim rebels had been announced "in about ten days time" by the Secretary-General of the Islamic Secretariat, Mohammed Hassan Al-Tohamy in Kuala Lumpur on 6 January 1975. Al-Tohamy, who initiated his mediation efforts since last 1974's Islamic Foreign Ministers' meeting in Kuala Lumpur, added that he himself would chair the peace talks. Replying to a question, Al-Tohamy said that the talks would probably be held in Jeddah or Cairo.<sup>12</sup>

The Supreme Court, on 1 February, upheld President Marcos as the "de jure President" of the Philippines and his authority to call for national referendum on 27 February on his martial law regime. The decision was unanimously handed down by the 11-member tribunal while dismissing a petition for an injunction against the holding of the referendum by a group of 11 opponents headed by imprisoned Senator Benigno S. Aquino Jr. and five Roman Catholic bishops.<sup>13</sup>

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11 New Straits Times (Kuala Lumpur), 18 January 1975.

12 Ibid., 7 January 1975.

13 Times of India (New Delhi), 3 February 1975.

President Marcos issued a decree allowing free debate and assembly for at least two weeks before the referendum of 27 February in which the people were asked whether they wanted martial law to continue. The President also gave the official wording of the questions to be asked in the referendum. The two main questions were: "Do you approve the manner the President has exercised his powers under martial law, and do you want the President to continue exercising the same powers?"<sup>14</sup>

President Marcos on 8 February seeking to justify his assumption of extraordinary powers described the southern Philippines Muslim secessionist rebellion as the country's most urgent crisis and called for a massive participation in the 27 February national referendum on his martial law regime. The referendum, Marcos said, was part of "national efforts at survival" in view not only of the local Muslim problem but also in the face of the worldwide economic crisis.<sup>15</sup>

The Church organisation's opposition to Marcos' autocratic regime continued to disturb the administration and it was considered necessary to issue a stern warning to it on the eve of the second referendum. Martial law authorities warned on 23 February that stern measures

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14 Financial Times (New Delhi), 22 January 1975.

15 Hong Kong Standard, 9 February 1975.

would be taken against priests and nuns attempting to sabotage the referendum on 27 February 1975. The warning came as the powerful Roman Catholic priests in Manila told parish priests not to allow the use of their pulpits as forum for clerics advocating a boycott of the polls.<sup>16</sup>

The opposition call for a boycott fizzled out on 27 February as millions of Filipinos flocked in peaceful order to vote in the referendum. No violence was reported but pockets of church leaders and former politicians, who termed the referendum an immoral force, attended prayer sessions in silent protest.<sup>17</sup>

The outcome of the referendum was not unexpected. President Marcos polled about 90 per cent of votes in approval for continued martial law in the Philippines. Only in Cebu, the country's third largest city and the home of Marcos' opponent in the 1969 President election, voters favoured new elections, a result which amounted to a mild setback for Marcos. According to the figures reported by the government agency and spot checks in Manila indicated that a threat of a boycott by opposition to Marcos had little impact.<sup>18</sup> Marcos celebrated his 'victory' by announcing some token gestures of grace. He ordered on 25 February the release of 700 detainees, bringing to 2,166 the number of prisoners freed from military custody within two months.<sup>19</sup>

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<sup>16</sup> New Straits Times (Kuala Lumpur), 24 February 1975.

<sup>17</sup> Ibid., 28 February 1975.

<sup>18</sup> Ibid., 1 March 1975.

<sup>19</sup> Ibid., 26 February 1975.



The referendum results were encouraging enough for Marcos to launch his wife on her political career. The President on 31 October 1975, named his wife, Imelda, as Governor of greater Manila, making her one of the most powerful officials in the Philippines martial law regime. Mrs Marcos (44) was sworn into office as head of the newly-created metropolitan Manila authority integrating Manila with three other suburban cities and 13 towns with a total population of 5.5 million people. Marcos said the creation of a metropolitan authority was in response to demands of residents of the area to save it from the fate of other cities like New York which is facing bankruptcy.<sup>20</sup>

With the opposition checked for the moment, Marcos attempted to consolidate his position. With a martial law decree, he ordered a sweeping overhaul of local and provincial governments in the Philippines, giving his supporters greater power and providing the foundation for a national ruling body.<sup>21</sup>

Politics was not entirely peaceful despite the personally encouraging results of the referendum. Sporadic outbursts of violence served to remind constantly that dangerous unrest was seething just below the surface. In the first major outbreak of violence since the proclamation of martial law on 22 October 1975 Guillermo

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20 Bangkok Post, 1 November 1975.

21 The Statesman (New Delhi), 17 November 1975.

Devega, a Presidential Assistant with the rank of a cabinet member, was gunned down inside his office at Malacanang palace.<sup>22</sup>

On 20 January 1976 Marcos mooted the idea of the creation of a consultative body to be called the "Legislative Advisory Council" representing a cross-section of the people which would advise him on the highest matters, including on economy and security.<sup>23</sup> This vague promise, however, did nothing to reduce the militancy of the small but vital opposition. More than 1,000 priests and nuns met in Manila Girls' College on 7 March to accuse the martial law government of suppression of religious freedom. They issued a five-point demand, including the return of two deported Italian priests. Those attending were all members of the Association of Major Religious Superiors (AMRS), the most vocal of the country's church groups and at the forefront of protests against alleged martial law abuses.<sup>24</sup>

While making no efforts to rebuff these charges, Marcos was not averse to flourishes of activity to suggest change and cleaning up. The President fired five Governors and four big city mayors on 31 March in a move to establish tighter control over local government in the Philippines. But he also extended the five-year terms of thousands of

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22 The Hindu (Madras), 28 October 1975.

23 Mainchi Daily News, 22 January 1976.

24 New Straits Times (Kuala Lumpur), 8 March 1976.

other officials, which were to expire on 30 March 1976, pending a delayed review of complaints against some of them. After the review, all the local officials would serve at the will of the President.<sup>25</sup>

President Marcos, on 15 August 1976 once again ordered a national plebiscite in 1977 to determine whether the constitution should be amended to establish a new law-making body or constituent assembly. "We have a constitutional stalemate we have to resolve", he said. "And the question must be referred to the people", he added.<sup>26</sup>

Some variety was introduced into political discussions (gossips) at this state when the trial began of Benigno Aquino, the prime opponent of Marcos. Benigno Aquino, the Philippine opposition leader, who appeared before a military tribunal in Manila on 3 August 1976 on charges of murder and subversion, refused to recognize the court. He said that the four-men on the military tribunal were beholden to President Marcos, his main political rival and Commander-in-Chief of the Armed Forces. (Aquino, then 44, and leader of the banned Liberal Party, was detained immediately after the country was placed under martial law in September 1972). He told the tribunal that he did not believe that he could be given a fair trial because President Marcos had already pronounced him guilty in public statements.<sup>27</sup>

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25 Ibid., 1 April 1976.

