

Martial law essay sample

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Martial law is usually imposed on a temporary basis when the government or civilian authorities fail to function effectively (e. g., maintain order and security, or provide essential services). In full-scale martial law, the highest-ranking military officer would take over, or be installed, as the military governor or as head of the government, thus removing all power from the previous executive, legislative, and judicial branches of government. Martial law has also been imposed during conflicts and in cases of occupations, where the absence of any other civil government provides for an unstable population. Typically, the imposition of martial law accompanies curfews, the suspension of civil law, civil rights, habeas corpus, and the application or extension of military law or military justice to civilians. Civilians defying martial law may be subjected to military tribunal (court-martial).

Martial law in the Philippines (Tagalog: *Batas Militar sa Pilipinas*) refers to several intermittent periods in Philippine history wherein the Philippine head of state (such as the President) proclaims that an area is placed under the control of the Armed Forces of the Philippines. Martial law is declared either when there is near-violent civil unrest or in cases of major natural disasters, however most countries use a different legal construct like “state of emergency”. Typically, the imposition of martial law accompanies curfews, the suspension of civil law, civil rights, habeas corpus, and the application or extension of military law or military justice to civilians. Civilians defying martial law may be subjected to military tribunals (court-martial).

Ferdinand Marcos

In a privilege speech before Senate, Benigno Aquino, Jr. warned the public of the possible establishment of a “garrison state” by President Ferdinand

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Marcos. President Marcos imposed martial law on the nation from 1972 to 1981 to suppress increasing civil strife and the threat of a communist takeover following a series of bombings in Manila. On 21 August 1971, while the opposition (Liberal Party) was having their miting de avance in Plaza Miranda, two fragmentation grenades exploded. It took 9 lives and left more than 100 people seriously wounded. Some Liberal Party candidates were seriously injured including Jovito Salonga, who nearly died and was visually impaired. Suspicion of responsibility for the blast initially fell upon Marcos, whom the Liberals blamed for the bombing; however, in later years, prominent personalities associated with the event have laid the blame on the Communist Party of the Philippines under José María Sison.

In his autobiography, Salonga states his belief that Sison and the CPP were responsible. A month of “terrorist bombing” of public facilities in Manila and Quezon City culminated on 22 September with a staged assassination attempt on Defense Secretary Juan Ponce Enrile. Claiming chaos and lawlessness was near, Marcos declared martial law, thereby suspending the 1935 Constitution, dissolving Congress, and assuming absolute power. Six hours after the Enrile assassination attempt, Marcos responded with the imposition of martial law. Proclamation № 1081 which imposed martial law was dated 21 September 1972, but it was actually signed on 17 September. The formal announcement of the proclamation was made only at seven-thirty in the evening of 23 September, about twenty-two hours after he had commanded his military collaborators to start arresting his political opponents and close down all media and retail (fashion, food, religious, sports) establishments. The Proclamation read in part:

“ My countrymen, as of the twenty-first of this month, I signed Proclamation № 1081 placing the entire Philippines under Martial Law...” — Ferdinand Marcos, September 21, 1972 The declaration of martial law was initially well received by some segments of the people but became unpopular as excesses and human rights abuses by the military emerged. Torture was used in extracting information from their enemies. “ We love your adherence to democratic principles and to the democratic process, and we will not leave you in isolation.” — U. S. Vice-President George H. W. Bush during Ferdinand Marcos inauguration, July 1981 Martial law was lifted by President Marcos on January 17, 1981. In the following years there was the assassination of Ninoy Aquino in 1983, the Snap Elections of 1986 and the People Power Revolution or EDSA Revolution in 1986 which led to Marcos, with the advice from the U. S. government, left the country and Cory Aquino becoming president.

During the Second World War, Philippine President Jose P. Laurel of the Second Philippine Republic (a client state of Imperial Japan) placed the Philippines under martial law through Proclamation № 29, which was dated 21 September 1944 and came into effect the following day at 09: 00 PST. Proclamation № 30 was issued on 23 September, declaring the existence of a state of war between the Philippines and the United States and the United Kingdom, effective 10: 00 that day. The country was under martial law again from 1972 to 1981 under the authoritarian rule of Ferdinand Marcos. Proclamation № 1081 (“ Proclaiming a State of Martial Law in the Philippines”) was signed on 21 September 1972 and came into force on 22 September — exactly 28 years after similar proclamations by President Laurel.

The official rationale behind the Martial law being declared was to suppress increasing civil strife and the threat of communist takeover following a series of bombings (including the Plaza Miranda incident) and an assassination attempt on Secretary of Defense Juan Ponce Enrile in Mandaluyong, which was later publicly revealed as having been staged by the government. The policy of martial law was initially well received by some sectors, but it eventually proved unpopular as decadence, excess, and human rights abuses by the military emerged, such as the use of torture in intelligence gathering. Coupled with economic downturns, these factors fermented dissent in various sectors (e. g. the urban middle class) that crystallised with the assassination of jailed oppositionist Senator Benigno Aquino, Jr. in 1983, and widespread electoral fraud in the 1986 snap elections.

These eventually led to the 1986 People Power Revolution that ousted Marcos and forced him into exile in Hawaii where he died in 1989; his rival presidential candidate and Aquino's widow, Corazón, was installed as his successor. There were rumours that President Gloria Macapagal-Arroyo was planning to impose martial law to end military coup plots, general civilian dissatisfaction, and criticism of her legitimacy arising from dubious election results. Instead, a State of National Emergency was imposed in 2006 from 24 February to 3 March in order to crush a coup plot and to tackle protesters. On 4 December 2009, President Arroyo officially placed the Province of Maguindanao under a state of martial law through Proclamation № 1959. As with the last imposition, the declaration suspended the writ of habeas corpus in the province.

The announcement came days after hundreds of government troops were sent to the province to raid the armories of the powerful Ampatuan clan. The Ampatuans were implicated in the massacre of 58 persons, including women from the rival Mangudadatu clan, human rights lawyers, and 31 media workers. Cited as one of the bloodiest incidents of political violence in Philippine history, the massacre was condemned worldwide as the worst loss of life of media professionals in one day.