26 Ibid., 16 August 1976.

27 The Times (London), 4 August 1976.

On 10 September 1976, Marcos signed a decree establishing a Legislative Council on the day making his 59th birthday during a speech at an armed forces loyalty pledge. "This merely means that as of today", Marcos made clear as he signed, "I hereby share the powers of legislation that have been recognized by both the constitution and the Supreme Court as being in my hands and share this with a Legislative Council by its Tagalog title, Batasan Ng Bayan, and said it would be composed of his 21-member cabinet and the executive committee members of an organisation called Katipunan Ng Mga Sarguniang Bayan, an association of local and provincial assemblies. Marcos appointed all the members.<sup>28</sup>

President Marcos celebrated the fourth anniversary of martial law in the Philippines on 21 September 1976 by opening the new legislative advisory council which he considered to be the beginning of a parliamentary system in the country. He told a closely-guarded council session that in creating the group (which included his wife Imelda, Governor of Manila) he was 'following the wishes of the people'. However, he repeated that he was by no means abdicating his own power to make laws by decree. From now on, though, he would exercise his own law-making authority only if he felt the Council was unable to act. (The new legislative group included 127 members, all appointed by Marcos, including 28 cabinet level officers).<sup>29</sup>

28 Bangkok Post, 11 September 1976.

29 Financial Times (New Delhi); <sup>New</sup> Straits Times (Kuala Lumpur), 22 September 1976.

Attacks from opposition continued unabated despite these efforts by Marcos to win constitutional respectability. A group of Roman Catholic Bishops, on 23 September, attacked the proposed national referendum as 'a vicious farce and an unconscionable mockery of the people's dignity'. The statement signed by 13 of the country's 80 bishops described the state of martial law in the country 'as a regime of coercion and fear, institutionalized deception and manipulation'. "Our people do not enjoy the ordinary human and civil liberties that are basic to the proper exercise of their rights of suffrage and to the free participation in government", the statement added.<sup>30</sup>

This criticism coincided with condemnation of impartial foreign observers. Amnesty International accused the Philippines Government of "extreme cruelty" in the torture of political detainees. It stated that since martial law was declared in September 1972, the Philippines had been 'transformed from a country with a remarkable constitutional tradition to a system where star chamber methods have been used on a wide scale to "torture evidence into existence". In its 60-page report Amnesty claimed that victims were beaten with rifle butts, kicked, subjected to karate blows and had their heads pounded against walls.<sup>31</sup>

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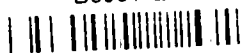
30 Hong Kong Standard, 24 September 1976.

31 Australian Standard, 16 September 1976.

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Militant demonstrations against the martial law regime were held in Manila in September 1977. Steel helmeted police, with batons, and charging jeeps, chased upto 5,000 chanting demonstrators through Manila's crowded commercial centre on 23 September in the noisiest anti-martial law protest in five years. Dozens of people were hurt by flailing batons as police moved in to disperse the crowd of demonstrating students and nuns. It was not known how many people were arrested, but at least 50 were seen being taken away to police jeeps and in one corner, 20 nuns and seminarians were being held by police for questioning.<sup>32</sup>

Not much excitement was generated by the ritual holding of yet another referendum on 17 October. Marcos headed towards another victory in the most sweeping manner of four such referenda he had held since he had imposed martial law in the Philippines. Early vote returns showed a heavy approval of his regime. Continuation of martial law won 273,208 'yes' votes of 290,129 cast, including absentations, or a 94 per cent favourable vote. A package of nine constitutional amendments won 218,185 'yes' votes out of 236,948 cast, or a 92 per cent approval.<sup>33</sup>

While lifting some martial law restrictions 'to permit free debate before yet another referendum' scheduled for 17 December, President Marcos on 13 December 1977 ruled

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32 Bangkok Post, 14 September 1977.

33 Indonesia Times, 18 October 1976.

out the immediate revival of political parties in the Philippines saying there was no need for them in the interim national Assembly elections to be held in 1978. In a broadcast interview Marcos at the same time challenged critics of his martial law regime to band together and campaign for a "no" vote in the presidential referendum scheduled for 17 December 1977. He said he favoured a "democratic dialogue" in the country and dared the opposition to put up their own candidates in the parliamentary elections to be held either next April or May.<sup>34</sup>

On the eve of national referendum, one of his political foes announced formation of a new organisation that sought his immediate resignation and exile. The challenge to Marcos came from former President Diosdado Macapagal, who said the new opposition group 'seeks the end of martial law and immediate elections to a new interim assembly'. Macapagal disclosed the existence of the group in a 17-page manifesto calling on people to boycott 17 December referendum.<sup>35</sup>

Government-guided newspapers had been predicting 90 per cent backing for Marcos, but figures carried by the official Philippines News Agency from different parts of the country showed more mixed results. The agency reported that 31 polling centres in Santa Ana, Pampanga, in the communist guerrilla

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34 Hong Kong Standard, 14 December 1977.

35 Bangkok Post, 17 December 1977.

troubled central Luzon plains north of Manila, turned in 100 per cent "yes" votes for the President, despite rebel warnings, scrawled on walls round the town. But elsewhere in the area, out of some 38,000 votes, support was running at just under 70 per cent. In one small corner of south eastern Philippines, 25 voting centres in the town of Digos, Davao Del Sur, reported "no" votes were predominating. The agency said 4,862 people had voted against Marcos in the region, against 3,055 for him. With just under half the 11,000 precincts in metropolitan Manila counted, the trend was under 89 per cent for the President, 10 per cent against and the rest deliberately left blank or spoiled ballot papers. (The country's 21.5 million registered voters were asked: "Do you vote that President Ferdinand Marcos continue in office as incumbent President and be Prime Minister after the organisation of the interim national assembly which he has promised for early 1978?")<sup>36</sup>

This referendum like its preceding ones was no more than an empty ritual. Other 'events' too were devoid of any substance though not lacking in human interest. On 25 November 1977, a military court sentenced Filipino opposition leader Benigno Aquino Jr. and two top communist guerrilla leaders to death by firing squad after finding them guilty of subversion and other high crimes. The court handed

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36 Bangkok Post, 19 December 1977.



down the sentence after nearly seven hours of closed-door deliberation at a heavily guarded courtroom in a suburban army camp ending the longest military trial of President Marcos' five-year martial law regime. Convicted and sentenced to musketry with the 44-year-old former Senator were captured communist New People's Army Commander-in-Chief Bernabe Biscayno, alias Commander Dante, and former soldier Victor Corpus. "If Marcos believes I am guilty, I want to be shot tomorrow", Aquino, arch political foe of the President told newsmen after the sentence was announced by the court. Aquino was found guilty of subversion on all four counts, murder and illegal possession of firearms, while Biscayano was found guilty of murder and subversion. Corpus, who defected to the pro-Beijing communist underground movement in 1970 was also found guilty of subversion.<sup>37</sup>

In a show of magnanimity Marcos ordered a retrial for his arch political rival, Benigno Aquino, Jr. There was speculation that President Marcos' order to reconvene the trial proceedings followed strong diplomatic representation by the US together with appeals from political pressure groups throughout the Western world. In a statement issued from his palace in Manila, the Filipino leader said he had ordered what amounts to a retrial "in the interest of justice".<sup>38</sup>

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37 Bangkok Post, 26 November 1977.

38 Australian, 1 December 1977.  
 San Francisco lawyer George T. Davis, who came in Manila to observe the military trial of detained Filipino Senator Benigno Aquino, announced on 6 December 1977 that he could no longer remain neutral and was going home to organize defence committees in the USA. See Bangkok Post, 7 December 1977.

Former Senator Benigno Aquino, on 5 December 1977, challenged a military tribunal to examine its conscience and decide if it could really give him a fair trial after having sentenced him to death by firing squad. Both he and a civilian lawyer for one of his co-accused, issued separate challenges to each of the seven members of the tribunal at a new hearing, in which Aquino accused President Marcos of involvement in a Machievellian plot by ordering the re-opening of a trial for five minutes on each one after the members declined to answer questions put by the accused on their impartiality.<sup>39</sup>

The Philippines Supreme Court, on 15 December 1977, issued a challenge to a martial law rule in calling for a stop to proceedings to a military tribunal which sentenced ex-Senator Aquino to death by firing squad. Associate Justice Antonio Barredo said in earlier questioning of Solicitor General Estelito Mendoza that it came as a shock to the whole world when the tribunal passed the death sentence on Aquino even though he had a habeas corpus petition pending before the Supreme Court. Despite the petition, the military court went ahead "with haste" to pass the death sentence, he added.<sup>40</sup>

All this autonomous display of judicial authority, it seems, was stage managed to distract foreign criticism

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39 The Patriot (New Delhi), 7 December 1977.

40 Bangkok Post, 16 December 1977.

as subsequently the military tribunal, which had sentenced former Senator Benigno Aquino to death, rejected the Supreme Court allegation that it had acted in haste. However, it agreed to cancel further proceedings until various legal and constitutional questions were resolved.<sup>41</sup>

On 24 December 1977 after winning a fresh mandate to continue his martial law rule as President and Prime Minister, Marcos pledged to move the Philippines on the road to political normalcy. Marcos made the promise after Government Commission on Elections officially declared the final results of the recent nationwide referendum.<sup>42</sup>

Five referendums, appear to have provided enough reassurance to Marcos for him to feel confident enough to embark on a more ambitious electoral exercise. The Philippines martial law administration approved on 27 January 1978 a new election code providing for the revival of political parties for the 2 April elections of an interim National Assembly. The election code provided for the election of a total 192 members to the interim Assembly, which would serve as a transition body prior

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41 Ibid., 17 December 1977.

42 Complete return showed the President polled an overwhelming vote of confidence and a slight decline in his popularity. Final results showed 20,062,782 or 89.3 per cent of the referendum more than 22 million voted "yes" on the referendum question whether Marcos should continue as President and Prime Minister after convening of the interim Assembly. "No" votes totalled 2,104,20 and absences numbered 299,633. In the previous four referenda, Marcos polled upwards of 90 per cent of the votes in the last referendum on martial law in October 1976. Mainichi Daily News, 26 December 1977.

to the election and convening of a regular parliament. President Marcos indicated the number might increase depending on updated voting population statistics in the Philippines' 13 regional districts. The code was approved at the close of the two-day meeting of the Philippines Legislative Advisory Council presided over by Marcos. The Council unanimously approved provisions in the election code allowing "political parties and groups" to participate in the elections. The move lifted the ban on political parties imposed when martial law was proclaimed in the Philippines in September 1972.<sup>43</sup>

Recognised political opposition did not consider the proposal as serious. Opposition Liberal Party announced on 3 February that it would not participate in the April elections for an interim National Assembly under martial law and denounced the exercise as "expensive, useless farce". Former Senator Gerardo Roxas, Party President, and Jovito R. Salonga, Chairman of the Party's Steering Committee, issued a joint statement to newsmen announcing the "unalterable decision" of their party not to participate in the polls. This left only one major political group, a political coalition called the "Movement of the New Society" supporting the President Marcos' martial law administration, as an

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43 Mainchi Daily News, 21 January 1978.

active contender in the elections. Roxas and Salonga disclosed that their conditions for the Liberal Party's participation in the polls, including assurance of a free press, the extension of the approved 85-day election campaign period and the ban on election handouts, had been rejected by Marcos. "For these reasons, the Liberal Party has decided not to field its candidates in the forthcoming election in April 1978 for the interim Batasang Pambansa (National Assembly).<sup>44</sup>

A Presidential report said the election for the interim Legislative Assembly would be held on 7 April 1978 instead of 2 April 1978 as originally announced and the election campaign, beginning on 18 February 1978 would be limited to 45 days. Few other provisions of the new code were also announced. Only 165 of the Assembly's 200 seats would be filled in the election. Marcos would appoint 20 members of his cabinet and the remaining members were to be chosen in elections in the private sectors, including labour, youth and agriculture.<sup>45</sup>

The only interest attached to the proposed election was confined to in news story terms. Some melodramatic suspense was whipped up in the contest when first lady Imelda Romualdez Marcos agreed on 17 February 1978 to lead a government coalition ticket against jailed opposition

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44 Hong Kong Standard, 4 February 1978.

45 Indonesia Times, 8 February 1978.

leader, Benigno S. Aquino, Jr., in the first elections to be held in the Philippines since martial law was imposed more than five years ago. "Just order me, whatever you say, I will follow", the modest Mrs Marcos told a Metro Manila Municipal Council rally drafting her for the 7 April elections to an interim National Assembly. Mrs Marcos, the Governor of Metro Manila, was permitted to retain that position despite election rules calling for the resignation.<sup>46</sup>

More than 600 candidates and 26 political groups registered for the 165 seats at stake in the Philippines' first elections since martial law was declared more than five years ago, the Commission on Elections disclosed on 19 February 1978. More than one-third of these registered in the Metropolitan Manila region alone for the elections scheduled on 7 April 1978. The region had only 21 seats to be elected at large in the new interim National Assembly where President Marcos would sit automatically as Prime Minister and which he ultimately controlled since he continued to hold his decree-making powers and can decide its term.<sup>47</sup>

Imprisoned opposition leader Benigno S. Aquino Jr. asked President Marcos on 22 February 1978, to let him appear before the National Security Council (NSC) and

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46 Bangkok Post, 8 February 1978.

47 Hong Kong Standard, 20 February 1978.

proposed "mutually acceptable arrangements" to let him campaign for the coming interim National Assembly elections. In a letter to Marcos, the 45-year-old former Senator requested for temporary freedom. "I am confident that if you allow me to personally present my case before the NSC, together we will be able to resolve all problems expeditiously and save valuable, very limited campaign time", Aquino said.<sup>48</sup>

The announcement of elections encouraged the dissenters in the Philippines to step up their protests. Students, workers, chanting "Marcos, Hitler, Dictator", on 18 March 1978 marched throughout downtown Manila to stage one of the biggest anti-government demonstrations in five years of martial law in the Philippines. About 1,000 demonstrators, bearing huge streamers proclaiming "Down with Martial Law", initially gathered at the downtown "University belt" area for the march to Tondo Church in Manila's alum district. By nightfall, a crowd of 10,000 had assembled in front of the Church of the Holy Child to hear opposition candidates in the 7 April elections for the 200-member interim National Assembly criticized alleged excesses of President Marcos' martial law rule. There were no incidents reported during the five-hour rally. No uniformed policemen were in sight.<sup>49</sup>

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48 Indonesia Times, 23 February 1978.

49 Bangkok Post, 20 March 1978.

Marcos tried to gain some political capital out of the lack lustre election by striking a gallant, independent pose against the USA. On 5 April 1978, he accused the USA of using foreign aid as a pressure on his government and called on the US to keep its hands off the forthcoming Philippines elections. Charging some Japanese corporations also with meddling in the Philippines politics, Marcos declared it would be in the interest of any Philippines ally and of South East Asia itself that the political leadership in the Philippines remained strong and independent. A strong leadership in the Philippines, symbolized by his government, would be a better ally and "a better support" for American or Japanese policy, he said. Marcos was speaking in a nationwide television "Dialogue with the People" two days before the country went to the polls to elect a 200-man interim National Assembly. Marcos alleged that the issue of Aquino's release "was tied to the question of negotiations between the United States and the Philippines and even the question of aid that we are going to receive from the Americans. "I felt this was playing foul and this was something I could do no longer stomach", the President said.<sup>50</sup>

It seems that this populist posture was not enough and the Philippines President had to revert back to

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50 Indonesia Times, 7 April 1978.



harsher measures. On 10 April 1978 President Marcos ordered a new clamp-down of martial law restrictions on free assembly and debate following a resurgence of street protests in Manila against his 5 1/2 years old martial rule. Declaring there would be no appeasement of "anarchists, radicals, and terrorists", Marcos said the government "will deal with them firmly to the full extent allowed by law" and that he was keeping open the option of restoring the midnight-to-dawn curfew.<sup>51</sup>

All 21 candidates of the Administration Party, led by Marcos' wife Imelda Marcos, were officially proclaimed winners of the legislative elections in metropolitan Manila. The proclamation by the Government's Commission on Elections provoked protests by the opposition parties. The Commission declared the results under protests from 758 voting centres involving about 183,000 untabulated votes or 6.3 per cent of the total number of ballots cast in the Manila area. According to the Commission, even if all of these votes were counted in favour of the opposition candidates, they would not alter the overall results. The last winning candidate of the Administration Party led the opposition's leading candidate, imprisoned former Senator Benigno Aquino, Jr. by more than 200,000 votes. The proclamation of winners in the key Manila area polls confirmed a near-sweep by

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51 Bangkok Post, 11 April 1978.

the government of the 165 seats at stake in the interim National Assembly. A minor opposition group scored the only upset over Administration candidates in balloting in the central Visayas region. The rest of the seats in the 200-member legislative body were reserved for 14 sectoral representatives from the agriculture, labour and youth groups who would be elected later, and 20 cabinet members who would be appointed by the President. A seat was also reserved for Marcos who will automatically become Prime Minister when the Assembly convenes, probably in a month's time, for an expected maximum term of six years.<sup>52</sup>

This clear sweep was apparently too much even for the administration. A token representation of opposition would establish the democratic credentials of Marcos better. Perhaps it was with this in mind that the Commission on Elections reversed itself on 17 May and proclaimed as winners 13 opposition candidates to represent the central Philippines in an interim National Assembly. These 13 candidates were fielded by the Pueyon Bisaya Party against candidates of President Marcos' New Society Movement, which almost totally swept the elections elsewhere.

There were some other conciliatory moves made by Marcos to celebrate his victory. On 3 June 1978 Marcos ordered the release of five imprisoned opposition leaders and promised not to prosecute about 600 of their followers who participated in a protest march in April 1978.<sup>53</sup>

Marcos also declared that he had amended the country's amnesty laws in a way that would allow his political arch rival, Benigno Aquino, to be freed and leave the country with no guilt terminated. The amendment was issued by a decree on the eve of the convening of the Philippines first legislature in six years of martial law. The Presidential decree did not name Aquino, but it is widely believed that the law was changed specifically to free him.<sup>54</sup>

President Marcos administered oaths of office to 27 cabinet officials on 12 June after he was himself sworn in as the country's first Prime Minister under a new parliamentary system. Eleven of the 27 won seats in the newly constituted interim National Assembly, but the 16 others did not run in the election and were appointed to the body by the President. There were few changes in the cabinet apart from the appointment of President's wife Imelda Marcos as Minister of Human Ecology and Settlements and a few changes among lesser-ranked cabinet officials.<sup>55</sup>

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53 Bangkok Post, 4 June 1978.

54 Times of India (New Delhi), 13 June 1978.

55 Bangkok Post, 13 June 1978.

(Veteran Foreign Minister Carlos Romulo retained his portfolio as did Defence Minister Juan Ponce Enrile and Finance Minister Cesar Virata).

As soon as the members of the new assembly were sworn in, Marcos made it clear that he was in no hurry to lift the martial law. He justified continuance of martial law by pointing to the grave economic crisis facing the world and a critical international political situation with serious repercussions in the Philippines. He followed this up with the formation of a Philippines Citizens' Army on 1 September 1979 with the task of overpowering his old political enemies now "subverting" his seven-year old martial law regime. In indignant and stentorian tones, the President declared that this citizens' force - Army Reserve Command, would comprise 900,000 officers and men which "strike with vengeance" against those now seeking to subvert his regime. This is not to suggest that Marcos stopped talking about the normalization of the political processes in the country. He announced on 24 October 1979 that he intended to hold elections for the 'regular' National Assembly not later than May 1984. The announcement from the Presidential palace was made before a caucus of his New Society Movement (KAL), which holds all but 14 of the 200 seats in the interim National Assembly elected last year in a controversial poll. The caucus was called at the Presidential palace to discuss the future

legislative programme, especially an elections code for polling of local body officials, like Mayors and Provincial Governors. The President pledged to hold these within 18 months as part of a promised gradual return to normal political life.<sup>56</sup>

A month and a half later, President Marcos on 15 December, set the holding of local elections on 30 January 1980, and asked parliament to approve the date. At stake in the coming polls - the first since 1971 - were the positions of governors, vice-governors, city and town mayors and vice-mayors.<sup>57</sup> Parliament was expected to act on his call without delay.

President Marcos added in this connexion that Martial Law would be relaxed from 29 December 1979 for the 30-day campaign period for the 30 January election. He said he would issue an order which would encourage free debate and political rallies. He made it clear, however, that the assurance he gave for free discussion and debate during the campaign period did not include violation of the laws on anti-subversion. Arrests, searches and seizures would be stopped except as a preventive measure against such crimes as arson, murder or the illegal use of fire-arms or explosives. Asked if the relaxation of martial law restrictions would cover the entire country,

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56 Bangkok Post, 26 October 1979.

57 Times of India (New Delhi), 17 December 1979.

he said he was waiting for the final recommendation of the Defence Department.<sup>58</sup>

The Philippines Government's New Society Movement (KBL) Party rolled all over the country in a massive electoral sweep on 31 January 1980 with the opposition getting just a few crumbs. The KBL captured metro Manila's four cities and 13 towns just hours after the polling booths closed late on 30 January 1980, then proceeded overnight to rack up virtually all 17,000 local elective posts in 73 provinces, 1,500 towns and 54 cities. There were, however, small pockets which offered spirited resistance to the Marcos' steam roller and returned opposition candidates. In Pampanga province, central Luzon, opposition National Union for Liberation (NUL) candidate Jose B. Lingad was well on the way to drubbing KBL candidate Solicitor General Estelita Mendoza, cabinet member and protege of President Marcos. In Batangas province, southern Luzon, the powerful Laurel political clan representing the Nacionalista Party (NP) had young Jose Laurel V. heavily outscoring incumbent KBL Governor Antonio Leviste, hand-picked by President Marcos.<sup>59</sup>

Marcos did not cease efforts to remain in line light and to win popular sympathy. Violent incidents in September 1980 provided him with a tailor-made opportunity. President Marcos said on 20 September 1980 that investigators had

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58 The Statesman (New Delhi), 29 December 1979.

59 Bangkok Post, 1 February 1980.

uncovered evidence of a conspiracy against his government involving elements in the United States. But he said its bid for power had been substantially thwarted. Answering questions on a spate of bombings in Manila which killed one person and injured many others, Marcos said the fear now was that those whose plans had been defeated would join with more radical groups who support outright terror. If the bombings continued, he said, the government had a new contingency plan to deal with them. He gave no details.<sup>60</sup>

As if to prove the prophetic powers of the President, a bomb exploded on 19 October 1980 at a US travel agents' conference in Manila, wounding at least 18 people including several foreign delegates, but the Philippine President Marcos, the guest speaker, escaped unhurt. The explosion followed a recent series of terrorist bombings in Manila and warnings from an urban guerrilla group called, "The April 6 Liberation Movement" to ASTA delegates not to come to the Philippines "in these times of turmoil". Early police reports said the wounded included four Brazilian delegates. Three Americans also suffered superficial wounds.<sup>61</sup>

President Marcos disclosed on 21 October 1980 that an arrested American had confirmed a terrorist bomb plot to assassinate him and warned that he would not lift

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60 Ibi., 21 September 1980.

61 Bangkok Post, 20 October 1980.

martial law if urban bombings continued. Of the nine opposition leaders implicated, only the former Senator, Jovito Salonga, was in the Philippines, and he was arrested. The Defence Ministry announced that a former woman Senator and 26 other persons, including a retired colonel and nine soldiers would be tried by a military court in November for an alleged plot to overthrow President Marcos. The plot allegedly was to have been carried out last New Year's eve with the kidnapping of top Generals.<sup>62</sup>

Details of the alleged coup attempt were published by the Marcos' government. The coup attempt, according to the notice, was to have included capture of a suburban army camp, blowing up of town halls and power installations, seizure of two radio stations, and blocking of key roads and bridges, followed by "a march of Malacanang palace" to force President Marcos "to capitulate". The notice said the supposed plot code named "Twilight" - was to include assassination of Marcos, who has been ruling the country for 15 years. It was alleged that the coup was to have been launched on last New Year's eve and was to be followed by the return from the United States two days later of former Senator Raul Manglapus and other political expatriates "to take over the helm of the revolutionary government".<sup>63</sup>

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62 Times of India (New Delhi), 23 October 1980.

63 Bangkok Post, 29 October 1980.



Having treated the country to some choice sensationalism Marcos reverted back to the theme of ending the martial law. In a speech before the University of the Philippines Law Alumni, Marcos said he would lift martial law as soon as the Supreme Court has resolved various cases preventing the lifting of the emergency. "It is my hope that those cases will be decided before January and I promise you if those cases are decided before January, by the end of January we shall have lifted martial law", Marcos declared.<sup>64</sup>

On 22 December 1980, President Marcos ordered the abolition of all military courts to pave the way for the lifting of his eight-year-old martial law administration before the end of January 1981. Marcos also ordered the dismantling of all military detention centres whose inmates would be transferred to the national penitentiary in suburban Muntinlupa.<sup>65</sup> A couple of days earlier on 20 December Marcos had granted amnesty to 1,457 former rebels belonging to the Communist New People's Army (NPA) and the secessionist Moro National Liberation Front. Included among those granted amnesty were 375 persons belonging to the NPA and 1,082 members of MNLF, according to the government statement.<sup>66</sup>

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64 Bangkok Post, 13 December 1980.

65 Working People's Daily (Bangoon), 21 December 1980.

66 Bangkok Post, 22 December 1980.

However, Marcos made it quite clear that he had no intention of allowing competitive politics. He disclosed on 30 December that he would hold emergency powers even after the lifting of martial law in January 1981.

Marcos cited his emergency legislation making powers were under the constitution and yet unpublished Security Code and Public Order Act. He said his reserve powers would allow him to operate "in as forceful a manner as possible" to ensure a smooth transition between the revocation of martial law and the convening of a 'regular' parliament in 1984. The President clarified that amendments to the new constitution would empower him to issue decrees even when the regular assembly is in session, if he believed that there was an emergency.<sup>67</sup>

After all these not insignificant qualifications, Marcos finally proclaimed on 17 January the end of his eight-year-old martial law regime. On the occasion of Constitution Day, Marcos said he was declaring "in full view of the nation and the world at large the first voluntary lifting of martial law rule in history", thus bringing to close a none-too-glorious chapter in the history of Philippines.

The reaction of United Democratic Opposition (UNIDO) to President Marcos' proclamation summed up the situation

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67 Ibid., 31 December 1980.

in the Philippines: 'Martial law is over but dictatorship remains'.<sup>68</sup> As the Indian Express commented editorially Marcos' absolute powers would continue until at least 1984 when parliamentary elections are due. The President can rule by decree even when parliament is in session. The army continued to be empowered to detain people and take other steps to suppress rebellions activity or subversion, and no civil court can interfere. The writ of habeas corpus remained suspended in the Mindanao-Sulu region, where Muslim separatists have been carrying an insurgency for the last six years. Outside too, it is debarred for practically all political prisoners.

"What then is the change? On the face of it, it looks like a cosmetic touch in preparation for the visit of the Pope to this predominately Catholic country. The church has not taken kindly to the draconian administration of Mr Marcos and he cannot appear to disregard its view. There are also factors which must have weighed with him in making the gesture of terminating martial law after more than eight years. First is the failure to suppress political dissent which, in the absence of any democratic outlet, comes out in the form of violence. Secondly, the possibility of a deal with the opposition leader, the former Senator Benigno Aquino, under American auspices, is in the air." <sup>69</sup>

Former Philippine President Diosdado Macapagal also stated that the lifting of martial law on 17 January after more than eight years was "in name only but not in fact". In a statement on 18 January 1981 Macapagal, a

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68 Indian Express (New Delhi), 20 January 1981.

69 Ibid.

leading member of the United Democratic Opposition (UNIDO), said that democracy could be restored in the Philippines only if President Marcos relinquished his power and allowed a caretaker government hold elections. Macapagal lost the Presidency to Marcos in the 1965 elections.<sup>70</sup>

Soon after lifting the martial law Marcos expressed the desire to submit himself to direct election by the people, hopefully by May 1981. The opposition responded at once with the announcement that they would not participate in the proposed elections. Accusing President Marcos of trying to perpetuate himself in power, an alliance of opposition political parties announced on 5 February, it would not field any candidate in a presidential election, the Filipino strongmen wants to hold in May. "We have decided it is better for Marcos to run alone, and in his own words, look ridiculous", said former Senator, Gerardo Roxas, in a speech in Manila.<sup>71</sup> Roxas, President of the pre-martial law Liberal Party, and Co-Chairman of UNIDO, a new alliance of eight different parties, added: "We feel that under these circumstances there cannot possibly be a free,

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70 Bangkok Post, 20 January 1981.

71 Indonesia Times, 30 January 1981.

clean, or honest election". For us to participate in a farcial election such as this would be ... to exonerate this regime for every transgression of our human rights and in addition grant it a mantle of legitimacy by our participation. This we cannot countenance; Marcos will have to run alone".<sup>72</sup>

Quite obviously, after eight years of political manipulation, Marcos' quest for legitimacy is far from over.

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72 Bangkok Post, 6 February 1981.

PROBLEM SOLVING OR IMAGE BUILDING : EXTERNAL RELATIONS  
AND INSURGENCY

Marcos has taken considerable trouble to normalize or forge better ties with different countries. He seems to have been inspired by the belief that success abroad can, to a large extent, neutralize domestic difficulties. This was considered not only a question of distracting the public from dissidents' arguments but also hopefully using national pride as an opiate. It has to be conceded that an effective foreign policy may also have become imperative if economic development was to be achieved. Again to cut off external assistance to Muslim insurgents in the southern provinces it was considered necessary to win over militant Islamic/revolutionary states.

Cultivating New Friends and Asserting Independence:

Ever since the declaration of martial law unprecedented priority was attached by Malacanang to cultivation of socialist states in Eastern Europe. After 1972, diplomatic ties were established and strengthened with Yugoslavia, Czechoslovakia, Poland, Hungary, Rumania, East Germany and Bulgaria. Nearer home, Mongolia was recognized.<sup>1</sup>

In 1973 Marcos made it clear that diplomatic ties would be established with the Soviet Union and the People's Republic of China 'as soon as possible'.<sup>2</sup> Some progress

1 Straits Times (Singapore), 10 March 1973; Times of India, 12 September 1973; and HONGKONG STANDARD, 23 September 1973.

2 Far Eastern Economic Review (Yearbook) (Hongkong), 1977, p. 276.

was made in this direction in 1974 when the President's wife Imelda visited Peking in September for 10 days. (She had been to Moscow in 1971). However, there was not much novelty in these statements and gestures nor did these mark any significant shift. This 'normalization' had become feasible due to the detente between USA and USSR and rapprochement between USA and China.

This, of course, did not inhibit Marcos from exploiting the favourable constellation of international circumstances to his advantage. He acted and sought to create an impression that his country had changed course since the imposition of martial law. The implication was that now its international conduct was more independent.<sup>3</sup>

While Foreign Secretary Carlos P. Romulo followed up normalization of relations with socialist countries by visiting Eastern Europe on his way to the UNGA meeting. The Philippines also moved rapidly towards normalizing its relations with Japan. It may be kept in mind that even before the new treaty had been ratified in December 1973 there had been a dramatic inflow of Japanese investments into the republic.

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3 Much was made in this context of Marcos' struggle to regain Filipino sovereignty over the US bases. refer to Far Eastern Economic Review Yearbook 1973, and Ekien Times Yearbook (Manila, 1973).

Close neighbours - fellow members of the regional group ASEAN - were accorded due importance. A large number of cooperation agreements were signed in 1974 with Indonesia following Marcos' visit to Indonesia. Plans were announced of joint manufacture of automobile parts by Malaysia and the Philippines.<sup>4</sup> During this year, Marcos grasped all opportunities to capitalize on the goodwill generated by routine ASEAN meets. He constantly sought to suggest and underline that he had opted for a more active regional role for the Philippines and that somehow this was an indirect gain of autocratic-personal rule. (It was not difficult to insinuate that hitherto vested traditional party-political interests had kept the country tied to US apron strings).

President Marcos 'ordered' his wife to negotiate with the United States a plan to implement "symbolic manifestations" of Philippines' sovereignty over American military bases in the country. Marcos said in a cable to a delegation in the United States headed by his wife Imelda that he wants the plan in operation "even before the treaty is formally amended or agreed upon" between the two governments. Renegotiation of the treaty allowing Washington to maintain military outposts on Philippine soil

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4 Straits Times (Singapore), 23 April 1974; Jakarta Times, 11 May 1974.



scheduled for the spring of 1976. Marcos said Mrs Marcos had informed him that the Americans were "ready to implement symbolic manifestation of Philippines' sovereignty ... such as flying of the Philippines' flag and the appointment of a Filipino base commander. If this is so, I direct that you pursue this point so that it can be immediately done when you return".<sup>5</sup>

After prolonged, monotonous shadow boxing, the Philippines and the United States signed on 7 January 1979 a six-point amendment to the military bases pact allowing the Americans to maintain a toe-hold in Southeast Asia for the next five years. US Ambassador to Manila, Richard Murphy and the Philippine Foreign Minister Carlos P. Romulo, signed an exchange of notes containing the amendments in formal ceremonies at the Presidential palace.

Under the agreement, the USA agreed to give more than \$500 in "security assistance" to President Marcos' martial law government. That would be the compensation for the currently rent-free Clark Airforce and Subic Naval Bases. The United States, in turn, will be allowed to keep Clark and Subic bases, for another five years in the Philippines. (The facilities are the last two US military bases in Southeast Asia).

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5 Indonesia Times (Jakarta), 30 October 1977.

Top government sources in Manila said that a partial agreement had been reached on the thorny issue of criminal jurisdiction over US servicemen stationed in the Philippines. In order not to delay the signing of the agreement, full resolution of the jurisdiction question was set aside for further negotiations. Other details of the agreement were: Filipino Commanders would be installed on each base and the Philippines' flag will be flown, but American Commanders would retain control. The base treaty will be reviewed every five years and either country has the option to terminate it. (Under the old treaty the bases were to remain until 1991). Filipino authorities will detain any servicemen accused of a crime until his case is decided. (Philippine officials had accused US authorities of allowing servicemen to leave the country with their cases still pending).<sup>6</sup>

#### Pacifying the Rebels:

It is difficult to ascertain the 'facts' of insurgency in southern Philippines. Reports of fighting, figures of casualties suffered are seldom free from <sup>partisan</sup> bias. The government accounts quite often contradict themselves. It has also to be borne in mind that the declaration of martial law to begin with shifted the focus from the besieged periphery to the centre. The narrative of Marcos endeavours

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6 Bangkok Post, 8 January 1979.

in this field can only be taken up in a worthwhile fashion from the beginning of 1977. Throughout 1977 Muslim rebellion in Mindanao continued to cause concern. The Moro National Liberation Front (MNLF) claimed an estimated 10,000 civilian casualties and had severally disrupted the economy of the region. It was an open secret that the conflict was given sustenance by the supply of arms, ammunition and funds from Libya - in the name of Islamic brotherhood. The Islamic Conference too had debated the insurgency in the Philippines at successive annual meetings and called for peace.

It is against this background that First Lady Imelda Marcos visited Tripoli in November 1976.<sup>7</sup> She met with Gaddafi and arranged for a Philippine panel to negotiate with the MNLF leaders under the Libyan auspices. Eventually a peace agreement was reached on 24 December after the talks between Defence Under Secretary Barbero and MNLF Chairman Nur Misuari. The agreement called for an immediate ceasefire and incorporate several concessions as part of Marcos' regime - Muslim autonomy in South, Muslim representation in regional government, a special security force, etc. The Philippine Government contented itself with the loophole that 'implementation of the agreement should be subject to constitutional process'.

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7 Far Eastern Economic Review Yearbook, 1977 (Hongkong), p. 275.

(President Marcos used this clause to call for a plebiscite on 17 April in the 13 southern provinces). As Christian population outnumber Muslims in the region by 4:2 million, the autonomy proposal was defeated decisively. As the Far Eastern Economic Review Yearbook for 1977 puts it: "The MNLF, Libya and the Islamic Conference were not amused by the exercise which they said controvert the Tripoli peace agreement".<sup>8</sup>

A fresh round of peace talks was held in Manila in April 1977 attended by Islamic Conference Secretary-General Amadon Karim Gaye. The talks broke down completely when no common ground could be found between the two sides. Later in the year the ceasefire broke down totally. Negotiations were not entirely given up but began to be treated as a purely internal matter. MNLF refused to accept this. In October Brigadier-General Baptista was killed with 5 colonels and 27 other officers highlighting the severity of the crisis.<sup>9</sup> (Marcos could cite with some justification that the insurgency in the South was the main reason for continuing with martial law!).

A 700-strong Muslim rebel force on 18 January <sup>had</sup> pledged to respect a ceasefire agreement between the government and guerrilla leaders halting four years of bloody fighting

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8 Ibid.

9 Ibid.

in Southern Philippines. The fully armed rebels met a Joint Ceasefire Committee of Government and rebel representatives and a nine-member observers' team from the Islamic Conference at the guerrilla hideout of Sulu island in the extreme south. A Manila newspaper, on 19 January 1977 said the one-hour meeting took place in an "atmosphere of tension" when insurgents standing on a stretch of road leading to the hideout in Patikul town, 928 km south of Manila, fired in the air with their automatic rifles. Rebel Commanders headed by District Chairman Usman Sali of the Moro National Liberation Front (MNLF) later explained that since they had no radio communications, the rebels were "reporting" their position by firing in the air. It was the first direct contact made by the Committee headed on the government side by Brig. General Ernesto Giddaya and the MNLF by Dr. Thom Manjoorsa with rebels since it arrived in the south on 17 January to start supervisions of the truce purged in Libya.<sup>10</sup>

The Philippines Government and the rebel Moro National Liberation Front (MNLF) agreed on exchange of prisoners as a further step towards a peaceful settlement of the southern Philippines Muslim rebellion. The government-owned Philippine News Agency (NPA) stated that the agreement

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<sup>10</sup> Indonesia Times (Jakarta), 21 January 1977.

covering the prisoners exchange was signed on 20 January in the southern seaport city of Zamboanga between southern military Commander Rear Admiral Romula Espaldon, and MNLF representative, Tham Manjoorsa. The agreement followed a ceasefire declared in Mindanao-Sulu region. According to the agreement, the government would release all prisoners connected with the movement. The MNLF on its part undertook to release its prisoners and hostages including military personnel. Entitled to government amnesty were people who committed crimes "in furtherance of their political or religious beliefs" but not those who have committed crimes like murder, piracy, kidnapping or hijacking.<sup>11</sup>

The government released 22 million pesos (US \$2.9 million) so far for the rehabilitation of people affected by the four-year southern Philippine Muslim rebellion. The financial aid was in the form of loans granted by banking institutions to some 4,084 applicants who included former rebels, according to Brig.-General Antonio Veadas, Armed Forces Deputy Chief of Staff for Home Defence. The applicants had indicated they would use the loans for agriculture, fishing and business.<sup>12</sup>

Chief government negotiator, Carmelo Barbero, on 4 February 1977, estimated that some 20,000 people had been killed in four years of fighting in the southern

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11 Ibid., 24 January 1977.

12 Ibid., 27 January 1977.

Philippines, scene of a Filipino-Muslim revolt for self-rule. Barbero made the statement - the first public disclosure made by an official of the severity of casualties in the fighting - before leaving Manila for Tripoli, Libya, as head of a government panel to negotiate a formal peace settlement with the rebel Moro National Liberation Front (MNLF). Speaking at an airport news conference, Barbero said that in view of the extent of human losses, "it will be almost criminal" for his panel and for the MNLF not to come to a final peace agreement that would end the four-year-old rebellion in the Mindanao-Sulu region.<sup>13</sup>

By the end of the year the Marcos' government could claim full control over the troubled south and asserted that more than 36,000 rebel Muslims had returned to the government side. This was stated by Deputy Defence Secretary Barbero. But he conceded that the rebel Moro National Liberation Front continued to pose a problem to the government because of its compactness. He repeated the Philippines' desire to end the secessionist rebellion - now nearly seven years old, but added that its solution was complicated by a split in the leadership ranks of the MNLF, making it difficult for the government to know with whom to negotiate. He put casualty figures in 1978 at only 1,000 deaths, but gave no breakup. Officially, a ceasefire

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13 Bangkok Post, 5 February 1977.

existed with the MNLF since December 1976. But following a breakdown in peace talks in April 1977, there has been a slow escalation of sporadic incidents, especially in the far southern Sulu islands.<sup>14</sup> These claims were exposed as hollow when the Islamic Nations' Foreign Ministers' Conference approved plans setting up a special "holy war" fund to help Muslim minorities in the Philippines. At the closing session of their 10th annual meeting the Islamic Ministers decided the fund for victims of the civil strife in southern Philippines would be directly controlled by the Islamic Conference Secretariat, and would closely co-operate with the Moro National Liberation Movement in the Philippines. The move was in line with the Islamic nations' demand formulated at the 1976 Conference' meeting that the Filipino Muslims be given political autonomy.<sup>15</sup>

By this time important actors on the regional scene like Indonesia had started displaying concern at the deteriorating situation. Indonesian Foreign Minister Mokhtar Kusumaotmaja expressed the view that the southern Philippines problem was hard to settle 'although the Philippine Government had endeavoured to make approaches to movements claiming the right of self-government'. The difficulties were caused by the split of the Moro National Liberation Front which

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14 Indonesia Times (Jakarta), 16 January 1978.

15 Bangkok Post, 14 May 1979.



is unlikely to reunite, said Minister Mokhtar upon his arrival in Jakarta on 13 May from the Islamic Countries Foreign Ministers' Conference in Morocco.<sup>16</sup>

The 1976 Tripoli agreement designed by the Islamic Conference to end the bloody Muslim revolt in the southern Philippines could now only be considered dead. Recognizing the failure of its pacification efforts a governmental statement made this admission on 15 March 1980. It was stated due to the "intransigence" of the rebel Moro National Liberation Front. (The Tripoli truce was signed on the eve of Christmas in 1976 following a wave of bombings in four cities and a provincial capital town in the south in which 39 persons were reported killed and 147 others wounded. The government claimed the MNLF was responsible for the bombings. But the MNLF sources denied the charge, saying that in recent grenade blasts in Catabato city, in central Mindanao, two arrested suspects pointed to a military agent as the mastermind behind the attacks.) The government side alleged that the MNLF's uncompromising stance in negotiations following the signing of the Tripoli agreement had prevented the implementation of other agreements that were scheduled to be signed in Manila in the middle of 1977.<sup>17</sup>

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16 Indonesia: Times (Jakarta), 15 May 1979.

17 Indonesian Times (Jakarta), 17 March 1980.

Reports from other sources too indicated a worsening situation and inability of the Marcos' regime in containing it. A total of 100,000 Philippine Muslims were estimated to have sought refuge in the eastern Malaysia's Sabah (Borneo) province because of rebel muslims' activity in the southern Philippines, the Antara News Agency reported in Jakarta on 23 March 1980. The agency also quoted "competent sources" as saying that Indonesia and Malaysia were trying to obtain details of the Philippines' views on the situation.

The sources warned that the conflict, if not solved once and for all in the near future, might affect political stability in the region.<sup>18</sup>

The year (1980) ended with Marcos granting amnesty to over 1,000 rebels belonging to NPA and MNLF. Included among those granted amnesty were 375 persons belonging to the NPA and 1,082 members of MNLF, according to the government statement.

This amnesty announcement, like countless precedents, was not so much a conciliatory step as a publicity gimmick proclaiming to the world Marcos' magnanimity. The Muslim insurgency continued to simmer unabated.

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18 Antara News Service, 23 March 1980.

## CONCLUSIONS

Ever since the imposition of martial law in the Philippines on 22 September 1972, President Ferdinand Marcos has sought to legitimize his rule in a variety of ways. His first efforts were directed towards organizing frequent referenda to secure a personal mandate and an approval of his policies. These occasions were marked with great publicity fanfare regarding relaxation of censorship and 'free' voting. Despite ~~resounding~~ <sup>resounding</sup> victories these 'democratic' demonstrations of popular support have failed to silence his opposition. The only thing made transparently clear by these exercises is the futility of electoral processes and irrelevance of party politics in the present Philippine context. Even Marcos himself has conceded that overzealous loyal officials have at times overstepped the legal provisions to ensure satisfactory results. Dissenting individuals and groups have ceased to participate in these polls and thus hope to expose and ridicule Marcos. Marcos has also not succeeded in coping with criticism from radical members of the Catholic church. In short, Marcos' political manipulations during the eight years under review have failed to legitimize his assumption of extra constitutional authority before his people. Marcos may have succeeded in concentrating all political power in his own hands and providing for succession within the family, the achievement continues to be illegitimate.

Nor has his record as an administrator or statesman helped him much. One of the declared objectives of martial law, according to Marcos, was 'to build a new and more dynamic society through greater national discipline and fundamental reforms in the social and economic system! It is in this context that the Philippine President's policy initiatives - their formulation and implementation - should be viewed as attempts at legitimization.

The cornerstone of the new society was agrarian reform. Marcos declared grandiosely that to endow the programme with teeth, he had 'recapitalized' the Land Bank into a \$3,000 million financing institution and authorized it to accept deposits and operate as a commercial bank. The administration expected all tenanted agricultural lands covered by the land reform programmes to be acquired by the Agrarian Reform Administration and sub-divided among 1 million small independent farmers (before 1980). This was described as the main highlight of Marcos regime's endeavours at redistributing wealth.

Marcos has as yet not got tired of preaching populism based on land reforms. What can, however, no longer be questioned is that despite almost a decade of extra-constitutional martial rule, Marcos has only further pauperised the urban middle class and the

rural poor. Despite the tall claims made by the administration the attainment of the new society still remains a distant goal. Land reforms have succeeded in converting only 20,000 tenants into owner-cultivators. Malnutrition (in terms of declining protein intake) remains unchecked.

Marcos was granted ~~some~~ unexpected respites from accounting to his electorate by natural calamities as the 1974 floods. It was scheduled that barangay meetings would be held throughout the islands to decide the form of government the citizen wanted but these 'popular assemblies' had to be indefinitely postponed due to destructive floods.

Marcos also devoted considerable attention to improving the image of his administration. While in the first few months the emphasis was on weeding out corruption later efforts were concentrated on projecting 'dynamism'. Although, earlier programmes of reform had called for streamlining the entire governmental machinery and avoiding duplication, Marcos himself took the lead in creating new departments and agencies 'to handle additional responsibilities'.

A separate department of tourism was created in 1973. Department of Agriculture and Natural Resources was split up. Among the new agencies created to deal with sectoral problems were the National Port Authority, the National

Sugar Commission and the Coconut Products Authority. To emphasize the significance attached to road building in overall development effort the Department of Public Highways, formerly a bureau, was given a separate portfolio. Similarly the Department of Public Works and Communications was renamed the Department of Public Works, Transport and Communications. It is difficult to assess the substantial impact of these changes. It seems that this was basically an exercise in public relations confined to cosmetics.

The year after the imposition of martial law was devoted to the 'pacification campaign' in the Mindanao region. This was understandable. The Muslim insurgency was a major reason that had been put forward to justify the harsh measure and to legitimize it, public attention had to be focussed on counter-measures. Government's emphasis was on a 'policy of attraction' rather than on stepping up military operations.

However, experienced observers of Philippine politics were not distracted by this much publicised campaign. It was generally believed that constitutional developments in the republic were more dependent on other circumstances.

Despite the decade of martial law, Marcos has been constrained to admit that the muslim problem in the South 'could not be solved through military action alone'. Nor are the results of 'policy of attraction' visible.

Although the army claims that it has broken up the concentration of Muslim rebels in Mindanao and reduced their activities to nuisance raids, it cannot wish away the fact that insurgents have tied up 250,000 men in the region. The Government has admitted that total casualties so far approximate 60,000.

Apart from a further turn to the right in the economy, there has been a steady erosion of traditional political institutions. Military and central government agencies have increasingly encroached upon the domain of the elected representatives at local and provincial level. At the time of the imposition of martial law much fuss was made over the 'corruption' of these 72 provincial assemblies and about 1,500 municipalities. Popular expectation of cleaning up were short-lived. Only in the beginning did President Marcos threaten that 'all' corrupt and inefficient officials would be removed. Actually only a dozen persons were finally removed and the investigations against them dragged on for two years.

During the first three and half years of martial law, the Marcos regime arrested 50,000 persons (These figures were disclosed/confirmed by Marcos himself to a fact-finding team of the Amnesty International in December 1975). Of these 5,000 even to date continue languishing in detention.

People have, it seems, got used to living without civil liberties. This perhaps is the reason that Marcos had given up the pretense of legitimizing his martial law regime a couple of years before it was 'formally' ended. Amnesty International has accused the Philippines Government of "extreme cruelty" in the torture of political detainees. It has alleged that since martial law was declared in September 1972, the Philippines has been transformed from a country with a remarkable constitutional tradition to a system where star chamber methods have been used on a wide scale to "torture evidence into existence".

Let there be no confusion though. Ending of martial law by a special Presidential decree has not changed anything in the Philippines. To recall the quotation cited at the outset: "Politics in the Philippines begins and ends with President Ferdinand E. Marcos".



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